



**Town Council
Monday, July 21, 2025
4:00 PM**

**Regular Meeting
130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615**

You can watch the meeting live online on our website at tosv.com.

Agenda

1. Call to Order

2. Roll Call

3. Proclamations and Presentations

3.A. A Presentation from the Aspen School District Regarding the Snowmass Village Public Education Fund

4. Public Comment

This section is set aside for the Town Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the Town Council will not discuss the issue and will not take an official action under this section of the agenda. (Five Minute Time Limit)

5. Consent Agenda

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single Public Hearing will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed on the regular agenda.

5.A. 2025 Draft Agendas

5.B. Resolution authorizing coordination of 2025 election with Pitkin County

6. Public Hearings - Quasi-Judicial Hearings

Public Hearings are the formal opportunity for the Town Council to LISTEN to the public regarding the issue at hand. For land use hearings the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial must limit its consideration to matters which are placed into evidence and are part of the public record. The Council must base their decision on the law and the evidence presented at the hearing.

7. Policy/Legislative Public Hearings

7.A. Lighting Code Amendment - Ordinance No 10, 2025 - First Reading

7.B. Workforce Housing Land Use Process - Code Amendment Ordinance No. 11,
2025 - First Reading

8. Administrative Reports

8.A. Discuss details of Council Goal to Help year-round residents thrive, not just
survive

9. Town Council Reports and Actions

Reports and Updates

10. Adjournment

Town of Snowmass Village Agenda Item Summary

Date of Meeting:

July 21, 2025

Agenda Item:

A Presentation from the Aspen School District Regarding the Snowmass Village Public Education Fund

Presented by:

Background:

Mary Rodino and Max Marolt will update the Town Council on the School District's Financial situation. Ultimately, there will be a request to place a ballot question on the November 2025 election regarding the TOSV property tax that is passed through to the School District.

In November 2016, Snowmass Village voters approved an additional property tax of \$510,000 that was to be collected by Snowmass Village and then distributed to a non-profit (that became the Snowmass Village Public Education Fund) to ultimately benefit the Aspen School District. This property tax was originally authorized through 2021 but has been approved by voters multiple times since that date. The most recent election was in 2020, authorizing the property tax through 2026. That vote was approved with 1,373 votes in favor and 412 votes opposed.

The most recent annual funding report from the SVPEF and School District is attached.

The School District is now asking the Town Council for consideration of a renewal of this property tax but with an increase to the amount collected (\$1,000,000 plus collection fees).

In anticipation of this discussion, we have scheduled a presentation with the Town's Finance Advisory Board on August 20.

On the consent agenda, the Town has authorized a potential election question to be placed on the ballot in November. Essentially space has been reserved, but further Council action would be required to ultimately approve specific ballot language and placing ballot question on the election. That additional Council approval and consideration of a ballot question would need to be on or before September 2, 2025.

Financial Impact:

The fiscal impact will be dependent on the question placed on the ballot, raising between \$500,00 and \$1,000,000. Currently, the mil rate of (approx.) .59 generates \$510,000 in property tax revenue.

Applicability to Council Goals & Objectives:

This needs to be determined by the Town Council.

Council Options:

This is a presentation only.

Staff Recommendation:

This is a presentation only.

Attachments:

1. 3A 1 Town of Snowmass Village Fall Ballot Initiatives Presentation - 7_21_25
2. 3A 2 SV Public Education Fund by laws

ASD Finance Update

Snowmass Village Town Council
Regular Meeting - *July 21, 2025*



Colorado School Finance



- The State of Colorado sets a “Total Program” amount for each school district based on statute
 - The amount is determined by a formula with factors such as student count, at-risk count, cost of living, etc.
 - This is the base funding for each Colorado school district and makes up the largest source of funding
 - The Aspen School District per pupil funding based on total program is 67th of 178 districts in the State for FY24
 - Funded through local property tax for the Aspen School District, although most districts receive a mix of State and local tax funding
- Budget Stabilization Factor
 - Introduced in 2009 by the State of Colorado to help balance the State’s budget
 - The factor reduced the amount of total program funding for each school district
 - Aspen School District lost \$23.8M in funding from 2009 -2024
- Colorado HB24-1448: New Public School Finance Formula- Passed in May 2024
 - Overhaul of Colorado School Finance Formula that sets total program
 - Caps cost of living factor in formula - adversely affects Aspen School District
 - Aspen School District is currently being “held harmless” meaning there is no decrease in funding until FY31. However, funding will remain relatively flat (0.5% increase annually) until then. Funding will fall off in FY31.
- Other Funding Sources
 - Mill Levy Override - Voter approved additional funding source expressed as a percentage of total program
 - ASD currently has a mill levy override of 25% of total program funding (previously the maximum amount allowable)
 - Local Funding Sources
 - Aspen Education Foundation
 - Snowmass Village Public Education Fund
 - Aspen Public Education Fund
 - State & Federal Grants- Title I has been reduced by 40%, Title II and III may be withheld altogether

Fund Balance - Financial Health



- Fund balance is effectively the cash reserves of a government entity that provide a liquidity buffer for years where required operating and capital spending exceeds the revenues and other funding sources
- Fiscal health is typically determined using the Operating Reserve Ratio which is calculated by dividing fund balance of the general fund by general fund total expenditures.

