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**MEETING AGENDA OF THE
PLANNING COMMISSION OF THE TOWN OF FRISCO
FRISCO TOWN HALL
1 MAIN STREET
FRISCO, COLORADO 80443
AUGUST 20, 2026
5:00 PM**

Roll Call:

April Connolly, Candice De, Lina Lesmes, Jessica Forsyth, Andy Stabile, Ira Tane, Kelsey Withrow

Minutes:

Approval of the July 16, 2026, Planning Commission meeting minutes.

Public Comments:

Citizens making comments during Public Comments on items not on the agenda shall state their names and addresses for the record, be topicspecific, and limit comments to no longer than three minutes. No Planning Commission action is taken on public comments. The Commission will take all comments under advisement and if a response is appropriate the individual making the comment will receive a formal response from the town at a later date.

Agenda Items:

Agenda Item #1: **Planning File No. UDC-26-0002**: A public hearing to consider proposed amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, by amending Section 180-5.1. Table of allowed uses, Section 180-5.3. Accessory uses and structures, Section 180-6.13. Parking and loading regulations, Section 180-9.2. Definitions of general use categories, and Section 180-9.3. General definitions, concerning drive-through facilities and tavern terminology.

Agenda Item #2: **Planning File No. UDC-26-0004**: A public hearing to consider proposed amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, by adding Section 180-2.8. Fast Track for Affordable Housing Developments, concerning a fast-tracked review process for affordable housing to meet Proposition 123 state requirements.

Staff and Commissioner Updates:

Adjourn:



RECORD OF PROCEEDINGS

**Meeting of the Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, July 16, 2026, at 5:00 P.M.**

Call to Order: Andy Stabile, Chair, opened the meeting at 5:00 p.m.

Roll Call: Present: Lina Lesmes, Kelsey Withrow, Jessica Forsyth, Andy Stabile, April Connolly, Ira Tane & Candice De

Minutes: Approval of the May 21, 2026, Planning Commission meeting minutes
The minutes were approved unanimously.

Public Comment (non-agenda items): There were no public comments.

Agenda Items:

1. **Planning File No. MAJ-25-0002:** A final review of the Major Site Plan Application for a proposed mixed-use development consisting of six (6) residential units and two (2) commercial units located at 121 E Main Street / Sixth Degree Town Homes. Applicant: Margaret Ziedin, representing Baseline 121 LLC.

Katie Kent, Community Development Director, presented the staff report noting that special conditions are suggested specifically related to drainage, access, and refuse management. Kent stated that with the suggested findings and conditions as outlined in the staff report, Staff recommends the Planning Commission approve the Major Site Plan application.

COMMISSIONER QUESTIONS FOR STAFF:

- Commissioners asked Staff to clarify the location of the waste and recycling. Kent clarified it is proposed within the structure.
- Commissioners asked if the applicant provided a covenant for the parking lifts. Kent replied no and the applicant could explain their justification for not providing.
- Commissioners asked for more information on the proposed courtyard. Kent replied it is required based on the gross floor area of the project.
- Commissioners asked for verification that the applicant has been in discussions with the owner of the Loaf & Jug. Kent replied the applicant would need to verify.
- Commissioners asked the status of STR licenses. Kent replied there are 924 active licenses with about 40 on the waitlist and it would probably take about year to get off the current waitlist.

APPLICANT'S PRESENTATION

Margaret Ziedin, representing Baseline 121 LLC, gave an overview of the project noting:

- They have an updated letter from the waste management company and will give to Staff.
- The proposed access to Loaf & Jug is code compliant and the applicant expanded on a description of the fuel truck current movements.

- The water line information cannot be verified until they start digging and determine exactly where the current line is located.
- The number of parking lifts have been reduced within the garage since sketch plan review. The applicant explained that they expect the care, keeping, and maintenance will be the responsibility of the HOA and outlined in the governing documents.
- The applicant noted that they have been speaking to the Loaf & Jug.

COMMISSION QUESTIONS FOR APPLICANT:

- Commissioners asked applicant to clarify if they plan on complying with the Town's new lighting requirements. Ziedin replied yes.
- Commissioners asked why the applicant is not confirming or willing to agree to the Town Engineer's comments regarding the water line and associated responsibility. Ziedin replied that there is too much uncertainty until they start digging and they want to check the condition during excavation and ensure it is in the easement. Ziedin elaborated that they cannot locate the existing water line and it probably is not where it is supposed to be.
- Commissioners asked Ziedin about the fuel trucks movement problems that could occur. Ziedin replied the truck movements will be able to remain as they do now.
- Commissioners asked if cars will be able to access the Loaf & Jug when fuel truck is there. Ziedin noted there are problems accessing the property now. Discussion between the Commission and applicant ensued.
- Commissioners asked the applicant why they are not proposing signage as requested at sketch plan to note the bike rack is for public use. Discussion ensued and the applicant agreed that they would be amenable to a small sign.
- Commissioners asked the applicant for more information on ensuring that the parking lifts will always be maintained. Discussion ensued with different comments provided by Commission members and the applicant. Kent noted that if there was a complaint on a lack of parking spaces, then the Town does investigate and start a violation if the required parking spaces are not being allowed; Kent elaborated this is sometimes an enforcement matter for STRs when an owner is not allowing a rental to use all required parking spaces.

Public Comment opened at 6:05 p.m.

PUBLIC COMMENTS: no public comment

Public Comments closed at 6:05 p.m.

