

**THE CURRENT COUNCIL PACKET MAY BE VIEWED BY GOING TO THE TOWN OF FRISCO
WEBSITE AT [HTTP://WWW.FRISCOGOV.COM/GOVERNMENT/TOWN-COUNCIL](http://www.friscogov.com/government/town-council)**

**RECORD OF PROCEEDINGS
WORK SESSION MEETING AGENDA OF THE
TOWN COUNCIL OF THE TOWN OF FRISCO
APRIL 12, 2016**

**THE APRIL 12, 2016 WORK SESSION MEETING OF THE TOWN COUNCIL OF THE
TOWN OF FRISCO HAS BEEN CANCELLED AS NO ITEMS ARE SCHEDULED FOR
DISCUSSION AT THIS TIME**

**RECORD OF PROCEEDINGS
REGULAR MEETING AGENDA OF THE
TOWN COUNCIL OF THE TOWN OF FRISCO
APRIL 12, 2016
7:00PM**

**STARTING TIMES INDICATED FOR AGENDA ITEMS ARE ESTIMATES ONLY AND
MAY CHANGE**

Call to Order: Gary Wilkinson, Mayor

Roll Call: Gary Wilkinson, Kathleen Bartz, Kim Cancelosi, Tom Connolly, Dan Kibbie, Hunter Mortensen and Larry Sawyer

Public Comments: Citizens making comments during Public Comments or Public Hearings should state their names and addresses for the record, be topic-specific, and limit comments to no longer than three minutes.

NO COUNCIL ACTION IS TAKEN ON PUBLIC COMMENTS. COUNCIL WILL TAKE ALL COMMENTS UNDER ADVISEMENT AND IF A COUNCIL RESPONSE IS APPROPRIATE THE INDIVIDUAL MAKING THE COMMENT WILL RECEIVE A FORMAL RESPONSE FROM THE TOWN AT A LATER DATE.

Mayor and Council Comments:

Staff and Council Updates:

Consent Agenda:

Minutes March 22, 2016 Meeting
First Amendment to Nordic Center Concessionaire Contract
Fourth Amendment to Kayak Lake Dillon Concessionaire Agreement and License

New Business:

Agenda Item #1: Frist Reading Ordinance 16-03, an Ordinance Amending Chapter 10 of the Code of Ordinances of the Town of Frisco, Concerning Council Members and Mayor, by Amending Section 10-6, Concerning Council Salaries STAFF: THAD RENAUD 1)

MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Old Business:

Agenda Item #2: Second Reading Ordinance 16-01, an Ordinance Amending Chapter 180 of the Code of Ordinances of the Town of Frisco, Concerning Zoning, by Amending Subsections 180-18.3.E, Standard #2.4, Concerning the Bulk Plane Envelope in the Central Core Zone District, and 180-23.C. Concerning On-Premise Parking Requirements, each such Amendment to Address Minor Errors in Prior Legislation STAFF: JOYCE ALLGAIER / BILL GIBSON 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Agenda Item #3: Second Reading Ordinance 16-02, an Ordinance Amending Chapter 127 of the Code of Ordinances of the Town of Frisco, Concerning General Offenses, by Adopting a New Section 127-52 to Establish Regulations on the Use of Unmanned Aircraft Systems (Also Known as "Drones") Within the Town STAFF: THAD RENAUD 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Adjourn:



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: BILL EFTING, TOWN MANAGER
RE: TOWN MANAGER REPORT
DATE: APRIL 12, 2016

New Business:

- Ordinance 16-03, an ordinance concerning Council salaries.
- Second Reading of Ordinance 16-01 concerning Bulk Plane Envelope and On- Premise parking.
- Second Reading of Ordinance 16-02, establishing rules for Unmanned Aircraft Systems (drones).

Other Items:

- The new Town Council will be sworn in on Tuesday, April 26th.
- Prior to the April 26th Council Meeting, there will be a reception at 6:00 at Town Hall to honor the new and old Council members.
- Town Clean Up Day is scheduled for Saturday, May 21st.



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: BILL GIBSON, ASSISTANT DIRECTOR
RE: COMMUNITY DEVELOPMENT DEPARTMENT (CDD) MARCH 2016 REPORT
DATE: APRIL 12, 2016

Department Updates:

- On April 28 the Community Development Department will be hosting its “Spring into Frisco’s Construction Season: Nailing Your Next Constuction Project” event. This outreach event is an opportunity for the construction and development community to learn more about Frisco’s development review and permitting processes. Our goal is to make these processes as efficient as possible.
- The Community Development Department has created a Development Review Committee (DRC) composed of representatives from the Community Development Department, Public Works Department, Lake Dillon Fire District, Frisco Sanitation District, Xcel Energy, and Summit County Environmental Health. The committee convenes on a weekly basis to conduct preapplication meetings with developers, property owners, and architects; to discuss the status of active construction project plan reviews and inspections; and to discuss ways to streamline and improve our inter-agency development review processes. We have recently met to discuss the Lake Hill project, Natural Grocers, a future Boatyard Restaurant expansion, and a future commercial building on Granite Street.
- Joyce Allgaier, Director, and Bill Gibson, Assistant Director, both attended the Rocky Mountain Land Use Institute’s (RMLUI) 2016 Annual Land Use Conference at the University of Denver. They attended training sessions on topics including urbanism and global sprawl, planning ethics, water and land use planning, Denver’s Five Points neighborhood renaissance, City of Albuquerque planning, the sharing economy, recent land use court cases, resilient communities, civic engagement, and affordable housing.
- Joyce Allgaier will be the liason to Summit County on the Lake Hill Master Plan project and will participate in the Stakeholder Advisory Group meetings.
- Bill Gibson participated in a meeting of the Concerned Leaders for Summit Housing. This was a community-brainstorming meeting on a variety of housing related topics including senior housing, supportive housing, adaptive housing, affordable housing, and community childcare needs. He is also serving on the Summit County Housing Authority’s deed restriction task force.
- Rick Weinman, Building Official, Greg Denckla, Building Inspector/Plans Examiner, and Sarah Hoffman, Community Development Administrative Assistant, attended training on the International Energy Code hosted by the High Country Conservation Center (HC3).

- Greg Denckla also attended an International Code Council (ICC) class in Pueblo about the International Building Code (IBC) and the International Residential Code (IRC).

Planning Commission Activities: There were no Planning Commission meetings held on March 3 or March 17, 2016.

Planning Division Activities:

Administrative planning applications approved last month: 17

Sign Permit	Denver Mattress	849 North Summit Boulevard
Exterior Finish	Ridge to Eave LLC	315 Teller Street
Banner Permit	A&A Pet Supply	121 North Summit Boulevard
Exterior Finish	The Roofing Company	410-490 Hammerstone Lane & 490-495 Water Dance Court
Banner Permit	H&R Block	842 North Summit Boulevard, Unit 11A/B
Banner Permit	Taco Bell	865 North Summit Boulevard
Banner Permit	Antler's Discount Liquors	842 North Summit Boulevard
Banner Permit	Elevate CoSpace	711 Granite Street
Banner Permit	ReMax	305 East Main Street
Banner Permit	Studio 269	269 East Main Street
Sign Permit	Ramada Inn and Suites	990 North Ten Mile Drive
Exterior Finish	Renewal By Anderson	740 Meadow Creek Drive, Unit B
Exterior Finish	The Roofing Company	681-741 Meadow Drive
Banner Permit	Shoe Inn Boutique	411 East Main Street
Banner Permit	Peterson Investments	406 East Main Street
Final Plat Application	Daniel McCreery	170 Wichita Avenue & 1, 3, 5 Alpine Drive
Banner Permit	Rivers Clothing Company	503 East Main Street

Building Division Activities:

Permits issued last month included the following:

- Building Permits: 6
- Plumbing & Mechanical Permits: 15
- Electrical Permits (issued by Summit County): 2

Valuation of permits issued last month: \$541,624

Inspections performed last month: 91 (41 re-inspections)

Rapid Review Wednesday customers assisted last month: 2

Certificates of Completion / Certificates of Occupancy issued last month: 2



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: VANESSA AGEE, MARKETING AND COMMUNICATIONS DIRECTOR
RE: MARKETING AND SPECIAL EVENTS DEPARTMENT
DATE: APRIL 12, 2016