Governmental Entity - General Fund	Operating Reserve Ratio*
Aspen School District	7.4%
Town of Snowmass Village	141.5%
City of Aspen	105.7%
Pitkin County	62.6%

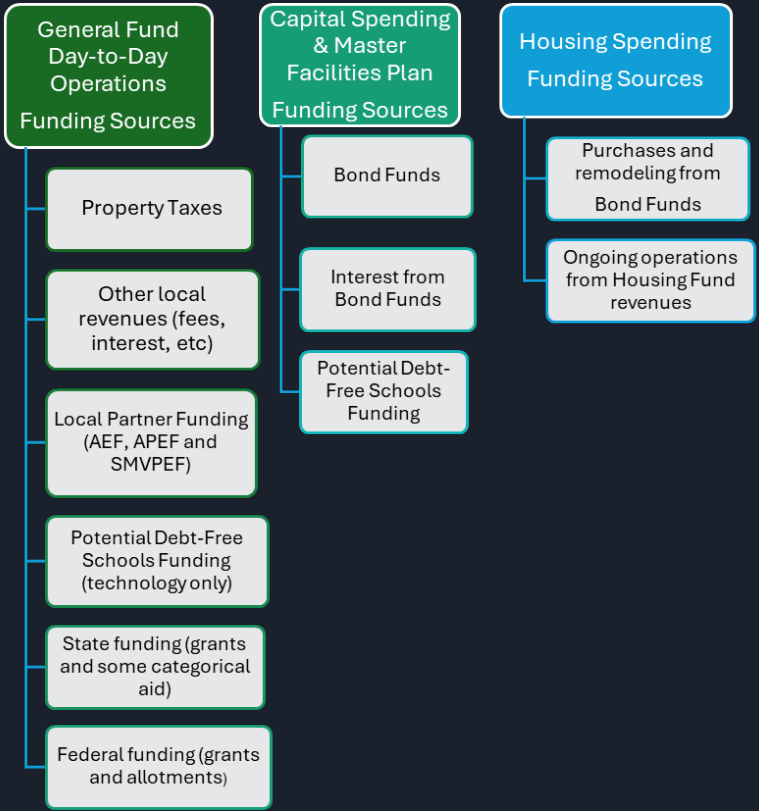
Colorado Department of Education recommends a 20-30% Operating Reserve Ratio.

ASD Finance Update



- **FY26 Budget - Approved June 4, 2025 for FY 2026 (July 1st- June 30th)**
 - Pupil count expected to remain relatively flat
 - Colorado State per pupil funding is up slightly- total revenue increase of approximately \$430,000
 - Staff raises will average between 3.5% 5% based on placement on grid/schedule
 - Achieved through attrition cuts and cost cutting measures
 - Class sizes are still within acceptable Board limits
 - We are expecting to increase fund balance by at about \$325,000 each year in 24-25 and 25-26
- **Fiscal Year-End - June 30, 2025**
 - Audited financial statements will be issued by December 2025
 - Prior year audit was free of material misstatement and had no audit findings
- **2024 Property Tax Assessment increase didNOT provide additional funding to ASD**
 - Reduced the amount of State funding received by ASD, and replaced it with local taxpayer dollars
- **ASD Board of Education considering multiple ballot initiatives**
 - Bond, Mill Levy Override Increase, SVPEF Renewal, & APEF Renewal

Funding Sources for Different Types of Expenses



Potential Ballot Item #1 - Bond



Bond - *One-Time Large Funding*

- Same option that was utilized in 2020/2021
- Current bond funding fully allocated
- Currently own 98 total units; current demand is estimated at 136 units, with 160 as a long term goal

Pros:

- Large influx of capital- Facilities Master Plan, Deferred Maintenance, Housing Acquisitions
- Could tranche debt issuance as ASD needs it to minimize impact on taxpayers
- Continue momentum from 2021 bond

Cons:

- One-Time Funding
- Cannot be used for operational funding (salaries, benefits, utilities, etc.)

Bond Issuance Amount (Par)	\$80,000,000	\$100,000,000	\$120,000,000
Estimated Annual Tax Increase per \$1M of Actual Home Value	\$53	\$65	\$83

Potential Ballot Item #2 - MLO



Mill Levy Override Increase - *Recurring Funding*

- Ability to increase ASD Mill Levy Override from 25% to 47%
- A result of HB-1448 (New Colorado School Finance Formula), but not directly related

Pros:

- Roughly \$5M in recurring funding with no restrictions
- Help combat current flat funding and potential funding decrease in FY31 from HB1448 - will have to pursue before then
- ASD has traditionally maxed Mill Levy Override
- Does not affect future debt capacity - no payback
- Potential to improve credit rating for bond issuance

Cons:

- Increase in funding likely to be temporary- make up for funding loss from HB-1448 once phase in is complete in FY31
- With temporary funding, funds typically cannot be used for staff salary raises
- Unlikely to generate enough funding for capital construction or housing acquisitions

Mill Levy Override %	47%
Estimated Annual Tax Increase per \$1M of Actual Home Value	\$68