COMMISSIONERS DISCUSSION:

- Commissioners noted that there is concern over the long term maintenance of the parking lifts and after discussion ensued, agreed that they would support a special condition to have staff explore a legal mechanism to ensure that car lifts would always work in the future. Staff and Commissioners drafted a suggested condition stating: *Prior to recording a plat, staff and the applicant shall explore legal mechanisms to explore car lifts being maintained and operated to the extent that parking remains code compliant.*
- Commissioners noted they are concerned over the challenges with the future Loaf & Jug access but recognized the proposed access met Code.
- Commissioners encouraged the applicant to be a good neighbor to Loaf & Jug.
- Commissioners asked about the legality of the Town requiring one-way access on the Loaf & Jug property when they are not the applicant. Kent acknowledged it was a good point and she would seek more information from the Town Engineer during construction of the project.
- Commissioners noted their frustration with the plat note that allowed additional density.
- Commissioners discussed signage near the bike racks stating they were for public use. Commissioners agreed to add a condition stating: *Prior to issuance of a Certificate of Occupancy, a sign, acceptable to Town staff, shall be installed in the vicinity of the bike rack noting that it is for public use.*

MOTION:

With respect to File No. MAJ-26-0002, Commissioner Lesmes moves that the recommended findings set forth in the July 16, 2026, staff report be made and that the recommended conditions set forth therein be taken and two additional conditions be added stating:

- 10. Prior to issuance of a Certificate of Occupancy, a sign, acceptable to Town staff, shall be installed in the vicinity of the bike rack noting that it is for public use.*
- 11. Prior to recording a plat, staff and the applicant shall explore legal mechanisms to explore car lifts being maintained and operated to the extent that parking remains code compliant.*

and that the Planning Commission hereby APPROVES the request for the Major Site Plan application for a mixed-use development located at 121 East Main Street / Sixth Degree Townhomes.

MOTION SECONDED BY PLANNING COMMISSIONER FORSYTH

VOTE: CONNOLLY – YEA, FORSYTH - YEA, WITHROW – YEA, LESMES – YEA, TANE – YEA, STABILE – YEA, DE - YEA

NOES: NONE

MOTION: PASSED

2. **Work Session UDC-26-0002, Drive-through Facilities and Tavern Terminology:** A work session to discuss proposed amendments to Chapter 180 of the Code of Ordinances, concerning drive-through facilities and tavern terminology.

Emma Heth, Planner II, reviewed the staff memo provided in the Commissioner's packet. Heth reviewed the background of the item along with proposed code changes noting that modifications made since the last Commission discussion on this topic included recommendations from Council whether to allow drive-through facilities in other zoning districts by right or conditional use. Heth requested the Commission provide feedback on which zone districts they support allowing drive-through facilities as a conditional use or allowed use, whether they support the proposed design requirements, and if they would like to change stacking space requirements. Staff will bring forward the Commissioners' suggestions to the Town Council at a future work session, then will return to Planning Commission for a formal recommendation.

COMMISSIONER DISCUSSION:

Commissioners discussed the topics and provided the following overall feedback:

- Commissioners discussed the Mixed-Use District having differing opinions if a drive-through should be permitted by conditional use or prohibited. After discussing, Commissioners agreed to recommend the Council prohibit drive-through establishments in the Mixed-Use District.
- Commissioners discussed the Gateway District having different opinions if a drive-through should be permitted by conditional use. After discussing, Commissioners agreed to recommend the Council prohibit drive through establishments in the Gateway District.
- Commissioners discussed the Commercial Oriented district and agreed to recommend the Council permits drive-through uses by right.
- Commissioners feedback regarding design standards included:
 - Commissioners recommended 5 stacking spaces per kiosk stations and not windows and did not support the language that would allow the Planning Commission to require more than 5 stacking spaces.
 - Commissioners stated that stacking spaces should have a dimensional requirement (same size as a parking space).
 - Commissioners did not support the distance separation and requested it be removed.
 - Commissioners supported removing the code references to taverns.

3. **Planning File No. UDC-26-0003:** A public hearing to consider amending Chapter 180 of the Code of Ordinances of the Town of Frisco, concerning the Unified Development Code, by amending Table 5-1 and Amending Section 180-5.2.8, to permit residential uses in the Light Industrial District

Katie Kent, Community Development Director, reviewed that the landscaping and revegetation guidelines were being modified due to requirements outlined in Senate Bill 24-0005, House Bill 25-1113, and the Colorado Wildfire Resiliency Code (CWRC). Kent briefly reviewed the relevant legislation and noted that at this point, Staff is seeking answers to specific questions from the Commissioners which are primarily regarding the desire for landscaping weighed with water conservation and wildfire resiliency.

COMMISSIONER DISCUSSION:

Commissioners discussed the topics and provided the following overall feedback:

- With regards to requiring application submittals for the conversion or replacement of turf, Commissioners agreed an application should not be needed if the definition of xeriscape is clearly defined and explained in the code language.
- With regards to requiring application submittals for the removal of dead or diseased trees, Commissioners recommended an application should not be needed as long as there are clear requirements for replacement of trees and shrubs so there is enforcement action if replacement was required and not provided.
- With regards to whether trees should be replaced when removed from the immediate zone, Commissioners agreed an application should not be needed as long as there are clear requirements for replacement of trees and shrubs so there is enforcement action if replacement was required and not provided.
- Commissioners noted that there needs to be an understanding at looking at the total existing trees on a property and not requiring new trees if there is an abundance of trees that are not proposed for removal.
- With regards to what an adequate tree and shrub count should be for the Town, Commissioners recommended:
 - Residential, per dwelling unit (1-3 dwelling units):
 - Three (3) trees and six (6) shrubs; or
 - Four (4) trees and three (3) shrubs; or
 - Five (5) trees and no shrubs
 - Non-Residential and 4+ residential dwelling units:
 - Three (3) trees and two (2) shrubs for every 1500 sq. ft. of floor area
- With regards to allowing alternatives to landscaping in certain zone districts in Town, Commissioners recommended not allowing in other areas/zone districts and requiring landscaping in tree and shrub form (keep requirements as written in code currently)
- Commissioners agreed that regarding the proposed surface in the immediate zone, the Town should continue to follow the current Code definition of lot coverage to determine if the proposed surface is exempt or not.
- Commissioners asked if landscaping could be planted in the ROW. Kent replied that required landscaping shall be planted on private property. If a property owner chooses to plant additional landscaping in the ROW, it is subject to a revocable license due to ensuring the Town is not responsible for damage that may occur; including during snow plowing operations.

Staff and Commissioner Updates:

1. Kent stated that there will be no meeting on August 6, 2026, and reminded Commissioners to inform Staff if they will not be able to make a meeting so Staff can ensure a quorum at each meeting.

2. Kent provided an update on staff changes within the Community Development Department.
3. Commissioners noted appreciation for the appearance of 602 Galena.