Public Relations:

- The Town of Frisco took over the Colorado Tourism Office's Instagram page, [VisitColorado](#), from February 27-March 3, 2016. The CTO's VisitColorado page has 88,900 followers so this was a tremendous opportunity for Frisco to build our fans on Instagram and reach a huge audience with Frisco's message and the CTO's legitimacy. Frisco staff selected and posted on the Visit Colorado Instagram page as the administrators to the page so we were able to respond to comments and infuse our own unique Frisco voice. By the numbers Frisco's photograph's and video's:
 - 14 photographs and 2 videos
 - 37,683 likes total
 - 849 comments total
 - The 2 videos (BBQ and Frisco winter/Adventure Park) had 21,889 views total
- BBQ coverage is already happening with The Denver Ear including the 23rd Annual BBQ Challenge in their Denver calendar of events- <http://www.thedenverear.com/spring-festivals-2016-colorado/>.
- From March 11-13, Frisco hosted writer Julie Bielenberg. She will be doing a full write-up on Frisco as a destination for The Mother List, and she's also writing a piece for Mile High Mamas. She also writes for Denver Life, Cowboys & Indians, Mountain Magazine and several other outlets.
- In mid-March, Frisco also hosted Christine DeOrio, the editor of Mountain Living. She is interested in doing a winter and a summer piece on Frisco.

Special Events: The Snowshoe for the Cure (formerly Tubbs Romp to Stomp Out Breast Cancer) on March 5, 2016 had 1,250 registered participants. Komen Colorado agreed to take over this event after Tubbs/K2 changed their business model concerning events. Town of Frisco Recreation, Police, Public Works and Events staff collaborated with Komen to support the event operationally. The Events team held the Pink Party on Friday night at the Community and Senior Center (the space was donated by Summit County Government). The Pink Party location change received overwhelmingly positive feedback. Komen has committed to next year's event to be held on Saturday, March 4, 2017.



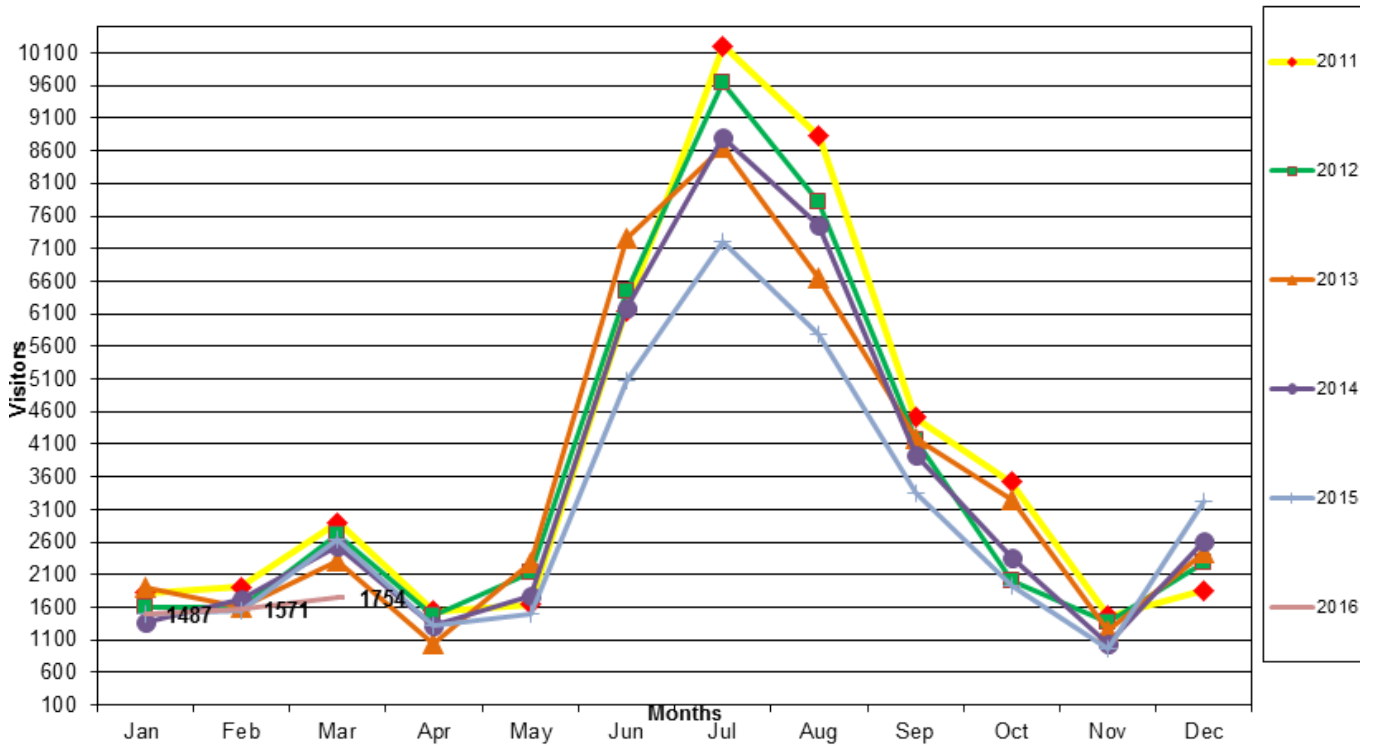
The Frisco Easter Egg Hunt saw 350+ kids foraging for eggs. The Easter Bunny proceeded his time on Frisco Main Street with a ski up Mayflower Gulch. The event was graced with particularly good weather and courteous egg hunters.



Visitor Information Center: Visitor numbers for March 2016.

- The Information Center saw 1,754 visitors in March 2016 (2,629 in March 2015).
- The Information Center answered 268 phone calls in March 2016 (414 in March 2015).
- Public computer use- 70 in March 2016 (50 in March 2015)

Walk in Visitors 2011-2016



Report Criteria:

Business.License status = "Active"
 Business.Year opened = "March 2016"
 Business Owner.Sequence number = 1

in or out City	Business Name	Name	Location	Location City	Business Telephone 1	Business Activity
In	Allison Recker	Recker, Allison	1127 Divide Road #306	Frisco	847-404-1636	Vacation Rentals
In	Carol Frank	Frank, Carol	65 Galena Street #105	Frisco	303-284-9832	Vacation Rentals
In	Climax Jerky Inc.	Comai, Brooke and Jonathan	107 South 6th Avenue	Frisco		None
In	David Lewin	Lewin, David F.	62 Hawn Drive	Frisco	574-210-7989	Vacation Rentals
In	Larkspur Rentals LLC	Pinkerton, Jeff	222 Creekside Drive 313C	Frisco	70-201-888	Vacation Rentals
In	Mt. Royal Properties LLC	Mt. Royal Properties LLC	1 Granite Street	Frisco	469-223-1644	Vacation Rentals
In	Robert Yehl	Yehl, Robert and Kathy	1610 Lakeview Terrace	Frisco	262-366-2230	Vacation Rentals
In	Sweetwater Lodge (Ira & Teresa	Tane, Ira and Teresa	96 Creekside Drive	Frisco	631-987-0222	Vacation Rentals
In	TLC Acupuncture and Natural Me	Clark, Tami	507C Main Street	Frisco	970-485-9811	Health/Beauty
In	Twisted Throttle Garage LLC	Priegel, Noah	13 Alpine Court	Frisco	970-331-3038	Retail - Automotive
Out	BakerCorp	Craycraft, Bob	2033 East 58th Avenue	Denver	562-430-6262	Retail - Office
Out	CAbi LLC	CAbi LLC	21750 Arnold Center Road	Carson	310-638-3333 x670	Retail - Clothing
Out	Converging Networks Inc.	Hamilton, Raymond	1870 N Corporate Lakes Blvd #26	Weston	239-233-4018	Utility
Out	Dutch Ophthalmic USA	Dutch Ophthalmic	10 Continental Drive Building 1	Exeter		Retail - Office
Out	Eric Bradley Enterprises	Bradley, Eric	378 County Road 2412	Kremmling	970-531--6450	Retail - HomeImprove
Out	Ideal Protein of America	Ideal Protein of America Inc.	3135 SR 580 Suite 5	Safety Harbor	819-772-4447	Health/Beauty
Out	JVC LLC	JVC LLC	2440 Periwinkle Avenue North			Retail - HomeImprove
Out	KPS Global LLC	KPS Global LLC	4201 North Beach Street	Fort Worth	817-230-8711	Retail - HomeImprove
Out	Mountain Vista Vacation Propertie	Levine, Matthew and Penni	1652 West 113 Avenue	Westminster	888-507-9876	Vacation Rentals
Out	Nate Finnerty	Finnerty, Nate	323 North Main Street	Breckenridge	970-409-8932	Retail - HomeImprove
Out	New Avon LLC	Bosson, Steve	777 Third Avenue	New York	914-935-2953	Health/Beauty
Out	New Teraco	New Teraco	2080 Commerce Avenue	Midland	432-618-6600	Retail - Office
Out	Ridge to Eave LLC	Marks, Charles	5275 Bancroft Heights	Colorado Springs	970-406-2084	Retail - HomeImprove
Out	Soligent Distribution LLC	Soligent Distribution LLC	1500 Valley House Drive Ste 210	Rohnert Park	707-992-3100	Retail - HomeImprove
Out	Summit Services	Conneighton, Mike	741 High Point Drive	Breckenridge	970-90-2160	Retail - HomeImprove