Other Ballot Initiatives

- **Renewal of Snowmass Village Public Education Fund (SVPEF)**
 - ASD BoE considering increasing SVPEF property tax
 - Set to expire after 2026
 - Must be used for school programming and other educational purposes
 - Ballot question needs to be approved by Snowmass Village Town Council
 - Town of Snowmass Village voters only
- **Renewal of Aspen Public Education Fund (APEF)**
 - ASD BoE considering increasing APEF sales tax rate
 - Potential to spread tax burden beyond just property owners
 - Set to expire after 2026
 - Must be used for educational programs, recruiting, training & retaining employees, technology, special education, and professional development
 - Ballot question needs to be approved by Aspen City Council
 - City of Aspen voters only



Town of
SNOWMASS *Village*



CITY OF ASPEN

Snowmass Village Public Education Fund (SVPEF) - Town of Snowmass Property Tax



ASD with no SVPEF Renewal - \$0	ASD with SVPEF Renewal Under Same Terms - \$500K	ASD with SVPEF Renewal Increase - \$1M
• 5 fewer teaching/support staff positions funded • Aspen Community School budget cuts • Programmatic cuts • Little to no annual raises for staff • Continued depletion of fund balance/reserves • Increased class size	• 5 teaching/support staff positions funded at base level • Aspen Community School funded at same level • Little to no annual raises for staff or fewer positions funded • Diminished purchasing power in inflationary economy	• Staff pay increase to make salary schedule more competitive to attract world class teachers & align with cost of living • Increase in funding for Aspen Community School • Provide additional professional development opportunities for staff • Continuation of small class sizes

Potential Ballot Initiatives

- Fall 2025



Ballot Item	Recurring or One-Time?	Restrictions
Renewal of SVPEF <i>** (Town of Snowmass Village Voters Only)</i>	Recurring	School Programming & Other Educational Purposes
Renewal of APEF <i>** (City of Aspen Voters Only)</i>	Recurring	Educational Programs, Recruiting & Retaining, Technology, Special Education, & Professional Development
Bond Issuance	One-Time	No Operational Funding
Mill Levy Override Increase	Recurring	None



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
Date and Time: 06/18/2018 04:50 PM
ID Number: 20181480143
Document number: 20181480143
Amount Paid: \$50.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Incorporation for a Nonprofit Corporation

filed pursuant to § 7-122-101 and § 7-122-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for
the nonprofit corporation is

Snowmass Village Public Education Fund

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the nonprofit corporation's initial principal office is

Street address

130 Kearns Road

(Street number and name)

Snowmass Village

(City)

CO

(State)

81615

(ZIP/Postal Code)

CO

(Province – if applicable)

United States

(Country)

Mailing address

(leave blank if same as street address)

P.O. Box 5054

(Street number and name or Post Office Box information)

Snowmass Village

(City)

CO

(State)

81615

(ZIP/Postal Code)

CO

(Province – if applicable)

United States

(Country)

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent
are

Name

(if an individual)

Dresser

(Last)

John

(First)

C

(Middle)

Jr.

(Suffix)

OR

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Street address

130 Kearns Road

(Street number and name)

Snowmass Village

(City)

CO

(State)

81615

(ZIP Code)

Mailing address
(leave blank if same as street address)

P.O. Box 5054

(Street number and name or Post Office Box information)

Snowmass Village

(City)

CO

(State)

81615

(ZIP Code)

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name
(if an individual)

Dresser

(Last)

John

(First)

C

(Middle)

Jr.

(Suffix)

OR

(if an entity)

(**Caution:** Do not provide both an individual and an entity name.)

Mailing address

P.O. Box 5054

(Street number and name or Post Office Box information)

Snowmass Village

(City)

CO

(State)

81615

(ZIP/Postal Code)

CO

(Province – if applicable)

United States

(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. (If the following statement applies, adopt the statement by marking the box.)

☐ The nonprofit corporation will have voting members.

6. Provisions regarding the distribution of assets on dissolution:

See Attachment.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

☒ This document contains additional information as provided by law.

8. (**Caution:** *Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.*)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes. This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Dresser	John	C	Jr.
(Last)	(First)	(Middle)	(Suffix)
P.O. Box 5054			
(Street number and name or Post Office Box information)			
Snowmass Village	CO	81615	
(City)	(State)	(ZIP/Postal Code)	
	United States		
(Province – if applicable)	(Country)		

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

**ARTICLES OF INCORPORATION
OF THE
SNOWMASS VILLAGE PUBLIC
EDUCATION FUND**

ARTICLE I - NAME

The name of the corporation is SNOWMASS VILLAGE PUBLIC EDUCATION FUND (the "Corporation").

ARTICLE II - PURPOSES AND POWERS

Section 2.1 Purposes. The Corporation is organized and shall be operated exclusively for educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code. Subject to the foregoing, the specific purposes and objectives of the Corporation shall include (but not be limited to) promoting and enhancing the Aspen School District No. 1 (R.E) ("Aspen School District") by making funds available for educational purposes to support the Aspen School District and to cover the costs associated with establishing, maintaining, and administering the fund, insuring the payment and receipt of the funds and retaining 501(c)(3) status.

Section 2.2 Powers. In furtherance of the foregoing purposes and objectives (but not otherwise), and subject to the restrictions set forth in Section 2.3, the Corporation shall have and may exercise all of the powers now or hereafter conferred upon nonprofit corporations organized under the laws of Colorado and may do everything necessary or convenient for the accomplishment of any of the corporate purposes, either alone or in connection with other organizations, entities or individuals, and either as principal or agent, subject to such limitations as are or may be prescribed by law.