Adjournment:

There being no further business, Commissioner Withrow made a motion to adjourn, seconded by Commissioner Connelly, and it was unanimous. The meeting adjourned at 7:49 P.M.

Respectfully submitted,
Kimberly Jackson
Community Development Department



PLANNING COMMISSION STAFF REPORT

August 20, 2026

AGENDA ITEM: Planning File No. UDC-26-0002: A public hearing to consider proposed amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, by amending Section 180-5.1. Table of allowed uses, Section 180-5.3. Accessory uses and structures, Section 180-6.13. Parking and loading regulations, Section 180-9.2. Definitions of general use categories, and Section 180-9.3. General definitions, concerning drive-through facilities and tavern terminology.

APPLICANT: Town of Frisco
1 East Main Street
PO Box 4100
Frisco, CO 80443

TOWN STAFF: Emma Heth, Planner II

SUMMARY

Before the Planning Commission on August 20, 2026 is a recommendation to Town Council for proposed modifications to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, regarding drive-through facilities and tavern terminology. Staff has drafted proposed code amendments based on the feedback from Planning Commission and Town Council during their work sessions for Planning Commission to consider.

The proposed code amendments would add "drive-through facility" as an accessory use in the Table of Uses, allow this use in the Commercial-Oriented Zoning District, and add design requirements. The proposed definition of "drive-through facility" is similar to the existing definition of "drive-through business," with some clarification. The proposed amendments also remove all instances of the word "tavern" from the Table of Uses and parking requirement tables because it is not defined. Taverns would be considered "restaurants."

DESCRIPTION

Town Code Sections 180-5.1. Table of allowed uses, 180-5.3. Accessory uses and structures, 180-9.2. Definitions of general use categories, and 180-9.3. General definitions regulate uses in the Town of Frisco by defining the uses and listing in which zoning districts they are allowed. Updates to these Sections are being proposed following feedback from Town Council, Planning Commission, and the community that there is a desire to limit the areas where drive-through establishments are allowed.

The proposed changes include:

- §180-5.1. Table of uses: Adding a use for “Drive-through facility” within the accessory uses category and marking it as a permitted use in the Commercial-Oriented Zoning District.
- §180-5.3. Accessory uses and structures: Adding a new subsection 4 with design requirements for drive-through facilities.
- §180-6.13. Parking and loading regulations: Making the stacking requirement for fast food restaurants to be per order kiosk rather than window, and removing the term “tavern” from Table 6-1 and Table 6-2, which regulate the minimum required parking spaces by use.
- §180-9.2. Definitions of general use categories and §180-9.3. General definitions: Amending the definitions of general use categories and specific uses to add clarity and align with the proposed language in the other sections.

Below is the language being considered:

180-5.1.5. *Table of Allowed Uses.*

TABLE 5-1 TABLE OF ALLOWED USES															
● = Permitted ○ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
COMMERCIAL USES															
Food and Beverage	Fast food restaurant						●	●		●	○				
	Microbrewery, distillery and/or tasting room						●	●		●	●				
	Restaurant, bar, tavern						●	●		●	●		○		
Offices	Financial service						●	●		●					
	Medical office						○	●	●	●	●				180-5.2.12 180-5.2.15
	Office					○	○	●	●	●	●				180-5.2.12
Personal Services	Personal services, General					○	●	●		●	●				
Retail	Artisan studio or gallery						●	●		●	●				
	Light retail						●	●	○	●	●		○		
	Medical marijuana dispensary						●	●	●		●				180-5.2.6
	Professional trade								●						

	Professional trade retail								•						
	Regional retail						•	•							
	Retail marijuana						•	•	•		•				180-5.2.9
Vehicles and Equipment															
	Auto fuel sales						⦿	•			⦿				
	Auto service or wash						•	•	•						
INDUSTRIAL USES															
ACCESSORY USES															
Accessory Uses	Accessory building and use	•	•	•	•	•	•	•	•					•	
	Accessory dwelling unit	⦿	•	•	•	•	•	•	•	•	•		⦿	⦿	180-5.3.1
	Home occupation	⦿	⦿	⦿	⦿	⦿				⦿					
	Home office	•	•	•	•	•	•	•		•	•				
	<u>Drive-through facility</u>							<u>•</u>							<u>180-5.3.4.</u>
	Solar energy facility	•	•	•	•	•	•	•	•	•	•	•	•	•	180-5.3.3
	Electric Vehicle Charging Station	•	•	•	•	•	•	•	•	•	•	•	•	•	
DISTRICT LEGEND RS = Residential Single-Household District RN = Residential Traditional Neighborhood District RL = Residential Low Density District RM = Residential Medium Density District RH = Residential High Density District GW = Gateway District CO = Commercial Oriented District LI = Light Industrial District CC = Central Core District MU = Mixed-Use District OS = Open Space District PR = Parks and Recreation District PF = Public Facilities District															

(Ord. No. 17-04, 6-27-17; Ord. No. 19-04, 4-9-19; Ord. No. 20-23, 1-26-21; Ord. No. 22-12, 10-11-22; Ord. No. 23-09, § 7, 3-28-23; Ord. No. 24-12, § 1, 10-22-24)

Section 180-5.3.4.: Drive-Through Facility.

- A. Purpose and Intent. The purpose of these standards is to ensure that drive-through facilities are designed to protect the safety of pedestrians and motorists, prevent traffic congestion on public streets, and minimize negative impacts on adjacent properties.
- B. Vehicle Stacking Requirements and Traffic Flow.
1. All drive-through facilities must provide dedicated off-street stacking lanes as outlined in Section 180-6.13. Parking. The facility must also meet all parking requirements for its principal use.
 2. Separation. Stacking lanes must be physically separated from parking areas and drive aisles by a raised curb, median, or painted striping.
- C. Site Design for Pedestrian Safety.
1. No Intersections. Drive-through lanes should not intersect the main pedestrian path leading to the building's primary entrance.
 2. Marked Crossings. Where a pedestrian path must cross a drive-through lane, it must be clearly marked with contrasting pavement, specialized striping, or raised crosswalks.