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: TOWN COUNCIL

FROM: DIANE MCBRIDE, RECREATION & CULTURE DIRECTOR / ASSISTANT TOWN MANAGER

CC: BILL EFTING, TOWN MANAGER
SIMONE BELZ, MUSEUM MANAGER
PHIL HOFER, MARINA GENERAL MANAGER
KATIE BARTON, GENERAL MANAGER – ADVENTURE PARK
LINSEY JOYCE, PROGRAMS MANAGER

RE: RECREATION & CULTURE DEPARTMENT REPORT – MARCH 2016

DATE: APRIL 12, 2016

Overview: This Department report highlights operations, programs and events for the month of March.

- Both January and February were very busy months at the Adventure Park, and March continued to be a busy month as well. Tubing hill participation numbers were up nearly 13% compared to March 2015 numbers.
- The Bubble Gum Ski Race Series ran February 15th – March 28th, with a total of 280 participants in the six event series. These races were organized with the help of Jim and Marcia Spent, Team Summit, and the Town of Frisco.
- Vermont Systems training staff returned to Frisco the week of February 29-March 3 for the final phase of the recreation software training. This training was specific to WebTrac, the new online reservation system. Event registration opened on 3/29, and summer program registration opens online and in-person on 4/6 at 8am. The Marina, the Adventure Park, the Information Center, and Recreation Programs and Events staff have all been diligently learning and operating the new systems.
- March visitor attendance to the Frisco Historic Park and Museum totaled 2,050 people (compared to 2,265 in 2015), with an average of 76 people/day. Staff collaborated with Summit Historical Society for Women’s History Month, and spent much of the month preparing for summer programs and events.
- Recreation programs and events were busy in March preparing for summer activities, securing sponsorships, and submitting all permit applications for summer events.

The report below details each of the different divisions (Adventure Park, Marina, Historic Park and Museum, Recreation Programs and Events) within the Department. Attendance numbers, when appropriate, are presented for March, while financials are reported for February.

Adventure Park: March highlights for the Adventure Park included the following:

- Both January and February were very busy months at the Adventure Park, and March continued to be a busy month as well. Tubing hill participation numbers were up nearly 13% compared to March 2015 numbers. Both ski and snowboard lessons were up significantly as well – up 128% compared to March 2015 numbers.
- Through February, revenues are tracking exceptionally well at nearly 22% ahead of 2015 year to date figures, and 52% of budget. Expenses are also tracking well at this time at 17% of budget and 13% lower than 2015 figures.
- The Bubble Gum Ski Race Series started up on February 15th. A total of six (6) races will be held this winter season. The Series runs on Mondays after school from 4-6pm and is free and open to all ages, with the majority of skiers being between the ages of 5 and 12. Race dates this season are 2/15, 2/29, 3/7, 3/14, 3/21 and 3/28. These races are organized with the help of Jim and Marcia Spenst, Team Summit, and the Town of Frisco. Participation numbers for the season were as follows:

Table 1: Bubble Gum Ski Race Series Figures

Date	Discipline	Participation Numbers
February 15, 2016	Dual Slalom	34
February 29, 2016	Obstacle Course	42
March 7, 2016	Dual Slalom	52
March 14, 2016	Nordic Obstacle Course	22
March 21, 2016	Obstacle Course	65
March 28, 2016	Dual Slalom	65
TOTAL		280
Average/Race		46

- Staff worked diligently on the new recreation software install: received and installed new BOCA on 3/31; RecTrac install on all FAP Computers; final RecTrac training was first week of March; RecTrac went live on 03/29 and camp registration starts 04/06.
- Team Summit hosted their end of season BBQ at the Adventure Park on 03/19; Summit Nordic Ski Club hosted their end of season reception at the Adventure Park on 03/20.
- Operational updates for the month of March included the following:
 - Rollers were removed from each of the lanes to accommodate the warmer temps and the slowing of lanes.
 - On many days, staff needed to salt the lanes to increase speeds and on a few days, tubing numbers dropped in the afternoon due to the warm weather.
 - The ski and ride hill remained open for the entire month and lessons ended on March 25th

Table 2: Frisco Adventure Park Figures

	March 2016	March 2015	March 2014
# of Operational Days	31	31	31
Tubing Hill Participation	20,166	17,868	15,008
Average # of Tubing Hill Participants/Day	651	576	484
Ski & Ride Hill Participation	268	215	314
Ski Lessons	123	57	59
Snowboard Lessons	73	29	47

February budget/financial numbers for reference only

	February 2016	February 2015	February 2014
Revenue – 1160	\$369,095	\$277,239	\$198,079
Expenses – 1160	\$82,121	\$104,674	\$99,763

	YTD Actual 2016	Budget 2016	YTD Actual 2015	YTD Actual 2014
Revenue – 1160	\$804,746	\$1,526,000	\$656,350	\$488,089
Expenses – 1160	\$188,142	\$1,067,276	\$216,035	\$189,042

Marina: March highlights for the Marina included the following:

- Much of the month was spent on Rec Trac training, and specifically WebTrac, the online version of the product. The setup is still continuing, with online registration beginning April 6th.
- The annual finance audit was completed and no major issues from the Marina were found for 2015. The large amount of inventory continues to be the biggest problem with auditing; in 2016 staff will be conducting monthly inventory counts during the summer for the auditors.
- Staff attended the Copper Mountain job fair and many people expressed interest in a summer position. Applications were accepted starting March 12th. Dock and Guest Service Attendants will be interviewed in the beginning of April. The junior positions will stay open for a few more weeks in April to allow more students to apply.
- Staff assisted the Marketing and Communications Department in setting up their web page for online sales of Hogbacks and BBQ tour tickets. Staff also assisted the Info Center in setting up their hardware with the new software.
- The Marina has continued taking payments for summer storage, making reservations for the summer, tweaking the new software, and assisting other departments whenever possible.

- Service updates for the Marina for the month of March included the following:
 - Started Work orders for Welles, Pierce, Jaakola, and Laub.
 - Finished and invoiced Parent work order.
 - Entered storage customer data into Rec Trac for slip and rack space, practiced making invoices for work orders in Rec Trac.
 - Built and installed platforms for the CC and signature devices at the point of sale computers in the Lund house.
 - Compiled spreadsheets of CO marina slip and rental boat rates for 2015 end of year report.
 - Moved the giant pile of snow at the launch ramp, dug out the bollards and broke a hole in the ice so DOW could dump a truck load of fish into the reservoir.
 - Compiled a spreadsheet of Marina Dock hand applicants and started calling the best candidates to set up interview times.
 - Dug out a spot and parked new customer Al Blair's Catalina 27 which was delivered here from Michigan.
 - Worked on installing the new powerhead onto the spare rental runabout motor.