Section 2.3 Restrictions On Powers.

(a) No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to any member of the Corporation which is not then an exempt organization described in section 501(c)(3) of the Internal Revenue Code, any director or officer of the Corporation or any other individual (except that reasonable compensation may be paid for services rendered to or for the benefit of the Corporation affecting one or more of its purposes and the Corporation may make payments or distributions in furtherance of the purposes set forth in these Articles of Incorporation), and no member of the Corporation which is not then an exempt organization described in section 501(c)(3) of the Internal Revenue Code, and no director or officer of the Corporation or any other individual shall be entitled to share in any distribution of any of the corporate assets on dissolution of the Corporation or otherwise.

(b) No substantial part of the activities of the Corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation. However, if the Corporation is an organization to which section 501(h) of the Internal Revenue Code applies and the Corporation has effectively elected to have such section apply, the Corporation shall have power to carry on the activities permitted by such section, but only to the extent such activities shall not result in

the denial of exemption under such section. The Corporation shall not participate or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

(c) Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax as an organization described 501(c)(3) of the Internal Revenue Code, or by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code.

(d) The Corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws.

(e) All references in these Articles of Incorporation to provisions of the Internal Revenue Code are to the provisions of the Internal Revenue Code of 1986, as amended, and to the corresponding provisions of any subsequent federal tax laws.

ARTICLE III - MEMBERS

The Corporation shall have no capital stock and shall not be authorized to issue capital stock. The Corporation shall not have any members.

ARTICLE IV-BOARD OF DIRECTORS

Section 4.1 General. The management of the affairs of the Corporation shall be vested in a Board of Directors, except as otherwise provided in the Colorado Revised Nonprofit Corporation Act, these Articles of Incorporation or the Bylaws of the Corporation. The number of directors of the Corporation shall be ten (10). which number may be increased or decreased pursuant to the Bylaws of the Corporation. The names of the Corporation's directors, who shall act until their successors are duly chosen and qualified are:

Joe Farrell
Leah Moriarty
Doug Throm
Wolf Gensch
Dusty Diaz
Charla Belinski
Kristin Balko
Timothy Johnson
Kristen Fitzgerald
Brad Stevenson

Section 4.2 Limitation on Liability of Directors. No director shall be personally liable to the Corporation for monetary damages for breach of fiduciary duty as a director, except that the foregoing shall not eliminate or limit liability of a director to the Corporation for monetary damages for the following:(a) any breach of the director's duty of loyalty to the Corporation, (b) acts or omissions not in good faith or which involve intentional misconduct or a knowing

violation of law, (c) acts specified in C.R.S. Section 7-128-403, as it now exists or hereafter may be amended, or (d) any transaction from which the director directly or indirectly derived an improper personal benefit. If the Colorado Revised Nonprofit Corporation Act hereafter is amended to authorize the further elimination or limitation of the liability of directors, then the liability of a director of the Corporation, in addition to the limitation on personal liability provided herein, shall be further eliminated or limited to the fullest extent permitted by the Colorado Revised Nonprofit Corporation Act. Any repeal or modification of this Section 4.2 shall be prospective only and shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification.

ARTICLE V - BYLAWS

The Board of Directors shall have power to amend or repeal the Bylaws and adopt new Bylaws, subject to any limitations imposed by the Bylaws as in effect from time to time. The Bylaws may contain any provisions for managing and regulating the affairs of the Corporation that are not inconsistent with law or these Articles of Incorporation, as these articles may be amended, nor contrary to the laws of the State of Colorado or the United States. However, no bylaw shall have the effect of giving any director or officer of the Corporation or any other individual any proprietary interest in the Corporation's property, whether during the term of the Corporation's existence or as an incident to its dissolution.

ARTICLE VI-DISPOSITION OF ASSETS ON DISSOLUTION

The Board of Directors may by two-thirds majority, vote to dissolve the Corporation through the adoption of a resolution to dissolve. Upon dissolution of the Corporation, all of the Corporation's assets remaining after payment of or provision for all of its liabilities shall be paid over or transferred exclusively for the purposes of the Corporation to the Aspen School District or its successor.

ARTICLE VII-DURATION

The period of duration of the Corporation shall be perpetual.

ARTICLE VIII-AMENDMENTS

The Board of Directors shall have the exclusive power and authority at any time to amend these Articles of Incorporation by the vote of a majority of the directors then in office; provided, however, that any such amendment shall require the prior written approval of the Board of Directors of the Aspen School District.

ARTICLE IX - PRINCIPAL OFFICE AND REGISTERED AGENT

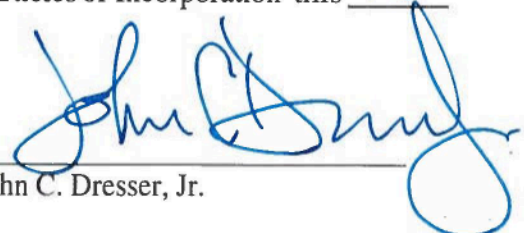
The address of the principal office of the Corporation in this State is 130 Kearns Road Road, Snowmass Village, Colorado 81615. The registered office of the Corporation is P.O. Box 5054, Snowmass Village, Colorado 81615, and the registered agent at such registered office is John C. Dresser, Jr.