Section 180-6.13.3.A.: Table 6-1 Required Number of Parking Spaces by Land Use

USE CATEGORY	USE TYPE		PARKING SPACE REQUIREMENTS
Commercial	Commercial use with drive-through	Stacking spaces per window	5.0
Food and Beverage	Fast food restaurant	Per 150 square feet of GFA (non-seating area)	1.0
		Plus per 250 square feet of GFA (seating area)	1.0
		Stacking spaces per <u>drive-up window-order kiosk</u>	5.0
	Restaurant, bar <u>and tavern</u>	Per 250 square feet of GFA	1.0

Section 180-6.13.3.D.: Table 6-2 Minimum Required Parking Spaces – Central Core District and Mixed-Use Districts Fronting West Main Street

USE	PARKING SPACE REQUIREMENTS
Restaurants, <u>and</u> Bars <u>and Taverns</u> [1]	0.0
Notes: [1] Any change in the use from retail, restaurant, <u>or</u> bar <u>or tavern</u> GFA approved by the Town using the parking provisions contained herein to other uses (permitted or conditional) must provide parking spaces in the amounts and locations required by the Article.	

180-9.2.3. Commercial Uses

B. *Food and Beverage*. Establishments involved in serving prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. Drive-through facilities may be an accessory use where permitted in the Table of Uses.

D. *Offices*. Uses that provide executive, management, administrative, or professional services, but do not involve the sale of merchandise except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Drive-through facilities may also be an accessory use for the purpose of providing services where permitted in the Table of Uses.

E. *Personal Services*. Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location. Accessory uses may include drive-throughs where permitted in the Table of Uses.

G. *Retail*. Uses involving the sale of a product directly to the final consumer for whatever purpose but not specifically or exclusively for the purpose of resale. Examples include, but are not limited to, bookstores, antique stores, bakeries, grocery stores, household product stores, and similar uses. Accessory uses may include drive-throughs where permitted in the Table of Uses.

180-9.3. General definitions

Drive-Through Facility. A business-facility that offers drive-through service where customers remain seated in a vehicle occupying a drive-through service lane to the point of a window or other service area. Drive-through uses do not include the dispensing of fuel, electric vehicle charging, washing of vehicles, or parking lot pickup of retail items.

Microbrewery, Distillery, and/or Tasting Room. A small brewery, winery, or distillery operated separately or in conjunction with a drinking establishment or restaurant, provided the beer, wine, or liquor is sold for consumption onsite or off the premises and is not sold to other drinking establishments, restaurants, or wholesalers.

Restaurant. An establishment where food and drink are prepared, table service is provided, and consumption takes place primarily within the principal structure.

Restaurant, Fast Food. An establishment where food and/or beverages are sold in a take-out fashion, no table service is provided, and all or a significant portion of the consumption takes place outside the confines of the restaurant, and/or ordering and pick-up of food may take place from an automobile. Fast food restaurants shall not include a drive-through facility unless such a facility is permitted as an accessory use in the zoning district in which the fast food restaurant is located.

BACKGROUND

In the spring/summer of 2025, the Town Council reviewed an Ordinance related to the amount of drive through signs permitted within the Town. During these conversations, the Council stated they would like to consider not allowing drive-through facilities on Main Street in the future.

During a work session at their February 24, 2026 meeting, the Town Council indicated support for prohibiting all types of drive-through establishments in all zoning districts except the Commercial Oriented District (CO), where they would be allowed. There was some discussion about allowing drive-through facilities as a conditional use in the Mixed Use (MU) and/or Gateway (GW) Districts, but the majority of Council members supported prohibiting them.

During a work session on July 16, 2026, the Planning Commission indicated that they supported prohibiting drive-through facilities in all zoning districts except the Commercial Oriented (CO) Zoning District. Similar to Town Council, there was discussion about a conditional use in the MU and/or GW Districts, but ultimately the Commissioners agreed to only allow drive-throughs in CO. Commissioners also suggested measuring the stacking space requirement “per order kiosk” rather than “per drive-up window.” Staff incorporated this change for fast food restaurants, but recommends keeping the requirement “per drive-up window” for general commercial uses since not all commercial uses may have order kiosks (i.e., pharmacy, bank).

Planning Commission also briefly discussed this topic during their February 19, 2026 meeting, when they also indicated support for prohibiting all types of drive-through establishments on Main Street (including the Mixed-Use Zoning District) but allowing them on Summit Boulevard.

Currently, Frisco Town Code, Chapter 180, Table 5-1, Table of Allowed Uses, does not specifically include drive-through facilities. Therefore, the Town currently allows drive-through establishments where the principal use (financial service, restaurant, retail, etc.) incorporates a drive-through. However, any drive-through is required to comply with the below sections of code which do have regulations around drive-throughs:

1. In Table 6-1, Required Number of Parking Spaces by Land Use, a “commercial use with drive-through” and “fast food restaurant” requires 5.0 stacking spaces per window.
2. Chapter 180-6.19, Signs restricts the number of signs permitted per drive-through lane.
3. Chapter 180, Article 9 includes the following definitions:
 - a. *Drive-Through Business*. A business that offers drive-through service where customers remain seated in a vehicle occupying a drive through service lane to the point of a window or other service area.
 - b. *Restaurant, Fast Food*. An establishment where food and/or beverages are sold in a take-out fashion, no table service is provided, and all or a significant portion of the consumption takes place outside the confines of the restaurant, and/or ordering and pick-up of food may take place from an automobile.

Existing Drive-throughs in the Town

Below are the existing drive-throughs in the Town and their zoning districts. The proposed zoning changes will not create nonconforming uses for existing drive-through facilities because all are located in either the CO District or the Lakepoint PUD (no underlying zoning).

Business	Location	Zoning District
Alpine Bank	701 N Summit Blvd	CO
Taco Bell	865 N Summit Blvd	CO
Wendy's	940 N 10 Mile Dr	Lakepoint PUD
McDonalds/First Bank	960 N 10 Mile Dr	Lakepoint PUD
Starbucks	980 N 10 Mile Dr	Lakepoint PUD

KFC	1000 Lakepoint Dr	Lakepoint PUD
BMO Bank	1000 N Summit Blvd	CO
Dunkin Donuts	912 N Summit Blvd	CO

REQUIRED ACTION

Planning Commission: A recommendation to the Town Council of approval or disapproval, either in whole or in part.