Table 3: Frisco Marina Figures

February budget/financial numbers for reference only – Total revenues reflect invoicing

	February 2016	February 2015	February 2014
Revenue – 9000	\$54,741 [^]	\$737*	-\$2,092*
Expenses – 9000	\$28,166	\$168,121	\$182,234

* Does not include invoicing

[^] Due to the new recreation software install, invoicing started in February, not January

	YTD Actual 2016	Budget 2016	YTD Actual 2015	YTD Actual 2014
Revenue – 9000	\$55,085 [^]	\$1,062,750	\$233,227	\$415,508*
Expenses – 9000	\$55,463	\$1,013,559	\$192,306	\$217,009

* Includes \$200,000 Water Settlement Agreement

[^] Due to the new recreation software install, invoicing started in February, not January

Historic Park and Museum: March highlights for the Historic Park and Museum included the following:

- March visitor attendance totaled 2,050 people (compared to 2,265 in 2015), with an average of 76 people/day. This is nearly a 9% decrease compared to March 2015 attendance figures. As always, please note that these attendance numbers are based on a click system and therefore do not always accurately reflect all visitors to the museum and park.
- Museum programs offered in March included the following:
 - Collaborated with Summit Historical Society for Women's History Month
 - Bills Ranch Tour drew approx. 20 participants.
 - Easter Egg Hunt had over 150 people visiting on March 27th
 - Staff visited 2nd Grade Elementary – History Outreach

- Ongoing Museum projects included the following:
 - Planning continues for all upcoming 2016 events.
 - Staff continues to work on collections projects.
 - Reordered merchandise for museum gift shop.
 - Began promotions for spring and summer programs.
 - Railroad Book draft submitted.
 - Finalized redesign/rebrand for Night at Museum.
 - Rehiring in process for PT Museum Cord. (Jana will remain on-call)
 - Preparing and submitting AAM Accreditation Application June 2016.
 - Attended network luncheon and exhibition in Denver.
- Through February, revenue is tracking at 11.5% of budget, and slightly behind 2015 figures. Expenses are tracking well at 10% of budget and lower than 2015 figures at this time.

Table 4: Frisco Historic Park and Museum Figures

NOTE: March attendance numbers, February budget numbers

	March 2016	March 2015	March 2014
Attendance	2,050	2,265	1,945

	February 2016	February 2015	February 2014
Revenue – 1125	\$1,030	\$751	\$1,036
Expenses – 1125	\$11,109	\$16,064	\$11,106

	YTD Actual 2016	Budget 2016	YTD Actual 2015	YTD Actual 2014
Revenue – 1125	\$1,788	\$15,500	\$2,176	\$2,412
Expenses – 1125	\$23,849	\$235,607	\$29,554	\$22,555

Recreation Programs and Special Events

March highlights for Recreation Programs and Special Events included the following:

- March was a quiet month as far as programs go, however, the month was very busy with summer program and event planning, as well as learning the new RecTrac computer software system.
- Staff worked on the following:
 - Finalizing the summer field trip schedules for Fun Club; trips this summer include Water World, The Children's Museum, The Denver Zoo, Jump Street and more!
 - Meeting with sponsors for potential 2016 event partnerships. Kaiser Permanente has signed on to be a presenting sponsor of the Mountain Goat Kids Trail Running Series and will give us \$2,500 to put into the event!
 - Submitted all 2016 permit applications to the USFS, Summit County Government and DRReC for the 2016 Run the Rockies Series races.
 - Working with Vermont Systems on the new RecTrac and WebTrac registration software. Summer camp registration opens April 6th!

- Attended two Summer Youth Activity Fairs - one at Dillon Valley Elementary and one at Upper Blue Elementary. This was an opportunity to talk to parents about summer camp options with the Town of Frisco!
- A total of 12 kids participated in the March Kids Night Out program. 88% of those kids were from Frisco.
- Through February, revenue is tracking well at 6% of budget and ahead of 2015 numbers by 9%. Expenses are also tracking well at this time.

Table 5: Recreation Programs and Special Event Figures

NOTE: March attendance numbers, February budget numbers

	March 2016	March 2015	March 2014
Kids Night Out	12	31	n/a
Canvas Painting Party	n/a	15	n/a
Dog Classes	n/a	5	n/a
Total Participation	12	51	0

	February 2016	February 2015	February 2014
Revenue – 1150	\$4,732	\$8,577	\$3,805
Expenses – 1150	\$11,739	\$10,139	\$9,636

	YTD Actual 2016	Budget 2016	YTD Actual 2015	YTD Actual 2014
Revenue – 1150	\$16,285	\$255,000	\$14,923	\$12,069
Expenses – 1150	\$25,661	\$312,196	\$22,781	\$18,284

Upcoming Programs, Events and Specials: Upcoming programs, events and specials within the Frisco Recreation and Culture Department include the following:

APRIL

- April 4: Summer Program Open House and Registration Details
- April 6: Summer Program Registration Opens (online and in-person)
- April 10: Closing Day – Adventure Park
- April 11-15: Summit School District’s Spring Break – Fun Club Programming

MAY

- May 13: Night at the Museum
- May 14: Masontown Hiking Tour
- May 21: Lions, Moose and Bears, Oh My! – Living with Wildlife in Summit County (FHPM)

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
MARCH 22, 2016**

Mayor Wilkinson called the meeting to order at 7:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

Present: Kathleen Bartz
Kim Cancelosi
Tom Connolly
Dan Kibbie
Hunter Mortensen
Larry Sawyer
Gary Wilkinson

Absent:

Public Comment:

There was no public comment.

Council Comment:

Council member Mortensen thanked Public Works for their work during last week's snowstorm.

Proclamation:

Mayor Wilkinson proclaimed April 5th, 2016 to be the Mayor and County Recognition Day for National Service.

Consent Agenda:

Minutes March 8, 2016 Meeting
Warrant List
Purchasing Cards

MOTION: COUNCIL MEMBER SAWYER MOVED TO APPROVE THE CONSENT AS PRESENTED. SECOND, COUNCIL MEMBER MORTENSEN. VOTE:

BARTZ	YEA	MORTENSEN	YEA
CANCELOSI	YEA	SAWYER	YEA
KIBBIE	YEA	CONNOLLY	YEA
WILKINSON	YEA	MOTION CARRIED.	

New Business:

Agenda Item #1: File #361-15-DA-CU: A Conditional Use Application for the Proposed Holiday Center Building Remodel Project, Located at 1121 Dillon Dam Road / Lot 2, Holiday Tracts Subdivision, Including the Addition of Six (6) Residential Units STAFF: JOYCE ALLGAIERS / EMILY WOOD 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR

CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Planner Emily Wood stated that Frisco Holiday Center, LLC is requesting approval of a conditional use request to allow for the construction of six (6) residential dwelling units in an existing commercial building, located at 1121 Dillon Dam Road through the addition of a third floor. Mayor Wilkinson opened the public hearing at 7:18 p.m. Ken O'Bryan, architect spoke in support of the request. Jeff Lewark, Texaco owner expressed concern regarding noise issues to potential residents. There being no further public comment, Mayor Wilkinson closed the public hearing at 7:45 p.m.

MOTION: COUNCIL MEMBER CONNOLLY MOVED TO APPROVE FILE #361-15-DA-CU: A CONDITIONAL USE APPLICATION FOR THE PROPOSED HOLIDAY CENTER BUILDING REMODEL PROJECT, LOCATED AT 1121 DILLON DAM ROAD / LOT 2, HOLIDAY TRACTS SUBDIVISION, INCLUDING THE ADDITION OF SIX (6) RESIDENTIAL UNITS SUBJECT TO THE RECOMMENDED FINDINGS, TWO SPECIAL CONDITIONS, AND THREE STANDARD CONDITIONS WITH THE ADDITION IN SPECIAL CONDITION TWO OF THE FENCE BEING ALLOWED TO BE A MINIMUM OF SIX FEET BUT UP TO A MAXIMUM OF EIGHT FEET. SECOND, COUNCIL MEMBER BARTZ. VOTE:

BARTZ	YEA	MORTENSEN	YEA
CANCELOSI	YEA	SAWYER	YEA
KIBBIE	YEA	CONNOLLY	YEA
WILKINSON	YEA	MOTION CARRIED.	

