



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL

FROM: DON REIMER, COMMUNITY DEVELOPMENT DIRECTOR

RE: ORDINANCE 22-12: AN EMERGENCY ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING THE UNIFIED DEVELOPMENT CODE, TO ALLOW TRANSITIONAL SHELTER FACILITIES, BY AMENDING TABLE 5-1, CONCERNING THE TABLE OF ALLOWABLE USES, SECTION 180-5.2.5, CONCERNING MOBILE HOMES AND CAMPERS, AND SECTION 180-9.3, CONCERNING GENERAL DEFINITIONS; DECLARING AN EMERGENCY, AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE OF THIS ORDINANCE

DATE: OCTOBER 11, 2022

Summary and Background: Housing for the local workforce has been a growing challenge in Frisco and Summit County. In addition to housing developments by private developers and local governments, other local groups are working on potential solutions. One such group is “Unsheltered in Summit”, which has developed “The Summit Safe Parking Program”, which for the past three years has provided a designated, secure location in parking lots for members of the local workforce to sleep in their vehicles. The program provides sanitation (port-a-lets) and trash collection for its members in order to maintain an orderly site. As the need continues to grow, Unsheltered in Summit is seeking additional locations to expand the program and increase availability.

The Safe Parking Program began in 2019 in partnership with Agape Church north of Breckenridge. Due to construction at Agape, the program moved to a parking lot at the Summit County Justice Center in Breckenridge in April 2022. However, the County has informed Unsheltered that the parking lot at the Justice Center will be unavailable for use starting in October due to snow removal requirements.

At the August 9 and September 13, 2022 Town Council meetings, Unsheltered discussed with Frisco Town Council whether there would be opportunities to support the program at designated locations within Town Limits. Town Council expressed support for the program, and directed staff to proceed with the Code text amendments necessary to authorize the program. While the Code amendments are spurred by the Unsheltered in Summit group, the land use would be open to any group that could meet the application criteria and requirements.

Frisco has identified a lot at the Frisco Marina, which would be suitable and available for the program for the winter of 2022 – 23, and will continue to evaluate other locations around town. The Unsheltered group is continuing to seek opportunities to create areas for the Safe Parking Program in other Towns, and is scheduled to meet with the Board of County Commissioners on October 4, 2022 to discuss locations outside of Town limits, and use of County-owned property.

At their October 6, 2022 meeting, the Frisco Planning Commission reviewed the proposed Code text amendments as a public hearing for the purpose of providing a recommendation to Town Council on the proposed amendments. The Planning Commission recommendation was not available prior to publication of this staff report, but will be presented at the October 11, 2022 Town Council meeting.

Analysis: There are currently no designated campgrounds or camping areas within Frisco Town limits. "Camping" is not an established use in the Frisco Unified Development Code ("UDC" - Town Code Chapter 180), as there is no listing in the Table of Uses for "Camping" or "Campground". The closest definitions in the UDC to the proposed Safe Parking Program are:

- **Campground** - An outdoor area providing space for vacationers to temporarily occupy in tents or recreational vehicles. A campground may also include an area with rental cabins, but its primary function is to accommodate visitors providing their own shelter.
- **Camper** - A vehicle, eligible to be registered and insured for highway use, designed to be used as a temporary shelter for travel, recreational and vacation purposes, but not for a permanent residence. Includes but is not limited to equipment commonly called "fifth wheels," "independent travel trailers," "dependent travel trailers," "tent trailers," "pickup campers," "motor homes," and "converted buses," but does not include mobile homes.

Because the Safe Parking Program generally allows sleeping in private vehicles rather than recreational vehicles, an amendment to the UDC is required to create an area for overnight camping in passenger vehicles on public or private property. Suggested Code language would be:

180-9.3 Definitions. Add:

Transitional Shelter Facility: An approved designated outdoor location allowing for temporary sleeping in private passenger vehicles subject to specific conditions, including local employment, approved refuse management and sanitation, user screening, and management of the facility.

Table 5-1, Use Table. Add: Transitional Shelter Facility as a Conditional Use in all zones, except that it would be an allowed use in the Parks and Recreation and Public Facilities zone districts.

180-5.2.5. Change Section header to "**Mobile Homes, and Campers, Campgrounds and Transitional Shelter Facilities**" and add a new Subsection D:

180-5.2.5.D. Transitional Shelter Facility.

Transitional Shelter Facilities shall conform to the following requirements:

1. The application for the facility shall be submitted by the individual or entity that will be responsible for operation and maintenance of the facility, and for the application and approval process for potential users of the facility.

2. The application shall include a site plan, which shall indicate access, user parking areas, sanitation, and refuse management facilities.
3. The application shall include a facility management plan that includes, at minimum: the process for application, and the criteria for approval, for use of the facility, including proof of local employment; facility rules of operation; and operator contact information for the individuals(s) who will be available to respond to issues; and
4. If the owner of the property on which the facility is proposed is not the applicant for the facility, the applicant shall provide written approval of the owner for the proposed use.

Additionally, Town Council would have to specifically authorize any use on Town-owned property. Section 130-11 of the Frisco Town Code specifies that “It is unlawful for any person to camp or stay overnight in any town park, open space property or recreation area, except in an area designated for such use”. If Town Council determines that there is an appropriate Town-owned location to facilitate the Safe Parking Program, an official action of Town Council would be required to allow the use of Town property for the purpose.

Potential Locations: Since the August 9 meeting, staff has identified parcels within Town limits which may be suitable, including:

- Parking lots in the Marina (winter use only). This would require Town Council approval through a resolution, including stipulations on use.
- Frisco Transfer Center. This parcel is located in Town, but is owned by the County. The BOCC may discuss use of this property at their October 4, 2022 work session.

Town staff also evaluated other Town-owned parcels to see if they could be viable for this program, including the Willow Preserve trailhead and the “Boneyard” area at the Peninsula Recreation Area, but determined these should not be further pursued due to various reasons, including potential user conflicts and snow storage.

The Unsheltered group also identified locations near Town limits that could be viable, including:

- The Lower side of the County Commons. This location is outside of Town limits, and owned by Summit County, and would therefore require approval by Summit County. The Board of County Commissioners (BOCC) has set a work session for October 4, 2022 to consider potential use of this and other County parcels.
- Giberson Bay Day Use Lot. This property is located outside of Town limits on US Forest Service property, and would therefore require approval by US Forest Service.

Financial Impact: There is no anticipated financial impact related to this discussion.

Alignment with Strategic Plan: Increasing availability of housing for the local workforce remains a high priority of Frisco Town Council. While a program of this nature is not contemplated in the Strategic Plan or Community Plan, allowing additional opportunities such as overnight sleeping in personal vehicles could support this goal.

Environmental Sustainability: No significant impacts to environmental sustainability are anticipated.

Staff Recommendation: Approve Emergency Ordinance 22-12.

Approved By:

Leslie Edwards, Finance Director
Tom Fisher, Town Manager

Attachments:

Attachment 1: Ord 22-12