Town Council: Approval or disapproval, either in whole or in part.

ANALYSIS – CODE TEXT AMENDMENTS [§180-2.4.3]

Pursuant to sub-section §180-2.4.3.D, an amendment to the text of the Unified Development Code is a legislative decision by the Town Council. Prior to the Town Council's consideration of an Ordinance to amend the text of the UDC, the Planning Commission must first review the proposed amendment and forward a recommendation to the Town Council. Prior to recommending approval or disapproval, either in whole or in part, of a proposed code text amendment, the Planning Commission must consider whether and to what extent a proposed amendment:

- 1. Is consistent with the Master Plan and other Town policies;*
- 2. Conflicts with other provisions of this Chapter or other provisions in the Frisco Town Code;*
- 3. Is necessary to address a demonstrated community need;*
- 4. Is necessary to respond to substantial changes in conditions and/or policy; and*
- 5. Is consistent with the general purpose and intent of this Chapter.*

These proposed code text amendments are consistent with the Frisco Comprehensive Plan, including the following goals and strategies:

Goal B.1: Continue creating safe, attractive, and sustainable neighborhoods where residents can thrive.

- 1. Review zoning and design standards. Implement community character requirements that are in alignment with the Future Land Use Classifications. Potential amendments include implementing design guidelines in Section 180-6 .21 based on character areas to ensure specific standards are identified for each of the Town's different subareas, updating zone district uses and dimensions to integrate considerations for housing typologies that fit in the specific area, and updating parking and access standards to ensure a focus on pedestrian safety.

Goal D.1: Support local businesses, expand local industries and services, and encourage long-term investment to strengthen and diversify the local economy.

- 5. Analyze existing uses allowed in the Central Core and determine if they should be modified in the UDC.

Goal D.2: Encourage the vibrancy of Main Street and the Downtown District as the heart of Frisco.

- 2. Preserve the small business look and feel of Main Street. Consider prohibiting or restricting businesses with drive-throughs, to allow for a pedestrian-friendly environment.
- 4. Encourage development that expands the vibrancy of Main Street to West Main Street as well as across Summit Boulevard to the Town's Bay Marina. Integrate urban design principles that create active street frontage and considers the public realm to support community gathering and walkability for economic vibrancy into the UDC.

A first reading of an Ordinance is anticipated to be before the Town Council on September 8, 2026 at which time the Council will review the proposed modifications to the UDC. Discussion from the Planning Commissioners, along with their motion and vote, will be distributed to Council for their discussion and consideration.

PUBLIC COMMENT

As of August 13, 2026, the Community Development Department had received no formal public comments concerning this project.

STAFF RECOMMENDATION

Recommended Findings

The Community Development Department recommends the following findings pertaining to the proposed code text amendments:

Based upon the review of the Staff Report dated August 20, 2026, and the evidence and testimony presented, the Planning Commission finds:

- 1. The proposed code text amendments are consistent with the Comprehensive Plan and other Town policies because the proposed amendments update the standards of the code that are used to implement the goals of the Frisco Comprehensive Plan, including An Inclusive and Accessible Community and A Diverse and Thriving Economy.*
- 2. The proposed code text amendments do not conflict with other provisions of the Unified Development Code or other provisions in the Frisco Town Code.*
- 3. The proposed code text amendments are necessary to address a demonstrated community need to preserve the preserve the vibrancy of Main Street, expand that pedestrian character to West Main Street and across Summit Boulevard to the marina, and improve pedestrian safety.*
- 4. The proposed code text amendments are necessary to respond to substantial changes in conditions and/or policy, because the proposed amendments support a stated desire for the Town to preserve and expand urban design oriented toward pedestrians and small businesses.*
- 5. The proposed code text amendments are consistent with the general purpose and intent of this Chapter, because the proposed text amendments protect the public health, safety, and general welfare and implement the policies of the Comprehensive Plan, including the goals for An Inclusive and Accessible Community and A Diverse and Thriving Economy. The proposed code text amendments create efficient streets and allow mobility by vehicle, bike and foot; create a healthy community; and encourage the most appropriate use of*

land throughout the Town based upon the Comprehensive Plan, by limiting traffic congestion, improving pedestrian safety, improving urban design and walkability, and limiting vehicle-oriented businesses to the most appropriate portion of the Town.

Recommended Motion

Should the Planning Commission choose to RECOMMEND APPROVAL of the proposed text amendments, the Community Development Department recommends the following motion:

With respect to Planning File No. UDC-26-0002, I move that the recommended findings set forth in the August 20, 2026 Staff Report be made and that the Planning Commission RECOMMENDS APPROVAL to Town Council of code text amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, concerning the Unified Development Code, by amending Section 180-5.1. Table of allowed uses, Section 180-5.3. Accessory uses and structures, Section 180-6.13. Parking and loading regulations, Section 180-9.2. Definitions of general use categories, and Section 180-9.3. General definitions, concerning drive-through facilities and tavern terminology.

ATTACHMENTS

Attachments:

Attachment 1 – DRAFT Ordinance with Proposed Modifications to Chapter 180 of the Code of Ordinances

Attachment 2 – Town of Frisco Zoning Map

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-XX**

AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTIONS 180-5.1., CONCERNING THE TABLE OF ALLOWED USES, 180-5.3., CONCERNING ACCESSORY USES AND STRUCTURES, 180-6.13., CONCERNING PARKING AND LOADING REGULATIONS, 180-9.2., CONCERNING DEFINITIONS OF GENERAL USE CATEGORIES, AND 180-9.3., CONCERNING GENERAL DEFINITIONS, IN ORDER TO PUT LIMITATIONS ON THE LOCATIONS OF DRIVE-THROUGH FACILITIES WITHIN THE TOWN AND TO REMOVE THE REFERENCE TO TAVERNS AS A USE CATEGORY.

