

180-4.3 Planned Unit Development (PUD) Overlay (PUD) District

180-4.3.1 GENERAL PUD REVIEW PROCEDURE\$REQUIREMENTS\$

- A. Where the PUD does not address a specific development standard or requirement of the Frisco Town Code currently in effect, the Code shall apply.
- B. Permitted Uses
Any use that is allowed by right or by conditional use permit within the underlying zone district may be allowed in a PUD.
- C. Coordination with Subdivision and Zoning Regulations
The PUD is a type of customized overlay zoning district. All standards and regulations set forth in the Town Code, as applicable, apply to the PUD and such criteria shall be met in addition to all standards and criteria set forth in this Section.
 - 1. Any provision of Section 180-2.4.2 notwithstanding, it is the intent of these provisions that subdivision hearings and review under Chapter 180, Article 7, Subdivision may cover only a portion of the entire project when the development is built in stages or phases.
 - 2. At the discretion of the applicant and subject to approval by the Town Council as a part of the PUD review, the applicant may choose to delay initiation of review of a subdivision application until final approval of PUD Zoning is obtained for the entire project area.
- D. Modification of Requirements
The Town Council may waive or modify specifications, standards, and requirements such as density, setbacks, height restrictions, land dedications, improvement standards, design standards, parking standards, right-of-way standards, and related requirements that would otherwise be applicable to a particular land use provided such waiver or modification is found to further the objectives of these PUD regulations and the community goals, policies, and objectives.

180-4.3.2 PUD STANDARDS FOR COMMUNITY BENEFITS

- A. The following provisions apply to all PUD application requests:
 - 1. Conformity with the Frisco Community Plan. The proposed PUD shall be consistent with the applicable portions of the Community Plan in the reasonable judgement of the approving body.
 - 2. Relationship to Surrounding Area. The PUD shall strive to complement the surrounding neighborhood area.
 - 3. If the Planned Unit Development is located within an overlay district, all applicable requirements of that overlay district shall be met.
- B. The following provisions apply to PUD applications providing affordable or workforce housing as a community benefit. A minimum of 25% of housing units within the PUD shall be restricted in accordance with these standards:
 - 1. The PUD development shall restrict the sale, rental, ownership, and occupancy of residential dwelling units in accordance with these standards. Such restrictions shall be in effect in perpetuity, shall not expire, and shall survive any foreclosure, unless the restrictions are otherwise released or modified with the written consent of the Town. A deed restriction shall be recorded on each unit to be restricted under these standards.
 - 2. All PUD developments shall provide, at minimum, the following:
 - i. Ownership of the Unit is restricted at all times to a business located within Summit County or to an individual employed within Summit County, and occupancy of the dwelling unit is

restricted at all times such that at least one person in the household shall earn the majority of their income in Summit County, or from an employer based in Summit County;

ii. For purposes of this section, “employed within Summit County” shall mean employment, averaging at least thirty (30) hours per week on an annual basis, at a job that pays wages or a salary, and that is undertaken either within the Unit or at another location within Summit County.

iii. Occupancy of a restricted unit shall be by at least one person in the household that maintains his/her sole residence in the Town of Frisco, Colorado;

iv. No lease of the Unit shall be for a term of less than six (6) months.

v. No short-term rentals, as defined by Frisco Town Code, shall be permitted for the restricted units.

C. The following provisions apply to PUD applications providing open space as the primary community benefit.

1. A minimum of 55 percent of the site shall be devoted to usable open space. The Planning Commission may determine whether portions of stream areas, floodways, wetlands, accessible bodies of water, and outdoor recreational facilities may or may not be included in the calculation of usable open space as defined in Chapter 180, Article 9. In making such a determination, the Planning Commission shall consider the following criteria:

i. The relationship of these areas to other areas, structures, and uses within the PUD.

ii. The degrees to which these areas contribute to the quality, aesthetics, and overall objectives of the PUD.

2. Structures within the PUD shall be placed no closer than thirty (30) feet from the PUD boundary line, provided that this provision may be modified subject to Planning Commission approval, if the Commission finds the following to be true:

i. That the interests of the Town concerning harmonious design, environmental amenities, and the efficiency of public services are thereby enhanced.

ii. That the modification has no adverse effect on neighboring properties.

iii. That it is consistent with the purposes of the PUD regulations.

3. No building shall be more than 35 feet in height unless a review of the following factors indicates no adverse impacts will occur if this height is exceeded:

i. Building orientation in relation to the natural and built environment.

ii. Adverse visual effects to adjoining districts or property owners, including potential problems caused by shadows, loss of solar access, or loss of view.

iii. Other related impact(s) to existing uses in the area.

180-4.3.1 MAXIMUM DENSITY

The allowable density on the total site shall not exceed the density allowed in the underlying zoning district with the following exceptions:

A. Accessory Dwelling Unit Exemption

Any accessory housing unit meeting the Town’s requirements may be exempted from the density calculation as long as the unit is deed-restricted for rent to persons earning a maximum of 100 percent of the area median income, at a rate established by the Summit Combined Housing Authority for that income level, and pursuant to other criteria as established from time to time by the Town or the Summit Combined Housing Authority.

B. Affordable Housing Exemption

A density bonus over the maximum allowable density is available. A density bonus is an increase in the allowable number of dwelling units over the maximum density, provided that:

- ~~1. A minimum of 50 percent of the total number of bonus units is provided as affordable housing; or~~
- ~~2. For each bonus dwelling unit allowed, at least two affordable housing units are provided on property outside of the subject property, but within the Town of Frisco or within one mile of any corporate limit of the Town of Frisco.~~

DEVELOPMENT STANDARDS

~~**C. A minimum of 55 percent of the site shall be devoted to usable open space. The Planning Commission may determine whether portions of stream areas, floodways, floodplains, wetlands, accessible bodies of water and outdoor recreational facilities may or may not be included in the calculation of usable open space as defined in Chapter 180, Article 9. In making such a determination, the Planning Commission shall consider the following criteria:**~~

- ~~1. The relationship of these areas to other areas, structures, and uses within the planned unit development.~~
- ~~2. The degrees to which these areas contribute to the quality, aesthetics, and overall objectives of the planned unit development.~~

~~**D. The development shall be made accessible by public streets that conform to the street standards established by the Town of Frisco's Minimum Street Design and Access Criteria, Chapter 155, and shall provide direct access to the existing street system.**~~

~~**E. Structures within the planned unit development shall be placed no closer than thirty (30) feet from the planned unit development boundary line, provided that this provision may be modified subject to Planning Commission approval, if the Commission finds the following to be true:**~~

- ~~1. That the interests of the Town concerning harmonious design, environmental amenities, and the efficiency of public services are thereby enhanced.~~
- ~~2. That the modification has no adverse effect on neighboring properties.~~
- ~~3. That it is consistent with the purposes of the planned unit development regulations.~~

~~**F. No building shall be more than 35 feet in height unless a review of the following factors indicates no adverse impacts will occur if this height is exceeded:**~~

- ~~1. Building orientation in relation to the natural and built environment.~~
- ~~2. Adverse visual effects to adjoining districts or property owners, including potential problems caused by shadows, loss of solar access, or loss of view.~~
- ~~3. Other related impact(s) to existing uses in the area.~~

~~**G. Planned unit developments shall be required to meet all requirements specified in Chapter 180, Article 6, including, but not limited to, signage, parking, steep slope, snow storage, lighting and landscaping regulations.**~~

~~**H.A. If the Planned Unit Development is located within an overlay district, all applicable requirements of that overlay district shall be met**~~