

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 24-01**

AN ORDINANCE REZONING FROM THE MIXED-USE (MU) ZONE DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) AT CERTAIN REAL PROPERTY LOCATED AT 101 WEST MAIN STREET AND LEGALLY DESCRIBED AS LOT B-1, WEST FRISCO 70 SUBDIVISION # 2.

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, this ordinance is adopted pursuant to the Town's home rule authority, Section 1-4 of the Charter for the Town of Frisco, the Town's authority under Colorado Revised Statutes Section 31-23-301, and the authority of the Town Council under Section 180-2.4.1D. of the Code of Ordinances of the Town ("Code"); and

WHEREAS, the owner of certain real property located at 101 W Main Street legally described as LOT B-1 WEST FRISCO 70 SUBDIVISION # 2 (hereinafter the "Property") has made application to the Town for a changes of zoning classification from Mixed-Use (MU) Zone District to Planned Unit Development (PUD); and

WHEREAS, pursuant to the provisions of Section 180-2.4.1.D.3.a. of the Code, on November 16, 2023, the Frisco Planning Commission conducted a preliminary public hearing concerning the owner's application for the rezoning and made preliminary comments on the application; and

WHEREAS, pursuant to the provisions of Section 180-2.4.1.D.3.b. of the Code, on January 4, 2024, the Frisco Planning Commission conducted a final public hearing concerning the owner's application for the rezoning and made a recommendation for approval with conditions of the application; and

WHEREAS, the Town Council held a public hearing on January 23, 2024 and February 13, 2024, to receive public comment, evidence and testimony relative to the proposed amendments to the Frisco Town Code; and

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

Section 1. Findings. Based on the testimony and documents received and considered at the public hearing on this matter, the Town Council FINDS THAT:

- A. The rezoning is necessary to provide land for a community benefit that includes an increased density of affordable housing units and is in promotion of public health, safety, and welfare.
- B. That the project is beneficial or necessary for the economic development of Frisco by supporting the development of housing that will be available to the local workforce and therefore supports local businesses, employees, and residents.
- C. That the application is providing a community benefit in the form of workforce housing.
- D. That the application achieves a compatibility of land uses with neighboring land uses by listing a variety of permitted uses within the PUD that are consistent with the underlying zoning of the site including residential and office uses.

- E. That the modifications to the underlying zoning are in the best interest of the Town, and neighborhood in which the development is planned by furthering the goals within the guiding principles of the Frisco Community Plan. This includes providing opportunities for a balanced mix of housing and to maintain a diverse and vibrant community.
- F. That the projected capacity to fully serve the project site with water and sewer is available, which has been reviewed and approved by the Town Engineer and will be furthered reviewed by the Public Works Department and Frisco Sanitation upon subsequent site plan submittal.
- G. That Town services shall be provided in the most efficient manner practicable.
- H. That more than one housing type and housing price is offered to satisfy the needs of more than one segment of the community and the PUD includes requirements for a range of pricing based on Average Median Income level.
- I. That the project contributes amenities to the development itself and to the community at large by providing a 25-foot-wide non-exclusive public walkaway easement dedicated to the Town of Frisco that creates public access to Ten Mile Creek and by providing a car sharing program for residents.
- J. That an owners association will be established with the development of the project which will promote a sense of community and ensure the continued existence of a viable entity responsible for maintenance of private open space and other similar duties.
- K. That the project meets all the applicable requirements of this Chapter that are not expressly varied in the final PUD plan, contributes to design aesthetics and layout, and promotes efficient use of land by providing a PUD plan that is clear and consistent with the Frisco Community Plan.

Section 2. Designation. The real property located at 101 W Main Street legally described as LOT B-1 WEST FRISCO 70 SUBDIVISION # 2, is hereby designated as being designated as a Planned Unit Development (PUD) in accordance with the PUD Plan that is attached hereto.

Section 3. Zoning Map. The Director of the Community Development Department shall cause the Frisco Zoning Map to be amended to reflect the PUD designation approved by this ordinance, and shall cause the PUD Plan to be filed in the real property records for Summit County, Colorado.

Section 4. Effective Date. This ordinance shall become effective in accordance with the home-rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 13TH DAY OF FEBRUARY 2024.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 27TH DAY OF FEBRUARY 2024.

TOWN OF FRISCO, COLORADO:

Hunter Mortensen, Mayor

ATTEST:

Stacey Nell, Town Clerk