WHEREAS, the Town of Frisco, Colorado (“Town”) is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the zoning and land use powers conferred upon the Town by the State of Colorado as a Home Rule Municipality empower the Town to manage land use to ensure the public health, safety, and welfare; and

WHEREAS, the Town of Frisco currently regulates drive-through establishments within the Town limits in accordance with Chapter 180 “Unified Development Code” of the Frisco Town Code, adopted pursuant to its Home Rule Constitutional authority and the Local Government Land Use Control Enabling Act of 1974, as amended, §29-20-101, et seq. C.R.S; and

WHEREAS, the Town Council desires to amend the Unified Development Code in order to limit the design of drive-through establishments and the allowed locations of drive-through establishments to certain commercial zoning districts; and

WHEREAS, the amendments adopted hereby will reduce traffic congestion, limit the environmental impact of idling vehicles, and promote pedestrian safety, walkability, and multi-modal transit; and

WHEREAS, the amendments adopted hereby will remove outdated definitions that are not defined in the Town Code and do not need to be within Chapter 180; and

WHEREAS, the Town of Frisco Planning Commission reviewed the proposed amendments adopted herein on August 20, 2026, and made a recommendation to approve the amendments with modifications to the Town Council; and

WHEREAS, the Town Council held Public Hearings on September 8, 2026 and September 22, 2026, to receive public comment, evidence and testimony relative to the proposed amendments to the Frisco Town Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. Section 180-5.1.5. of the Frisco Town Code, concerning Table of Allowed Uses, is hereby amended to read as follows:

TABLE 5-1 TABLE OF ALLOWED USES															
● = Permitted ○ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
COMMERCIAL USES															
Food and Beverage	Fast food restaurant						●	●		●	○				
	Microbrewery, distillery and/or tasting room						●	●		●	●				
	Restaurant, bar, tavern						●	●		●	●		○		
Offices	Financial service						●	●		●					
	Medical office						○	●	●	●	●				180-5.2.12 180-5.2.15
	Office					○	○	●	●	●	●				180-5.2.12
Personal Services	Personal services, General					○	●	●		●	●				
Retail	Artisan studio or gallery						●	●		●	●				
	Light retail						●	●	○	●	●		○		
	Medical marijuana dispensary						●	●	●		●				180-5.2.6
	Professional trade								●						
	Professional trade retail								●						
	Regional retail						●	●							
	Retail marijuana						●	●	●		●				180-5.2.9
Vehicles and Equipment															

	Auto fuel sales						●	●			●				
	Auto service or wash						●	●	●						
INDUSTRIAL USES															
ACCESSORY USES															
Accessory Uses	Accessory building and use	●	●	●	●	●	●	●	●					●	
	Accessory dwelling unit	●	●	●	●	●	●	●	●	●	●		●	●	180-5.3.1
	Home occupation	●	●	●	●	●				●					
	Home office	●	●	●	●	●	●	●		●	●				
	<u>Drive-through facility</u>							●							<u>180-5.3.4.</u>
	Solar energy facility	●	●	●	●	●	●	●	●	●	●	●	●	●	180-5.3.3
	Electric Vehicle Charging Station	●	●	●	●	●	●	●	●	●	●	●	●	●	
DISTRICT LEGEND RS = Residential Single-Household District RN = Residential Traditional Neighborhood District RL = Residential Low Density District RM = Residential Medium Density District RH = Residential High Density District GW = Gateway District CO = Commercial Oriented District LI = Light Industrial District CC = Central Core District MU = Mixed-Use District OS = Open Space District PR = Parks and Recreation District PF = Public Facilities District															

Section 2. Section 180-5.3.4. of the Frisco Town Code, concerning Drive-Through Facility, is hereby added and shall read as follows:

Section 180-5.3.4.: Drive-Through Facility.

- A. Purpose and Intent. The purpose of these standards is to ensure that drive-through facilities are designed to protect the safety of pedestrians and motorists, prevent traffic congestion on public streets, and minimize negative impacts on adjacent properties.**

B. Vehicle Stacking Requirements and Traffic Flow.

1. **All drive-through facilities must provide dedicated off-street stacking lanes as outlined in Section 180-6.13. Parking. The facility must also meet all parking requirements for its principal use.**
2. **Separation. Stacking lanes must be physically separated from parking areas and drive aisles by a raised curb, median, or painted striping.**

C. Site Design for Pedestrian Safety.

1. **No Intersections. Drive-through lanes should not intersect the main pedestrian path leading to the building's primary entrance.**
2. **Marked Crossings. Where a pedestrian path must cross a drive-through lane, it must be clearly marked with contrasting pavement, specialized striping, or raised crosswalks.**

Section 3. Section 180-6.13.3.A., Table 6-1 of the Frisco Town Code, concerning Required Number of Parking Spaces by Land Use, is hereby amended to read as follows:

USE CATEGORY	USE TYPE		PARKING SPACE REQUIREMENTS
Commercial	Commercial use with drive-through	Stacking spaces per window	5.0
Food and Beverage	Fast food restaurant	Per 150 square feet of GFA (non-seating area)	1.0
		Plus per 250 square feet of GFA (seating area)	1.0
		Stacking spaces per <u>drive-up window-order kiosk</u>	5.0
	Restaurant, bar and <u>tavern</u>	Per 250 square feet of GFA	1.0

Section 4. Section 180-6.13.3.D., Table 6-2 of the Frisco Town Code, concerning Minimum Required Parking Spaces – Central Core District and Mixed-Use Districts Fronting West Main Street, is hereby amended to read as follows:

USE	PARKING SPACE REQUIREMENTS
Restaurants, and Bars and Taverns [1]	0.0

Notes:

[1] Any change in the use from retail, restaurant, ~~or bar~~ ~~or tavern~~ GFA approved by the Town using the parking provisions contained herein to other uses (permitted or conditional) must provide parking spaces in the amounts and locations required by the Article.

Section 5. Section 180-9.2.3. of the Frisco Town Code, concerning Commercial Uses, is hereby amended to read as follows:

180-9.2.3. *Commercial Uses.*

A. *Agriculture Uses.* Agricultural and farming activities, including nurseries and facilities for processing and selling agricultural products. Agricultural uses involve farming, dairying, pasturage, apiculture, horticulture, floriculture, and viticulture.