Agenda Item #2: First Reading Ordinance 16-01, an Ordinance Amending Chapter 180 of the Code of Ordinances of the Town of Frisco, Concerning Zoning, by Amending Subsections 180-18.3.E, Standard #2.4, Concerning the Bulk Plane Envelope in the Central Core Zone District, and 180-23.C. Concerning On-Premise Parking Requirements, each such Amendment to Address Minor Errors in Prior Legislation STAFF: JOYCE ALLGAIER / BILL GIBSON 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Senior Planner Bill Gibson stated that Ordinance 14-01 concerning various development standards for construction projects located along Main Street, Granite Street, and Galena Street contained scrivener's errors in the amendments to the bulk plane envelope standards and on-site parking regulations. This proposed ordinance corrects those minor errors. Mayor Wilkinson opened the public hearing at 7:52 p.m. Craig Peterson, resident asked for clarification regarding the difference between Main Street and Granite/Galena. There being no further public comment, Mayor Wilkinson closed the public hearing at 7:54 p.m.

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE ON FIRST READING, ORDINANCE 16-01, AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING ZONING, BY AMENDING SUBSECTIONS 180-18.3.E, STANDARD # 2.4, CONCERNING THE BULK PLANE ENVELOPE IN THE CENTRAL CORE ZONE DISTRICT, AND 180-23.C., CONCERNING ON-PREMISE PARKING REQUIREMENTS, EACH SUCH AMENDMENT TO ADDRESS MINOR ERRORS IN PRIOR LEGISLATION. SECOND, COUNCIL MEMBER CANCELOSI. VOTE:

BARTZ	YEA	MORTENSEN	YEA
CANCELOSI	YEA	SAWYER	YEA

KIBBIE	YEA	CONNOLLY	YEA
WILKINSON	YEA	MOTION CARRIED.	

Agenda Item #3: First Reading Ordinance 16-02, an Ordinance Amending Chapter 127 of the Code of Ordinances of the Town of Frisco, Concerning General Offenses, by Adopting a New Section 127-52 to Establish Regulations on the Use of Unmanned Aircraft (Also Known as “Drones”) Within the Town
STAFF: THAD RENAUD 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Town Attorney Thad Renaud stated that the Council directed staff to address the negative impacts arising from the use of drones within the jurisdiction of the Town, particularly at low altitudes under 400 feet above ground level at which most drones operate. Mayor Wilkinson opened the public hearing at 7:59 p.m. Philip Sandeman, resident expressed concerns regarding limitations to remote control hobbyists. There being no further public comment, Mayor Wilkinson closed the public hearing at 8:06 p.m.

MOTION: COUNCIL MEMBER CANCELOSI MOVED TO APPROVE ON FIRST READING, ORDINANCE 16-02, AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL OFFENSES, BY ADOPTING A NEW SECTION 127-52 TO ESTABLISH REGULATIONS ON THE USE OF UNMANNED AIRCRAFT SYSTEMS (ALSO KNOWN AS “DRONES”) WITHIN THE TOWN INCLUDING DIRECTION TO STAFF TO ADD A SUBSECTION C ALLOWING USE TO STEM CLASSES AND CLUBS. SECOND, COUNCIL MEMBER SAWYER. VOTE:

BARTZ	YEA	MORTENSEN	YEA
CANCELOSI	YEA	SAWYER	YEA
KIBBIE	YEA	CONNOLLY	YEA
WILKINSON	YEA	MOTION CARRIED.	

Executive Session:

Agenda Item #4: An Executive Session Pursuant to Sections 24-6-402(4)(a), C.R.S., Concerning the Sale of Certain Real Property Owned by the Town, and 24-6-402(4)(e), to Determine Positions Relative to Matters That May be Subject to Negotiations, to Develop Strategy for Negotiations, and to Instruct Negotiators Concerning the Sale of Certain Real Property Owned by the Town

Council Member Connolly recused himself at this time for conflict of interest for clients being potentially involved.

MOTION: COUNCIL MEMBER SAWYER MOVED TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO SECTIONS 24-6-402(4)(A), C.R.S., CONCERNING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN, AND 24-6-402(4)(E), TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, TO DEVELOP STRATEGY FOR NEGOTIATIONS, AND TO INSTRUCT NEGOTIATORS CONCERNING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN. SECOND, COUNCIL MEMBER MORTENSEN. VOTE:

BARTZ	YEA	MORTENSEN	YEA
CANCELOSI	YEA	SAWYER	YEA
KIBBIE	YEA	CONNOLLY	RECUSE
WILKINSON	YEA	MOTION CARRIED.	

MOTION: COUNCIL MEMBER SAWYER MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO SECTIONS 24-6-402(4)(A), C.R.S., CONCERNING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN, AND 24-6-402(4)(E), TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, TO DEVELOP STRATEGY FOR NEGOTIATIONS, AND TO INSTRUCT NEGOTIATORS CONCERNING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN. SECOND, COUNCIL MEMBER MORTENSEN. VOTE:

BARTZ	YEA	MORTENSEN	YEA
CANCELOSI	YEA	SAWYER	YEA
KIBBIE	YEA	CONNOLLY	RECUSE
WILKINSON	YEA	MOTION CARRIED.	

Adjourn:

There being no further business, the meeting adjourned at 9:30 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk

FIRST AMENDMENT TO NORDIC CENTER CONCESSIONAIRE CONTRACT

THIS FIRST AMENDMENT TO NORDIC CENTER CONCESSIONAIRE CONTRACT (this "First Amendment), is made and entered into this 12th day of April, 2016, by and between the Town of Frisco, a Colorado municipal corporation, hereinafter referred to as "Town" and Breckenridge Nordic Center, LLC, a Colorado limited liability company, hereinafter referred to as "Concessionaire."

WHEREAS, the Town and Concessionaire entered into that certain NORDIC CENTER CONCESSIONAIRE AGREEMENT dated to be effective as of April 16, 2014 (the "Concessionaire Agreement"); and

WHEREAS, the Town and the Concessionaire desire to amend the terms of the Concessionaire Agreement in order to extend the date by which the Town must determine whether to seek proposals for the Nordic Center concession for the 2017-2018 season, and to remove any requirements as to the Town's issuance of any notice of award as a result of seeking any such proposals.

NOW THEREFORE, in consideration of the foregoing, and of the following mutual covenants and conditions, and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and the Concessionaire agree that this First Amendment shall amend the Concessionaire Agreement as follows:

1. Section 16 of the Concessionaire Agreement, entitled "Future Bidding," is hereby amended so as to read in its entirety as follows:

16. Future Bidding. By July 31, 2016, the Town will decide whether it will seek proposals for the Nordic Center concession commencing for the 2017-2018 season. The Town will provide written notice of its decision to Concessionaire on or before August 12, 2016.

2. All capitalized terms used in this First Amendment shall have the same meaning as provided in the Concessionaire Agreement.

3. Except as expressly amended by this First Amendment, the Concessionaire Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the Town of Frisco, Colorado has caused this First Amendment to be signed and executed on its behalf by its Mayor, and duly attested by its Town Clerk, and Concessionaire has signed and executed this First Amendment, effective as of the date and year first above written.

TOWN OF FRISCO

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC, Town Clerk

BRECKENRIDGE NORDIC CENTER, LLC

By: Therese E.D. Dayton, Manager



TO: MAYOR AND TOWN COUNCIL
FROM: DIANE MCBRIDE, ASSISTANT TOWN MANAGER / RECREATION AND CULTURAL DIRECTOR
RE: FOURTH AMENDMENT TO FRISCO MARINA CONCESSIONAIRE AGREEMENT AND LICENSE FOR GUIDED STAND UP PADDLEBOARD TOURS AND LESSONS
DATE: APRIL 12, 2016

Summary Statement: This Fourth Amendment to the Concessionaire Agreement and License will allow Kyle McKenzie, a sole proprietor operating as Kayak Lake Dillon, to add guided stand up paddleboard (SUP) tours and lessons to his operation from the Frisco Bay Marina for the remainder of his agreement with the Town of Frisco. This current agreement expires September 22, 2016. Kyle owns his own equipment but will pay for use of Marina storage racks, as well as a percentage of gross revenues to the Town of Frisco. This Fourth Amendment to the Concessionaire Agreement and License will also change Kyle's reporting and payment schedule to the Town of Frisco from a monthly schedule to an end of season schedule.