ARTICLE X - INCORPORATOR

The name and address of the incorporator is as follows:

John C. Dresser, Jr.
P.O. Box 5054
Snowmass Village,
CO 81615

IN WITNESS WHEREOF, I have signed these Articles of Incorporation this 18th
June, 2018.



John C. Dresser, Jr.

STATE OF COLORADO)
COUNTY OF PITKIN) ss:

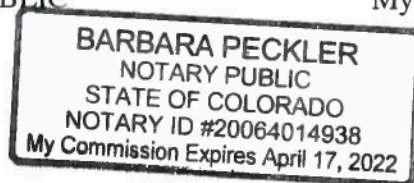
The foregoing Articles of Incorporation were signed and sworn to before me by John
C. Dresser, Jr. as Incorporator, on this 18 day of June, 2018.

Witness my hand and official seal.



NOTARY PUBLIC

My commission expires: 4-17-2022



2025 DRAFT Agenda Overview

- Regular Meetings begin at 4:00 p.m. unless otherwise noted
- Work Sessions begin at 4:00 p.m. and aim to end at 6:00 p.m.
- The dates on which agenda items are listed are only a best approximation. Agenda items are added to this list as they arise. Agenda items may well be moved to different meeting dates. Agendas are generally not finalized until the Thursday prior to the meeting.
- In addition to agenda items, this document also lists expected absences of Town Council members. In compliance with section 2-49 of the municipal code, once the consent agenda is approved, the absences noted will be considered to have received the prior approval necessary of the majority of the Council for members to be absent from meetings.

Topic to incorporate:

- In 2025 - Town Attorney and Town Clerk provide an Ordinance to Review Town Ordinances – Required every five years since 1994 Re-codification Adoption per the Town Charter. See Ord 19, Series 2020 as example.
- Increasing the housing mitigation minimums.
- Add spring clean up/annual trash pickup to a future workshop agenda.
- a discussion about how to change the housing mitigation rate for uncovered decks
- a discussion regarding creating Council alternatives for B's and C's

Monday July 14 – Work Session CHANGED to Special Meeting (DeAngelo remote)

- Update from the Fire District on requested opportunities
- Update from the EAB on their priority list
- Executive session – Performance Review & Negotiations

Monday July 21 – Regular Meeting (Gustafson out)

- Initial Discussion Regarding Continuation of Snowmass Public Education Fund Property Tax
- Discuss details of Council Goal to Help year-round residents thrive, not just survive
- First reading of lighting ordinance
- Workforce Housing Code amendment
- Resolution authorizing coordination of 2025 election with Pitkin County

Monday Aug 4 – Regular Meeting

- **Joint Meeting** with Planning Commission for Ski Co Divide workforce Housing project
- Town Attorney Update
- First reading of Workforce housing special review ordinance
- 1st reading ordinance appropriating Mobile Home donation
- Second reading of lighting ordinance
- Exec Session – personnel – Performance reviews
- 2025 Certs and Assurances

Monday Aug 11 – Work Session

- Update on Krabloonik Property
- Strong Start, Bright Future for our Kids campaign information
- Discussion regarding community survey
-
-

Monday Aug 18 – Regular Meeting

2025 DRAFT Agenda Overview

- EOTC Budget/work plan – Linda DuPriest
- Community Outreach update & discussion
- DMP update
- 2nd reading ordinance appropriating Mobile Home donation
- Exec Session – personnel – Performance reviews
-

EOTC – Thursday August 14 4-6pm – Pitkin County

Tuesday Sept 2 – Regular Meeting

Monday Sept 8 – Work Session

Monday Sept 15 – Regular Meeting.

Monday Oct 6 – Regular Meeting

- Budget Introduction
- Town Attorney Update

Monday Oct 13 – Work Session

- Budget

Monday Oct 20 – Regular Meeting

- POST Grant Ord – 1st reading?
- Budget – Comments from FAB

EOTC – Thursday October 23 – City of Aspen

Monday Nov 3 – Regular Meeting

- GID Meeting - Adopting the GID Budget
- Budget Adoption
- POST Grant – 2nd reading

Tuesday Nov 10 – Work Session

Monday Nov 17 – Regular Meeting

- B & C Applications

Monday Dec 1 – Regular Meeting

- Reso RE 2025 Meeting Dates
- Reso on Delinquent Solid Waste / Trash
- B & C Interviews

Monday Dec 8 – Special Meeting

- GID Meeting – set Mill Levy
- B & C Discussion

2025 DRAFT Agenda Overview

Monday Dec 15 – Regular Meeting

- B & C Resolution appointing new Members

Topics for Work Sessions or Other Meetings Requested by Town Council Members

- Schedule Updates will all of the Town Boards to review priorities and current initiatives.
 - EAB
 - FAB
 - PTRAB
 - POSTR
 - Tourism – quarterly updates
 - Grants – Recent Awards; Review of Criteria; Purpose, etc.
 - SAAB
 - Planning

Town of Snowmass Village Agenda Item Summary

Date of Meeting:

July 21, 2025

Agenda Item:

Resolution authorizing coordination of 2025 election with Pitkin County

Presented by:

Megan Boucher, Town Clerk

Background:

The purpose of this Resolution is to authorize the Town of Snowmass Village to participate in and for the Town Clerk to execute documents to effectuate the 2025 coordinated election. An IGA is required with Pitkin County to conduct a coordinated election including TOSV Council elections and ballot questions.