B. *Food and Beverage.* Establishments involved in serving prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. **Drive-through facilities may be an accessory use where permitted in the Table of Uses.**

C. *Lodging Facilities.* For-profit facilities where lodging, meals, and the like are provided to transient visitors and guests for a defined period.

D. *Offices.* Uses that provide executive, management, administrative, or professional services, but do not involve the sale of merchandise except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. **Drive-through facilities may also be an accessory use for the purpose of providing services where permitted in the Table of Uses.**

E. *Personal Services.* Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location. **Accessory uses may include drive-throughs where permitted in the Table of Uses.**

F. *Recreation and Entertainment.* Uses that provide recreation or entertainment activities. Accessory uses may include concessions, snack bars, parking, and maintenance facilities.

G. *Retail.* Uses involving the sale of a product directly to the final consumer for whatever purpose but not specifically or exclusively for the purpose of resale. Examples include, but are not limited to, bookstores, antique stores, bakeries, grocery stores, household product stores, and similar uses. **Accessory uses may include drive-throughs where permitted in the Table of Uses.**

H. *Vehicles and Equipment.* Uses include a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair and storage and offices.

I. *Veterinary Services.* Animal-related uses include the boarding and care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas.

Section 6. Section 180-9.3. of the Frisco Town Code, concerning General definitions, is hereby amended for the terms below to read as follows:

Drive-Through Facility. A ~~business facility~~ that offers drive-through service where customers remain seated in a vehicle occupying a drive-through service lane to the point of a window or other service area. **Drive-through uses do not include the dispensing of fuel, electric vehicle charging, washing of vehicles, or parking lot pickup of retail items.**

Restaurant, Fast Food. An establishment where food and/or beverages are sold in a take-out fashion, no table service is provided, and all or a significant portion of the consumption takes place outside the confines of the restaurant, ~~and/or ordering and pick-up of food may take place from an automobile.~~ **Fast food restaurants shall not include a drive-through facility unless such a facility is permitted as an accessory use in the zoning district in which the fast food restaurant is located.**

Section 7. Savings Clause. If any part, section, subsection, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance even if such unconstitutional or invalid matter had not been included herein.

Section 8. Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed provided, however, that the repeal of any ordinance or parts of ordinances of the Town of Frisco shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 9. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado. There are few exceptions to the effective date of Ordinances, check with Town Attorney.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING
ORDERED THIS ____^{TH/RD/ST} DAY OF **MONTH**, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE
ORDERED THIS _____ DAY OF _____, 2026.

TOWN OF FRISCO, COLORADO:

Frederick J. Ihnken, Mayor

ATTEST:

Stacey Campbell, Town Clerk



Town of Frisco Zoning

Historic Overlay District

Parcels

Town Boundary

1- Mountainside

2- Northway

3- Frisco Place

4- Royal Mountain Ranch

5- Creek at Frisco

6- Residence at Creekside Estates

7- Frisco Park Filing 1 and 2

8- The Reserve at Frisco

9- River Pines

10- Mountain Pines

11- Crossroads at Frisco

12- Lakepoint

13- 101 W Main Housing

14- Rivercrest Townhomes

GW - Gateway

CC - Central Core

CO - Commercial-Oriented

LI - Light Industrial

MU - Mixed Use

OS - Open Space

PF - Public Facilities

PR - Parks & Recreation

RS - Residential Single-Household

RN - Residential Traditional Neighborhood

RL -Residential Low Density

RM - Residential Medium Density

RH - Residential High Density

0

500

1,000

2,000 Feet

1in = 600ft

Scale: 1:7,200

N



FRISCO
COLORADO

This map is for display purposes only and is not survey accurate.
Do not use for legal conveyance. Map printed 10/2020.



STAFF REPORT

TO: PLANNING COMMISSION
FROM: JAMES GORHAM, ECONOMIC DEVELOPMENT MANAGER
RE: TOWN CODE: FAST TRACK AFFORDABLE HOUSING CODE
AMENDMENT: SECTION 180-2.8
DATE: AUGUST 20, 2026

Summary & Background:

Staff requests the Planning Commission discuss the proposed Fast Track Affordable Housing Code Amendment establishing a formal expedited review process for qualifying affordable housing developments. The proposed amendment creates a new Section 180-2.8 of the Frisco Town Code that implements a 90-day development review process for eligible affordable housing projects, consistent with Colorado Proposition 123 requirements and the Town's adopted Strategic Housing Plan.

The amendments are intended to reduce regulatory barriers, improve predictability for affordable housing developers, and maintain the Town's eligibility for future Proposition 123 housing funding, while preserving existing development standards and public review requirements.

Colorado voters approved Proposition 123 in November 2022, creating the Colorado Affordable Housing Financing Fund to increase housing production throughout the state. Jurisdictions choosing to participate receive access to state funding opportunities, but must meet required statutory requirements, including implementation of an expedited development review process for qualifying affordable housing projects.

In August 2023, the Town of Frisco formally committed to participate in Proposition 123. Since that commitment, the Colorado Department of Local Affairs (DOLA) has developed implementation guidance requiring participating municipalities to adopt local regulations that guarantee a final land use decision within ninety (90) calendar days of a complete application for qualifying affordable housing developments.

These regulations must be in place by December 31, 2026, for the Town to remain eligible for future Proposition 123 funding opportunities and competitive housing grant programs.

The proposed amendment implements these state requirements while advancing recommendations contained in the Town's Strategic Housing Plan.

Analysis:

In August 2023 the Town of Frisco submitted to the Colorado Department of Local Affairs (DOLA) a “Commitment” to increase affordable housing in the community. As part of that commitment, the Town was required to increase the number of affordable units by 16, with a requirement of certain AMI levels with a legally binding agreement, such as a deed restriction. Additionally, the Town is expected to implement an expedited review process for affordable housing development, which is the Fast Track Affordable Housing code amendment brought forth.

The new Section 180-2.8 establishes a formal Fast Track review process designed to:

- Reduce regulatory barriers that can delay affordable housing projects.
- Provide certainty and predictability to affordable housing developers.
- Encourage additional affordable and workforce housing construction.
- Maintain eligibility for Proposition 123 funding.
- Streamline permitting without reducing development standards or public review requirements.