Background: This is the seventh year Kyle will be providing guided kayak tours and lessons at the Frisco Bay Marina. Kyle owns 8 kayaks and currently operates two tours per day for approximately 2 to 2.5 hours each. Kyle has requested to add SUP lessons and tours to his operation. Kyle owns 5 SUP's and will be offering tours/lessons on an as needed basis throughout the day. The Town of Frisco does not currently have a concessionaire agreement with anyone to operate SUP lessons and tours at the Marina. Kyle has secured a Dillon Reservoir Recreation Committee (DRReC) permit for these SUP tours and lessons. Kyle's kayaks and SUP's will be stored at the Marina; he will store his accessory equipment in an on-site shed and off premises.

Staff Analysis: Staff feels that offering guided SUP tours and lessons to the general public through a concessionaire agreement and license is a prudent and economical way to offer a desired amenity. This service is an opportunity to expose new SUP customers to Lake Dillon and the other amenities offered at the Marina; staff anticipates this exposure will lead to future rental revenues and possible SUP sales. Staff also has no concerns regarding the change to the reporting and payment schedule.

Staff Recommendation: Staff recommends that Council approve the Fourth Amendment to the Marina Concessionaire Agreement and License between the Town of Frisco and Kyle McKenzie, a sole proprietor operating as Kayak Lake Dillon.

**FOURTH AMENDMENT TO FRISCO MARINA CONCESSIONAIRE AGREEMENT AND
LICENSE**

THIS FOURTH AMENDMENT TO FRISCO MARINA CONCESSIONAIRE AGREEMENT AND LICENSE (this "Fourth Amendment"), is made and entered into as of this 12th day of April, 2016, by and between the TOWN OF FRISCO, a Colorado home rule municipal corporation ("Frisco") and Kyle McKenzie, an individual ("Concessionaire").

WHEREAS, Frisco and Concessionaire entered into that certain Frisco Marina Concessionaire Agreement and License dated May 11, 2010; and

WHEREAS, Frisco and Concessionaire entered into that certain First Amendment to Frisco Marina Concessionaire Agreement and License dated March 22, 2011; and

WHEREAS, Frisco and Concessionaire entered into that certain Second Amendment to Frisco Marina Concessionaire Agreement and License dated February 12, 2013; and

WHEREAS, Frisco and Concessionaire entered into that certain Third Amendment to Frisco Marina Concessionaire Agreement and License dated June 9, 2015; and

WHEREAS, Frisco and Concessionaire desire to amend the terms of the Agreement as set forth in this Fourth Amendment;

NOW THEREFORE, in consideration of the foregoing and of the following mutual covenants and conditions Frisco and Concessionaire agree that this Fourth Amendment shall amend the Agreement as follows:

1. That section 1 of the Agreement is hereby amended so as to read in its entirety as follows:
 1. Guided Kayak and Stand Up Paddleboard Tours. Concessionaire shall have the right to conduct guided kayak and stand up paddleboard tours and lessons for the public at the Marina ("Tour Operations") under the terms below.
2. That the first paragraph of section 4(a)(i) of the Agreement is hereby amended so as to read in its entirety as follows:
 - 4 (a)(i) On or before the twenty-second (22nd) day of September, Concessionaire shall submit to the Town of Frisco's Finance Director a report of Concessionaire's gross revenues collected during the immediately previous operating season from its Tour Operations and any retail sales allowed under this Agreement ("Gross Revenues Collected"). Concessionaire shall include with each report a signed statement affirming the completeness and accuracy of such report. Such statement may be prepared and certified to be true and correct by Concessionaire's bookkeeper; provided, however, that if the Finance Director has a reasonable objection to the use of Concessionaire's bookkeeper to prepare such statement, Concessionaire will engage an independent certified public accountant or other qualified person acceptable to the Finance Director to prepare and certify such statement.

3. That section 4(b)(ii) of the Agreement is hereby amended so as to read in its entirety as follows:
 - 4(b)(ii) On or before the twenty-second (22nd) day of September, Concessionaire shall pay to Frisco the Operating Fee that accrued during the immediately previous operating season. Non-payment of the Operating Fee shall constitute a material breach of this Agreement for which Frisco may terminate this Agreement pursuant to Section 8 herein.
4. Except as otherwise provided in this Fourth Amendment, all capitalized terms used in this Fourth Amendment shall have the same meaning as provided in the Agreement.
5. Except as expressly amended by this Fourth Amendment, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

TOWN OF FRISCO
A Colorado municipality

CONCESSIONAIRE:
Kyle McKenzie

By: _____
Gary Wilkinson, Mayor

By: _____
Kyle McKenzie, Owner

Attest:

Deborah Wohlmuth, CMC Town Clerk

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO

ORDINANCE 16-03

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING COUNCIL MEMBERS AND MAYOR, BY AMENDING SECTION 10-6, CONCERNING COUNCIL SALARIES

WHEREAS, Section 2-5 of the Frisco Charter provides that “[t]he Council members shall receive such compensation, and the Mayor shall receive such additional compensation, as the Council may prescribe by ordinance. The Council shall neither increase nor decrease such compensation during the member's term of office.” and

WHEREAS, in 2008, by Ordinance 08-01, the Mayor's salary was set at the rate of \$950 per month and has remained at that level since that time; and

WHEREAS, in 2008, also by Ordinance 08-01, the salary for Council members was set at \$500 per month and has remained at that level since that time; and

WHEREAS, the Council has determined that it is appropriate to adopt a new ordinance to adjust the salaries to which the Mayor and Council members are entitled; and

WHEREAS, the Council finds that the increase in compensation provided hereby will not cause an increase in compensation for any part of any term of office of Council member or Mayor that is in effect at the time of final adoption of this Ordinance.

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

Section 1. Section 10-6 of the Code of the Town of Frisco, Colorado, concerning Council Salaries, is hereby amended to read as follows:

§ 10-6. Council Salaries.

- A. Until April 30, 2018, the Mayor shall receive a salary of \$950 per month, and thereafter a salary of \$1,050 per month.
- B. Until April 30, 2018, all other Council members shall receive a salary of \$500 per month, and thereafter a salary of \$600 per month.
- C. If the Mayor Pro-tem serves as mayor for four consecutive weeks or more, then the Mayor Pro-tem will receive an additional salary of \$100 per month (pro rata) for the time served.
- ~~D. This Section shall take effect for members of Council elected in 2008, and for any member of the Council that may be appointed after the effective date of the ordinance amending this Section, at the commencement of their respective terms, and shall have no application to members of Council currently in office as of the~~

~~effective date of the ordinance amending this section. The Mayor serving on the effective date of Ordinance 08-01 amending this Section shall receive a salary of \$650 per month until such time as the Mayor's term of office expires and all other members of Council serving on the effective date of said Ordinance shall receive a salary of \$250 per month until such time as their respective terms of office shall expire.~~

Section 2. Savings Clause. If any part, section, subsection, sentence, clause or phrase of this ordinance 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 would have been adopted even if such unconstitutional or invalid matter had not been included herein.

Section 3. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED ON THE 12TH DAY OF APRIL, 2016.

Town of Frisco, Colorado:

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmut, CMC
Town Clerk



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: BILL GIBSON, SENIOR PLANNER, COMMUNITY DEVELOPMENT DEPARTMENT
RE: AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE BULK PLANE ENVELOPE IN THE CENTRAL CORE ZONE DISTRICT, AND 180-23.C., CONCERNING ON-PREMISE PARKING REQUIREMENTS, EACH SUCH AMENDMENT TO ADDRESS MINOR ERRORS IN PRIOR LEGISLATION.
DATE: MARCH 22, 2016

Summary Statement: On February 11, 2014, the Frisco Town Council adopted Ordinance 14-01 which amended various development standards for construction projects located along Main Street, Granite Street, and Galena Street. It has since come to the Community Development Department's attention that Ordinance 14-01 contained scrivener's errors in the amendments to the bulk plane envelope standards and on-site parking regulations adopted by that ordinance. This proposed ordinance corrects those minor errors.

Background: In part, Ordinance 14-01 amended the bulk plane envelope standards for buildings constructed in the Central Core zone district. The Frisco Zoning Ordinance has historically made a distinction in the bulk plane envelope standards applied to buildings twenty-eight (28) feet or less in height from those buildings taller than twenty-eight (28) feet in height. Due to a scrivener's error, Ordinance 14-01 applied the same bulk plane envelope standards for shorter buildings to taller buildings. That ordinance inadvertently raised the bulk plane envelope "starting point height" from twenty feet (20) to twenty-four (24) feet for taller buildings. This error caused the bulk plane envelope requirements for taller buildings to become less restrictive. This was not the Town Council's intent in adopting that ordinance. This proposed ordinance corrects the bulk plane envelope starting point back to the intended height of twenty (20) feet.