This upcoming November, at the request of the Aspen School District, the Town may decide to add one issue on the ballot regarding the Snowmass Village Public Education Fund.

Financial Impact:

Customary election costs.

Applicability to Council Goals & Objectives:

Promoting democracy!

Council Options:

Adopt, deny or amend Resolution 24, Series of 2025

Staff Recommendation:

Staff recommends that the Council adopt Resolution 24, Series 2025 which authorizes the Town Clerk to execute the IGA with the Pitkin County Clerk for a coordinated Election November 4, 2025.

Attachments:

1. 5B Reso No. 24- 2025 Coordinated Election

**TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL**

**RESOLUTION NO. 24
SERIES OF 2025**

**A RESOLUTION AUTHORIZING THE TOWN OF SNOWMASS VILLAGE TO
PARTICIPATE IN THE 2025 COORDINATED ELECTION ON NOVEMBER 4, 2025
AND AUTHORIZING THE TOWN CLERK TO EXECUTE AN INTERGOVERNMENTAL
AGREEMENT WITH PITKIN COUNTY TO CONDUCT THE 2025 COORDINATED
ELECTION.**

RECITALS

- A. The Town of Snowmass Village (the “Town”), is a Colorado municipal corporation duly organized and existing as a home-rule municipality pursuant to Article XX of the State Constitution and laws of Colorado.
- B. The Town, acting by and through its Town Council (“Town Council”), has the power to refer to the electors ballot issues as provided by law and intends to do so for consideration at the November 4, 2025 election.
- C. The Town Council wishes for the Town to participate in such coordinated election and, to do so, wishes to authorizes the Town Clerk to enter intergovernmental agreement with Pitkin County to conduct the election, appoint the Town Clerk as the Designated Election Official, and to authorize all other such actions necessary for participation in the 2025 coordinated general election with Pitkin County.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Snowmass Village, Colorado, as follows:

- 1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
- 2. Coordinated Election. The Town Council hereby authorizes participation by the Town in the coordinated election to be held November 4, 2025. The Town Council further authorizes the officers and employees of the Town to take all actions necessary or appropriate to participate in the November 4, 2025 coordinated election, including but not limited to preparing ballot titles.
- 3. Conduct of the Election. The Council hereby provides that the Town shall utilize the requirements and procedures of the Uniform Election Code of 1992, Articles 1 to 13 of Title 1 of Colorado Revised Statutes as authorized pursuant to the Municipal Election Code with respect to the regular election and that such election shall be coordinated with and conducted by the County as provided therein.

4. Designated Election Official. The Town Clerk is hereby appointed as the designated election official of the Town for the purposes of performing acts required or permitted by law in connection with the election. Pursuant to Section 1-1-111(2) Colorado Revised Statutes, all powers and authority granted to the Council may be exercised by the designated election official, including, but not limited to the power to appoint election judges.
5. Intergovernmental Agreements. The officers of the Town are authorized to enter into one or more intergovernmental agreements with the County Clerk of Pitkin County pursuant to Section 1-7-116 of Colorado Revised Statutes contained in the Uniform Election Code. Any such intergovernmental agreements heretofore entered into in connection with the election are hereby ratified and approved.
6. Ratification of Prior Action. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the Town and its officers directed toward the election and the objects and purposes herein stated are hereby ratified, approved and confirmed.
7. Direction to Town Staff. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.
8. Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Resolution which can be given effect without the invalid provision or application, and, to this end, the provisions of this Resolution are severable.
9. Inconsistency. All acts, orders and resolutions, and parts thereof, inconsistent with this Resolution be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or Resolution, or part thereof, heretofore repealed.

READ, APPROVED AND ADOPTED, as amended, by the Town Council of the Town of Snowmass Village, Colorado on July 21, 2025, upon the motion of Councilmember _____, the second of Councilmember _____ and upon a vote of ___ in favor and ___ opposed.

TOWN OF SNOWMASS VILLAGE

Alyssa Shenk, Mayor

ATTEST:

Megan Harris Boucher, Town Clerk

APPROVED AS TO FORM:

Jeff Conklin, Town Attorney

Town of Snowmass Village Agenda Item Summary

Date of Meeting:

July 21, 2025

Agenda Item:

Lighting Code Amendment - Ordinance No 10, 2025 - First Reading

Presented by:

Sara Nester, Code Compliance Manager

Background:

The Town Council directed that the Outdoor Lighting Code (Lighting Code) be revised. In response, Town staff hired Clanton and Associates, Inc. to assist the Town in updating our Lighting Code. The Lighting Code revisions propose to enhance the Town's character and livability, prevent non-compliant outdoor lighting, reduce lighting conflicts between property owners, prevent the increase of sky glow, and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment. The proposed revisions will use a lumen-based metric in lieu of the previously utilized watt-based metric to better accommodate advancements in lighting technology.

The Town Council has previously reviewed the proposed Lighting Code updates during two separate meetings. As the Lighting Code is now proposed to fall under the Land Use and Development Code rather than Building Regulations, the proposed amendments were brought to the Planning Commission and discussed over two meetings. The Planning Commissions recommended revisions are provided in red italics.