The proposed code amendment establishes clear eligibility criteria for projects seeking expedited review. To qualify, a development must dedicate at least 50 percent of its dwelling units as affordable housing, with rental units serving households earning no more than 100 percent of the Area Median Income (AMI) and ownership units serving households earning no more than 150 percent of the AMI. Additionally, housing costs must remain affordable by not exceeding 30 percent of household income, and the project may be subject to deed restrictions consistent with the Town's affordable housing covenant. Participation in the expedited review process is entirely voluntary, allowing eligible applicants to either utilize the accelerated review timeline or proceed through the Town's standard development review process. This flexibility, required by state statute, acknowledges that some affordable housing projects may benefit from a traditional review schedule due to financing requirements, design coordination, or other project-specific considerations.

The Fast Track process applies to nearly every major land use entitlement required for affordable housing development, including:

- Major Site Plans
- Minor Site Plans
- Conditional Use Permits
- Building Permits
- Variances
- Planned Unit Development approvals and amendments that do not require a zoning approval or subdivision of land
- Post-approval modifications to approved affordable housing projects

Including the full spectrum of development applications ensures that expedited review continues throughout the project lifecycle rather than ending after initial land use approval.

The core aspect of the amendment is the Town's commitment to provide a final development decision within 90 calendar days after a complete application has been submitted. Staff review begins only after determining that an application is complete. Once complete, staff coordinates referral agency review, prepares recommendations, schedules any required public hearings, and processes the application through final action within the statutory timeframe. The proposed amendment also recognizes circumstances where additional time may be necessary, including:

- Mutual agreement between the applicant and the Town;
- State or court-ordered extensions;
- Delays caused by outside reviewing agencies; and
- Other extensions specifically authorized under Colorado law.

These provisions provide flexibility while maintaining compliance with Proposition 123 requirements.

Although review is expedited, the amendment does not eliminate public participation. Applications requiring Planning Commission review continue to be publicly noticed and scheduled at the next available hearing after a complete application is received. The Planning Commission and Town Council retain authority to approve, conditionally approve, or deny qualifying applications using the existing approval criteria established in the Town Code. Consequently, the ordinance shortens administrative timelines without reducing transparency or public involvement.

As previously mentioned, the amendment fulfills one of the primary implementation requirements of Proposition 123 by establishing a formal expedited development review process for qualifying affordable housing projects. State guidance requires participating local governments to adopt an expedited review process, demonstrate progress toward increasing affordable housing production, and maintain dedicated funding sources for affordable housing initiatives. Adoption of this ordinance will ensure the Town remains in compliance with these requirements and preserves its eligibility for future Proposition 123 funding opportunities. Failure to implement an expedited review process by December 31, 2026, could place the Town's participation in Proposition 123 at risk and limit access to state funding resources that support the development and preservation of affordable housing.

The amendment as presented has been reviewed by DOLA to assess compliance with Proposition 123 fast-track review requirements under C.R.S. 29-32-101(2) and 29-32-105(2) and has been found that the draft amendment addresses the expedited review requirements.

Financial Impact:

As mentioned in the analysis, the amendment fulfills one of the primary implementation requirements of Proposition 123 by establishing a formal expedited development review process for qualifying affordable housing projects. Adoption of this ordinance will ensure the Town remains in compliance with these requirements and preserves its eligibility for future Proposition 123 funding opportunities. Failure to implement an expedited review process by December 31, 2026, could place the Town's participation in Proposition 123

at risk and limit access to state funding resources that support the development and preservation of affordable housing.

Alignment with Strategic Plan:

The Plan touches on the following Strategic Objectives in the 2024-2028 Strategic Plan:

- Enhance Community Inclusivity
- Support a Thriving Economy

Staff Recommendation:

Staff requests the Planning Commission review the amendment as proposed and provide any productive feedback.

Reviews and Approvals:

- Katie Kent, Community Development Director

Attachments:

- Attachment 1 – 180-2.8 Fast Track for Affordable Housing Developments

180-2.8. Fast Track for Affordable Housing Developments

- A. Purpose: The purpose of this section is to facilitate the development of attainable and affordable housing by reducing regulatory barriers, providing development flexibility where appropriate, and supporting a range of housing types and densities.
- B. Qualifying Projects: A housing or mixed-use development project in which 50% or more of the dwelling units are either rental housing at or below 100% AMI or are for-sale housing at or below 150% AMI, and costs the household less than 30% of its monthly income. This definition also applies when the proposed housing includes a deed restriction in accordance with the Town of Frisco's affordable housing covenant, as amended. The Town's expedited review process for affordable housing projects does not apply if an applicant chooses to opt-out of the process.
 - 1. The Fast Track review process will apply to the following types of applications:
 - i. Major or Minor Site Plan
 - ii. Conditional Use Application
 - iii. Building Permit Application
 - iv. Variance from Zoning Regulations
 - v. Planned Unit Development Approval or Amendment that does not require zoning approval or subdivision of land
 - vi. Modifications of site plan , development permit, variance, or required construction or engineering documents following initial approval of an Affordable Housing project
 - 2. The applicant shall submit a complete application in which the Director shall review and prepare a staff report and recommendation in accordance with Section 180-2.
 - 3. *Scheduling and Notice of Public Hearings.* If required per Section 180-2, the application shall be scheduled for the next available public hearing before the Planning Commission, once the application is deemed complete, project referrals have been received, and noticed in accordance with Section 180-2.
 - 4. The applicant shall be provided with a decision on the application within 90 days of a complete application submission, unless
 - i. An agreed-upon 90-day extension is in place between the applicant and the Director; or
 - ii. As may be extended for any time period as defined by state law or court order; or
 - iii. As may be extended to comply with comments from any external review agency that has approval authority over the project and when the required review timeline for that agency is out of the control of the Town; or
 - iv. As permitted by C.R.S. 29-32-105(2)(b) and (c)
 - 6. *Review and Decisions.* The reviewing authority shall review the plan application and approve, approve with conditions, or deny the plan in accordance with the approval criteria in Section 180-2.