Ordinance 14-01 also amended the on-site parking regulations for properties within the Central Core District and within the Mixed Use District along West Main Street. Ordinance 14-01 increased the maximum number of required parking spaces for dwelling units within a multifamily development from two (2) spaces to four (4) spaces. The ordinance also established a guest parking requirement for multifamily developments. Ordinance 14-01 also clarified the existing on-site parking requirements for medical offices, churches, and non-first floor commercial uses. These intended amendments were illustrated in Ordinance 14-01 using strikeout and underline text in the parking requirement tables from §180-23.C.1 and 2 of the Frisco Zoning Ordinance. However, the parking requirement tables used in Ordinance 14-01 as a base to identify the intended code amendments were not current and did not reflect prior parking regulation amendments adopted in 2006 and 2009. The inclusion of an outdated parking requirement table in Ordinance 14-01 resulted in unintended amendments to the on-site parking regulations. This proposed ordinance corrects those errors.

Staff Analysis: The minor errors in the Frisco Town Code that resulted from Ordinance 14-01 should be corrected.

Staff Recommendation: The Community Development Department recommends approval of this proposed ordinance.

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 16 - 01**

AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING ZONING, BY AMENDING SUBSECTIONS 180-18.3.E, STANDARD # 2.4, CONCERNING THE BULK PLANE ENVELOPE IN THE CENTRAL CORE ZONE DISTRICT, AND 180-23.C., CONCERNING ON-PREMISE PARKING REQUIREMENTS, EACH SUCH AMENDMENT TO ADDRESS MINOR ERRORS IN PRIOR LEGISLATION.

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; and

WHEREAS, the Town Council finds that the intent of subsection 180-18.3.E, Standard # 2.4, of the Town Code was to create a distinction, in the Central Core zone district, between the bulk plane envelope applicable to buildings twenty-eight (28) feet or less in height from the bulk plane envelope applicable to buildings that exceed twenty-eight (28) feet in height, but that no such distinction was created due to a scrivener's error; and

WHEREAS, the Town Council finds that the amendments made to subsection 180-23.C.1 by way of Town Ordinance No. 14-01 did not reflect amendments previously made to that subsection by way of Town Ordinances Nos. 06-26 and 09-19; and

WHEREAS, this ordinance is adopted to amend subsection 180-18.3.E, Standard # 2.4, of the Town Code to create the intended distinction in bulk plane envelopes, and to amend subsection 180-23.C.1 to reflect the amendments made to that subsection by way of Town Ordinances Nos. 06-26 and 09-19 that were not set forth in Town Ordinance 14-01.

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

Section 1. Subsection 180-18.3.E, Standard # 2.4, of the Town Code, concerning the bulk plane envelope in the Central Core zone district, is hereby amended to read as follows:

Standard # 2.4.

The bulk of the building shall be restricted on all street and side yard facades, on any site located within the underlying CC zoning district through the use of a bulk plane envelope.

- The bulk plane envelope for buildings that do not exceed 28 feet in height shall start from a point 24 feet above the existing grade measured on the street property line(s) and side yard property line(s), and shall extend upward at a 45 degree angle toward the rear and opposite sides of the property until it intersects with the height (28'), at which point the bulk plane envelope and the maximum allowed height shall be the same. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief.

- The bulk plane envelope for buildings that exceed 28 feet in height shall start from a point 24 20 feet above the existing grade measured on the street property line(s) and side yard property line(s), and shall extend upward at a 45 degree angle toward the rear and opposite sides of the property until it intersects with the maximum allowed height (35' for a flat roof or 40' for a pitched roof), at which point the bulk plane envelope and the maximum allowed height shall be the same. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief.

Section 2. Subsection 180-23.C. of the Town Code, concerning on-premise parking requirements, is hereby amended to read as follows:

C. On premise parking requirements:

1. Parking Requirements. The following minimums for permitted uses. Minimum must be compiled with in all zone districts except the Central Core District (CC) and those properties within the Mixed Use District (MU) that front on West Main Street. On premise parking requirements for the Central Core District and those properties in the Mixed Use District that front on West Main Street are found under sub-paragraph (2) of this subsection C. Conditional uses may require additional parking. Multiple uses will be assessed parking requirements per use by staff and an aggregate number will be generated.

Use			Parking Space Requirements
Accommodations:	Accessory	Per Lock-off	1.0
	Boarding, rooming, lodging tourist home, bed & breakfast	Each bedroom	1.0
		Each Residential Employee unit	2.0 <u>1.0</u>
	Hotel, motel inn	Each bedroom	1.0
		Each Resident Employee unit	2.0 <u>1.0</u>
		To provide for nonresident employees per 2,500 GFA	4.0
Commercial:	Car Wash	Stacking spaces per washing bay	5.0
		Plus 500 square feet of GFA or portion thereof	1.0
	Commercial Businesses with drive-up windows	Stacking spaces per window	5.0
	Gas station	Per pump	1.0
	Medical offices	Per 350 square feet of GFA	1.0
		Plus per exam room	4.0

	Office	Per 350 square feet of GFA or portion thereof	1.0
	Retail	Per 350 square feet of GFA area or portion thereof	1.0
	Service station, auto repair	For every service bay	4.0
	Warehousing, wholesale business and Contractor Trades	Per 750 square feet of GFA	1.0
Education:	Day Care*	For every employee at maximum staff level	1.0
	*Adequate drop-off/pick-up space, equivalent to one (1) parking/stacking space per every ten (10) children (based on center's regulated capacity)		
	Elementary, Jr. High	For every classroom	2.0
	High school/college	For every 4 students (capacity)	1.0
Food/entertainment	Arcades, dance halls, gymnasiums, skating rinks and other similar functions	Per 200 Square feet of GFA	1.0
	Auditoriums, theaters, conference facilities, and similar functions	For every 4 seats	1.0
	Bowling alley	Per lane	2.5
	Fast food restaurants	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 drive-up window	5.0
	Restaurants, bars and taverns	Per 250 square feet of GFA	1.0
Miscellaneous:	Church	Per every 4 seats	1.0
	Hospital	Per every 3 beds	1.0
		Plus for every employee at maximum staff level	1.0
	Museum, art gallery, library	Per 400 square feet of GFA	1.0
		Plus per every 2 employees at maximum staff level	1.0
	Nursing home	Per 3 beds	1.0

	For any Non-residential change in use	<p>A parking reduction may be allowed such that the “new” use is not assessed by the parking use requirements. In order to qualify for such reduction, the change in use must meet one of the following criteria:</p> <ol style="list-style-type: none"> 1. Based on the Town’s Parking Study for the Central Core area of Town, that the change in use will not substantially limit the amount of parking space availability on-street in that location and at that time of day. 2. That enough on premise parking is provided for the commercial project area in that it is designed to serve two or more distinctly different land uses at a reduced ratio, as indicated by a study to substantiate different peak uses, which must be provided by a traffic engineer or other qualified professional, and approved by the Town. <p>In all cases, the existing parking space requirements must be maintained.</p>	
	Other	As determined by the Planning Commission. The Planning Commission shall be guided by the comparison with the parking requirements for similar uses which are listed.	
Residential:	Accessory	Per accessory unit:	1.0
		Per Lock-Off:	1.0
	Duplex	Per Bedroom:	1.0
		Minimum Per Unit:	2.0
		Maximum Per Unit	4.0
	Single Family	Per Bedroom:	1.0
		Minimum Per Unit:	2.0
		Maximum Per Unit:	4.0
	Multi Family (3+ Units)*	Studio	1.0
		Per Bedroom:	1.0
		Maximum per Unit	4.0
	*Plus additional spaces for visitors: One (1) space for every five (5) units including caretaker units.		
Deed Restricted Units (Affordable Units)	Studio	1.0	
	Per Bedroom	1.0	
	Maximum per Unit	2.0	

2. Minimum Parking Requirements for the Central Core District (CC) and properties within the Mixed Use District that front on West Main. The following minimums for permitted uses must be complied with. Conditional uses may require additional parking. Multiple uses will be assessed parking requirements per use by staff and an aggregate number will be generated.

