



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: DON REIMER, COMMUNITY DEVELOPMENT DIRECTOR
RE: PLANNING COMMISSION ROLES AND RESPONSIBILITIES, AND PLANNING COMMISSION APPOINTMENTS
DATE: MAY 10, 2022

Summary and Background: The Town of Frisco Municipal Code, Chapter 41, Planning Commission, states that the Planning Commission shall consist of seven (7) members appointed by the Town Council, and that Planning Commissioner terms shall coincide with the terms of office of the Town Council. As a new Council has been elected and sworn in, expiring Planning Commissioner terms must be refilled.

Two new Town Council members were elected in April 2022. This staff report includes an overview of the role of the Frisco Planning Commission, as well as information on the applicants for the four vacant seats resulting from expiring Planning Commissioner terms.

Planning Commission Roles and Responsibilities: Chapter 41 of the Town Code states that the Planning Commission shall have the powers and perform the duties specified by Article 23, Title 32 of the Colorado Revised Statutes, and any other duties conferred on it by the Town of Frisco or State of Colorado. It is also the duty of the Planning Commission to oversee the preparation and periodic revision of a Master Plan for the Town and certify that Plan to the Town Council for their adoption.

In its role as a quasi-judicial body, the Planning Commission has full approval authority over major site plan reviews and major modifications to approved site plans, conditional uses, preliminary plats and variances. The Planning Commission forwards recommended actions to the Town Council on code amendments, planned unit developments (PUD), rezoning, and annexation applications. The Planning Commission also serves as the appeal body for certain administrative approvals such as administrative and minor site plans and minor modifications to approved site plans, Final Plats, minor amendments to an approved PUD or any other decision by the Community Development Department or Town Manager. Any decision by the Planning Commission may be appealed to Town Council.

The Unified Development Code (UDC) was adopted as Chapter 180 of the Town Code by Ordinance 17-04 on June 27, 2017, repealing the former Chapters 157 (Subdivision) and 180 (Zoning). The UDC identifies and designates zoning districts for every area within Town limits, specifies review procedures, submittal requirements, review standards and criteria for specific uses and types of development, as well as processes for administration and for enforcement of violations.

The review standards in the UDC are very prescriptive in several areas, such as permitted uses, and dimensional standards (e.g. height, setbacks, density, lot coverage, minimum snow storage, parking, and similar), where, unless there are exceptions specified in the Code, the application either meets or does not meet the standard. For those portions of an application, if the proposal meets the standard, it shall be approved.

Other aspects of an application review can be more interpretive, such as development standards related to compatibility with neighborhood character, deviations from the bulk plane, building color, and design variety. It is these aspects of review of an application where it is critical that the Planning Commission employs clear and consistent judgement in determining whether an application meets or does not meet the particular standard, and clearly state the reason for the determination, as these interpretive standards are often the cause for appeals of decisions.

If Town Council's Planning Commissioner appointments result in the appointment of one or more new members, staff will conduct a Planning Commissioner training session to review these principles to ensure that all Commissioners understand meeting procedures to ensure a clear public record of the proceeding, and review and decision making authority.

Master Plan and other Plans. Town Charter Section 14-6 mandates that the Town Council shall review and revise the master plan at least every 5 years. The current master plan, the 2019 Community Plan, was adopted in August 2019, so it will be necessary to review and revise as necessary in 2024. In the interim period, staff reviews the Community Plan Implementation strategies on an annual basis with the Planning Commission, which helps provide guidance in the development of annual department work plan. Projects from the work plan may be incorporated into the annual Town budget at the direction of Town Council.

In addition to the Community Plan, the Planning Commission takes an active role in the creation and revision of various other plans for Town facilities and the community. A recent example is the development of the Downtown Complete Streets Plan, completed earlier this year. Planning Commissioners participated in community meetings and held public hearings during plan development, and provided a recommendation to Town Council on the adoption of the Plan. Other plans that the Planning Commission has participated in include the Trails Master Plan, Marina Master Plan, Three Mile Plan, Neighborhood Parks Plan, and Peninsula Recreation Area Vision Plan.

Town staff is preparing an updated Planning Commissioner Handbook, which summarizes the important roles and responsibilities for members of the Town of Frisco Planning Commission. A draft of the Handbook is included as Attachment 2.

Planning Commission Interviews and Appointments: Chapter 41 of the Town Code states "The Planning Commission shall consist of seven (7) members appointed by the Town Council. The term of each appointed member shall coincide with the terms of office of the Town Council of the Town of Frisco...All members of the Planning Commission shall be bona fide residents in the Town of Frisco." Planning Commissioners serve 4-year terms.

The terms for four of the seven Planning Commission positions expired on April 30, 2022. Each of the four Planning Commissioners with expiring terms have requested reappointment. The 4-year terms will run from 2022 to April 30, 2026. The terms of the other three continuing

members of the Planning Commission, Robert Franken, Kelsey Withrow, and Ira Tane, run through April 30, 2024.

Staff advertised the Commission vacancies for two weeks in the *Summit Daily* and on the Town website. In addition to the four current members seeking reappointment, four additional residents have submitted letters of interest for the current vacancies. All of the applicants have indicated they reside within the Town of Frisco. A fifth resident, Joe Phillips, applied, but then withdrew prior to the interviews. Below is a list of candidates, their physical address, occupation, and length of residency in Frisco.

Name	Physical Address	Occupation	Residency in Frisco
Margie Fagan	310 Emily Lane	Retired (Real Estate Finance)	8 PT / 3 FT
Patrick Gleason	108 Primrose Place	Architect. Current PC member, first appointed 2020.	6 years
Robert Kessler	406 Galena	Self Employed	23 years
Lina Lesmes	120 N. 7 th Ave Unit B12	Silverthorne Planning Manager. Current PC member, first appointed 2018	22 years
Jessica Potter	118 S. 5 th Ave #7	Senior Planner, Summit County	9.5 years
Donna Skupien	333 Emily Lane	Designer. Current PC member, first appointed 2009	15 years
Andy Stabile	254 Belford	Architect. Current PC member, first appointed 2014	14 years
Barbara Young	101 E. Main Unit 201	Retired (Environmental Consultant)	3 years

Interviews: At their April 26, 2022 meeting, Town Council appointed a subcommittee consisting of Mayor Hunter Mortensen and Councilmember Andy Held to conduct interviews of the Planning Commissioner applicants, and bring a recommendation for consideration of the full Council at the May 10, 2024 meeting. Interviews were held on Wednesday May 4, 2022 at Town Hall.

Town Council should select four applicants for 4-year terms (each ending on April 30, 2026).

Financial Impact: None. Planning Commissioners serve without compensation; but are eligible for non-monetary benefits made available by the Town.

Environmental Sustainability: N/A

Alignment with Strategic Plan: The Frisco Planning Commission is critical in working with the business and development community providing guidance during project reviews so that new projects meet the goals identified in the Strategic Plan and Community Plan, including goals of Inclusive Community, Thriving Economy, Sustainable Environment, and Vibrant Culture and Recreation.

Staff Recommendation: Review applications and interview responses and appoint _____, _____, _____, and _____ to the Frisco Planning Commission for 4-year terms ending on April 30, 2026.

Reviews and Approvals: This report has been reviewed and approved by:

Leslie Edwards, Finance Director
Diane McBride, Interim Town Manager

Attachments:

Attachment 1 – Town Code Chapter 41 – Planning Commission
Attachment 2 – Planning Commissioner Handbook (DRAFT)
Attachment 3 – Applications