Financial Impact:

There will be an ongoing financial commitment to implement and enforce the Lighting Code. Currently, enforcement is being carried out on a complaint basis. The financial impact would vary based upon the level of enforcement desired.

Applicability to Council Goals & Objectives:

One of the 2025 Strategic Initiatives for Snowmass Village is to preserve and protect open spaces and our environment to ensure that nature is and remains the dominant feature of the landscape.

Council Options:

Approve, modify or deny Ordinance No. 10, 2025.

Staff Recommendation:

It is the recommendation of Town Staff, that the Council, by motion approve Ordinance

No. 10, 2025 updating the Town's Outdoor Lighting Code and set a second reading of the ordinance for August 18, 2025.

Attachments:

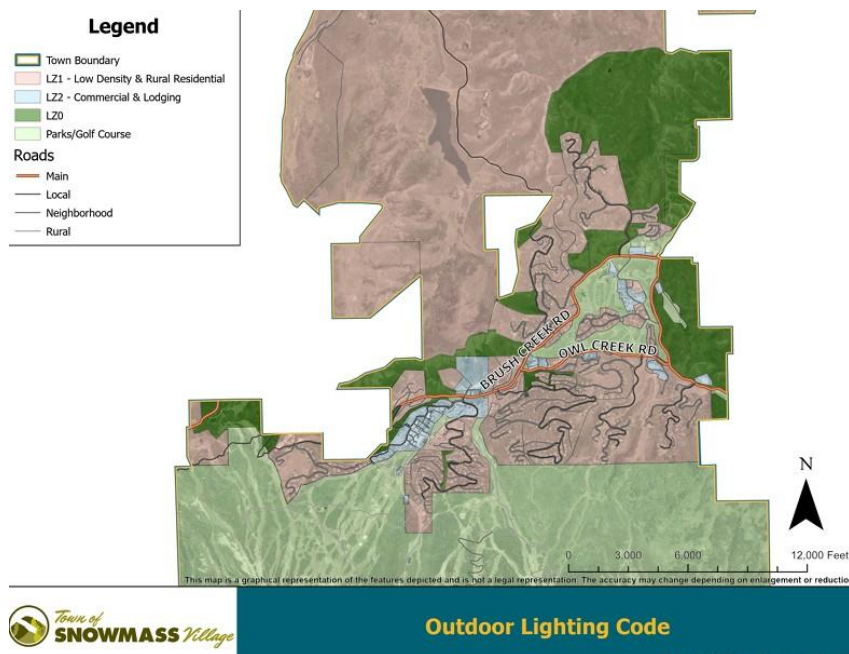
1. 7A 1 Proposed Snowmass Village Outdoor Lighting Code Amendment – Redlined
2. 7A 2 Proposed Snowmass Village Outdoor Lighting Code Amendment – Clean
3. 7A 3 Snowmass Village Lighting Zone Map Draft - Updated
4. 7A 4 Snowmass PC - Res - 3 -2025 - Lighting Code Amendment – Signed
5. 7A 5 Snowmass - Ord -10-2025 - Lighting Code Amendment

Town of Snowmass Village, CO
Municipal Code; Chapter 16A, Article IV, Division 6 – Lighting Standards
Draft: June 12, 2025 v0.10

Sec. 16A-4-600. – Purpose.

This article is intended to protect the health, safety, and welfare of residents within the Town of Snowmass Village, enhance the town’s character and livability, prevent noncompliant outdoor lighting, reduce lighting conflicts between property owners, prevent the increase of sky glow, and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment. Per the *Five Principles for Responsible Outdoor Lighting*, the following goals outline our outdoor lighting requirements:

- (1) Reduce excessive amounts of outdoor lighting and high-angle sources of glare that both contribute to an unsafe reduction in nighttime visual performance;
- (2) Reduce the use of unnecessary outdoor lighting during daytime hours to lessen the consumption of non-renewable energy and fuels;
- (3) Limit the use of outdoor lighting to help mitigate wasted energy and unnecessary *Light Pollution* that negatively affect the natural night sky, migration, and nocturnal ecosystems;
- (4) The Town of Snowmass Village, which has the authority to protect natural resources and maintain a healthy environment for present and future generations, will assign the following *Lighting Zones* to all property within the Town of Snowmass Village per the following map:



Sec. 16A-4-610. - Definitions.