Use		Parking Space Requirements
Retail*	Per 450 square feet of GFA or portion thereof	4.0 <u>0.0</u>
Office	Per 450 square feet of GFA or portion thereof	1.0
	If not located on the ground floor	0.0
Medical Office	Per 450 square feet of GFA or portion thereof	1.0
Restaurants, Bars and Taverns*	Per 350 square feet of seating area	0.0
	Per 450 square feet of non-seating area	0.0
Accommodations – hotel, motel, inn	Each resident employee unit	1.0
	Each bedroom	1.0
Residential Uses located above ground floor commercial*	Studio and Accessory Unit	1.0
	Per bedroom	1.0
	Maximum per Unit	4.0
	For Multifamily, 3 plus units, add'l parking for visitors is required	1 parking space for every 5 units

*Any change in the use from retail, restaurant, 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 chapter.

For purposes of calculating the minimum parking requirements for any property located within the Central Core District or the Mixed Use District when a property fronts on West Main Street, if any proposed use is not noted under this subparagraph (2), the parking requirements as provided subparagraph (1) of this section shall apply.

Section 3. 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 THIS 22ND DAY OF MARCH, 2016.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 12TH DAY OF APRIL, 2016

TOWN OF FRISCO, COLORADO:

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC, Town Clerk

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 16 - 02**

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL OFFENSES, BY ADOPTING A NEW SECTION 127-52 TO ESTABLISH REGULATIONS ON THE USE OF UNMANNED AIRCRAFT SYSTEMS (ALSO KNOWN AS “DRONES”) WITHIN THE TOWN

WHEREAS, the Town of Frisco (“Town”) is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority, the Town may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety and welfare; and

WHEREAS, the Town Council has determined that the use of unmanned aircraft systems (“UAS”), commonly known as drones, within the Town may be detrimental to the personal safety, safety of property, privacy rights, and welfare of the inhabitants of the Town; and

WHEREAS, the use of UAS are no longer limited to military and government uses and there is evolving a wide range of civilian, commercial and recreational uses; and

WHEREAS, the Town Council recognizes there is a strong market growth predicted for the use of UAS by hobbyists for recreational purposes as well as by commercial operators, and that there has been use of UAS in and about the Town in connection with the video recording of various outdoor sports and other activities; and

WHEREAS, the Town Council acknowledges that the United States Government has exclusive sovereignty of navigable airspace of the United States¹; and

WHEREAS, the Federal Aviation Administration (“FAA”) is the ultimate authority on regulating aircraft, including UAS, in navigable airspace; and

WHEREAS, the FAA Modernization and Reform Act of 2012 mandates that the FAA develop a plan for integrating drones into the existing regulatory framework of navigable airspace; however, only very limited regulations have been adopted to date; and

WHEREAS, currently, no federal law expressly prohibits or preempts municipalities from establishing laws concerning UAS usage that address nuisance and trespass issues within municipalities’ specific borders; and

WHEREAS, in the 2015 Colorado General Assembly, failed House Bill 2015-1115 was introduced to address the privacy concerns arising from public and private use of UAS by creating two separate crimes for the misuse of UAS by private individuals; and

WHEREAS, to date, there is only one Colorado regulation concerning the specific operation of UAS and such regulation prohibits use of UAS for hunting wildlife; and

¹ 49 U.S.C. § 40103(a).

WHEREAS, the current state laws do not adequately address potential nuisance and public safety concerns with unregulated use of UAS; and

WHEREAS, the Town Council determines that it is in the best position to regulate and enforce UAS operations within its jurisdiction, subject to the jurisdiction of the FAA; and

WHEREAS, the FAA has recognized that state and local law enforcement agencies are often in the best position to deter, detect, immediately investigate, and as appropriate, pursue enforcement actions to stop unauthorized or unsafe UAS operations²; and

WHEREAS, Town Council further finds that its police department and other local public safety agencies generally will be the first responders to UAS accidents; and

WHEREAS, the Town desires to retain and exercise its broad police powers to address the negative impacts arising from the use of UAS within the jurisdiction of the Town of Frisco, particularly at low altitudes under 400 feet above ground level at which most UAS operate; and

WHEREAS, the regulations adopted herein will be subject to any future state or federal regulations governing UAS through navigable airspace.

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

Section 1. A new Section 127-52 of the Frisco Town Code, concerning the regulation of unmanned aircraft systems, is hereby adopted to read in its entirety as follows:

§ 127-52. Unmanned Aircraft Systems

- A. Purpose and intent. The purpose of this Section is to establish regulations pertaining to any unmanned aircraft system operating within the jurisdictional borders of the Town of Frisco. It is the intent of this Section to be interpreted in conformance with any existing or future federal or state laws or regulations that address the operation of unmanned aircraft systems.
- B. Definitions. As used in this Article, the following terms shall have the meanings indicated:

Aircraft means any contrivance invented, used, or designed to navigate or fly in the air.

Model Aircraft means an unmanned aircraft that is: (1) capable of sustained flight in the atmosphere; (2) flown within visual line of sight of the person operating the aircraft; and (3) flown for hobby or recreational purposes.

Operate means to fly, use, launch, land, employ or navigate an unmanned aircraft system through the air.

Hobby Operator means an individual or entity operating an unmanned aircraft system for strictly recreational or hobby use; without limiting the foregoing, a Hobby Operator does not include any local, state or federal government agency lawfully operating unmanned aircraft systems for a government purpose or function, or any commercial operator authorized by

² Law Enforcement Guidance for Suspected Unauthorized UAS Operations, U.S. Department of Transportation, Federal Aviation Administration.

the Federal Aviation Administration (“FAA”) to operate a UAS, as evidenced by a valid certificate of authorization or exemption issued by the FAA.

Town Airspace means and includes all airspace above the jurisdictional boundaries of the Town of Frisco, to the full extent such airspace can legally be regulated by the Town.

Unmanned aircraft system or UAS means an aircraft, powered aerial vehicle, or other device without a human pilot on board, the flight of which is controlled either autonomously by on board computers or by remote control of a pilot operator on the ground or in another vehicle or aircraft, and all associated equipment and apparatus. It includes model aircrafts and drones.

C. Operating requirements and limitations. Each person operating an UAS in Town Airspace shall comply with the following operating regulations:

1. An UAS operated by a Hobby Operator must weigh no more than sixteen (16) pounds at the time of operation, inclusive of equipment, payload and fuel.
2. A Hobby Operator must have a visual line of sight of the UAS at all times. Visual line of sight means the UAS must be visible at all times to the operator, using his or her own natural vision to observe the UAS, including the use of standard eyeglasses or contact lenses.
3. Without express prior written authorization from the Town Manager or his or her designee, no person may operate a UAS on or over any Town property including but not limited to public streets, alleys, paths, trails, playgrounds, parks, open space, parking lots, and public buildings. The Town Manager may provide such written authorization only for: (1) public purposes, including but not limited to public land management, wildlife management, search and rescue, and public safety; (2) purposes of commercial photography or videography; and (3) special events sponsored and managed onsite by a club, school, educational or other association. The Town Manager may impose reasonable conditions on any such authorization that are intended to promote public safety, including but not limited to requirements for public liability insurance.
4. No person shall enter, hover, launch, or land an unmanned aircraft system on or over another person’s property without the prior consent of the property owner. Such unauthorized entry onto another’s property shall be deemed a trespass.
5. No person shall operate a UAS in a reckless or careless manner so as to endanger or cause reasonable risk of harm or actual harm to persons, property, or any domestic animal.

D. Enforcement and Penalties.

It shall be unlawful to violate any provision of this Section. Any person who is convicted of a violation of any provision of this Section shall be punished in accordance with Section 1-14 of this Code. Law enforcement officers are authorized to disable any UAS operating within the Town Airspace that poses an imminent threat to public safety.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid or preempted, such invalidity or preemption shall not affect

the remaining portions or applications of this Ordinance that can be given effect without the invalid or preempted portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The Town Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective five (5) days after publication on second reading in accordance with the Town Charter

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THIS 22ND DAY OF MARCH 2016.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 12TH DAY OF APRIL, 2016

TOWN OF FRISCO, COLORADO:

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC,
Town Clerk