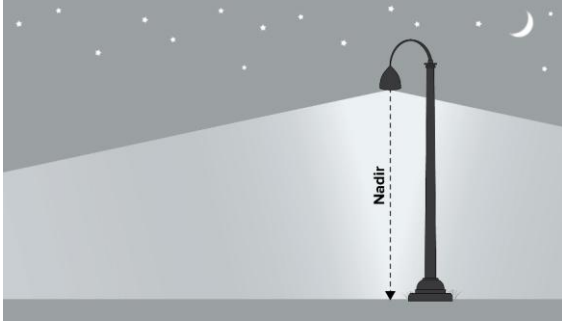
- (1) **AFG:** Above Finished Grade
- (2) **ANSI/IES Outdoor Standards:** The American National Standards Institute (ANSI) recognizes the Illuminating Engineering Society (IES) as the authoritative standards for lighting applications. Applicable outdoor standards and metrics for this ordinance include:
 - a. RP-2: Outdoor Lighting for Retail (Illuminance)
 - b. RP-6: Outdoor Sport and Recreational (Illuminance)
 - c. RP-8: Roadway and Parking (Luminance and Illuminance respectively)
 - d. RP-43: Outdoor Pedestrian Applications (Illuminance)
- (3) ***ALAN (Artificial Lighting at Night):*** *Light that is created from human technology, such as electric lighting, rather than a naturally occurring process.*
- (4) **Festoon String Lighting:** Decorative overhead lighting that consists of multiple electric lamps, evenly spaced, wired to a flexible cable, and strung between at least two mounting points.
- (5) **Five Principles for Responsible Outdoor Lighting:** Co-authored and published by DarkSky International and ANSI/IES, 1) Use light only if needed, 2) Distribute light only where needed, 3) Use light no brighter than needed, 4) Use light only when needed, 5) Use warmer color light when possible.
- (6) **Fully Shielded:** An installed *Luminaire* that produces no light rays above a simulated horizontal plane that passes through the lowest point where light is emitted. Examples include:



- (7) **Glare:** Light entering the eye directly from a luminaire or indirectly from reflective surfaces that cause visual discomfort or reduced visibility.
- (8) **Light Level:** The amount of maintained light that hits, or is reflected from, a surface as measured by *Luminance* or *Illuminance*.
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- (10) **Light Trespass:** *ALAN* illuminating past property lines and affecting other property owners or jurisdictions. Light trespass limits are measured at any location along a property line both horizontally on the ground plane facing upward and vertically at 5-feet above grade with the meter aimed toward the light source in question. Neither measurement shall exceed the established threshold.
- (11) **Lighting Zones:** An ANSI/IES/DarkSky system describing the luminous environment and related lighting conditions based on land uses and expected tasks. These include Lz0, Lz1, and Lz2.
- (12) **Lighting Zone Zero (0):** Open space areas characterized by predominantly dark areas such as rural, agricultural, and areas with limited built environment or adjacent to sensitive and protected lands.
- (13) **Lumen (lm):** A unit of measure for the quantity of light provided by a source.

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- (14) **Luminaire:** A complete lighting unit, including the light source, housing, optics, and necessary electronics for the purpose of outdoor illumination.
- (15) **Lux (lx):** The unit of measure for illuminance.
- (16) **Nadir:** A downward vertical vector directly beneath the luminaire's light source, opposite to zenith.



- (17) **Nighttime Hours:** A time period for seasonal lighting restrictions. Observed in *residential and commercial zone districts* between ~~11pm and 6am~~ *10pm and 7am*. ~~Residential zone districts and all other areas will use 10pm until 6am.~~ For businesses and events with operating hours later than 10pm, nighttime hours will begin one hour after closing.
- (18) **Residential Use:** Zoning districts dedicated exclusively to properties for low-density human residence and dwelling. Examples include single family, duplex, townhouse, and mobile home. This does not include apartment and mixed-use living.
- (19) **Seasonal Lighting:** A time period starting November 15 for temporary and decorative holiday-style lighting not intended for general illumination, including but not limited to string lighting, icicle lighting, and lighted inflatables. *Observed in residential and commercial zone districts until March 1.*
- (20) **Security Lighting:** Illumination used specifically to protect people, property, and infrastructure from criminal threat. *Security Lighting must be kept to the minimum amount of lighting required, and the time of the motion detector light shall not exceed five minutes.*
- (21) **Shielding:** A Luminaire design, optical intervention, or physical accessory (such as a louver) preventing light emission from traveling into a particular area, angle, or region.

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Sec. 16A-4-620. – Applicability.

- (1) The outdoor lighting requirements of this article shall be applicable to all outdoor *Luminaires* installed within the Town of Snowmass Village after *[effective date 1]*.
- (2) Existing outdoor *Luminaires* not meeting the requirements of this article and lawfully installed prior to *[effective date 1]* shall be considered legal and repairable but non-conforming. Automatic trigger events causing compliance to this article are as follows:
 - a. *Light Trespass and Nighttime Hour* requirements will go into effect *[effective date 2]*; or
 - b. If the Community Development Director, or designee, determines that a *Luminaire* constitutes a hazard to public safety, compliance can be mandated; or
 - c. All remaining installations of non-conforming *Luminaires* can be used and maintained until they are replaced.

Sec. 16A-4-630. – Exemptions.

- (1) **Lawful:** Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal, state, or territorial) than the Town of Snowmass Village.
- (2) **Safety:** *Luminaires* installed for the benefit of public health, safety and welfare, including but not limited to:
 - a. Any contradictory building code or Department of Transportation illumination requirements.
 - b. Occupational Safety and Health Administration (OSHA) mandated lighting for worker safety.
 - c. Temporary lighting used for worker safety during construction, repair, or similar activity.
 - d. Temporary lighting used by authorized first responders during emergency procedures.
- (3) **Permitted:** Temporary and semi-permanent lighting approved by the Town Manager, or designee, for special events, festivals, or community benefit.

~~(3)(4) *Lighted trees at entrances to arrival centers, condominiums, and hotels are permitted.*~~

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Sec. 16A-4-640. – Prohibitions.

Unless otherwise specified in this article, the following are prohibited in the Town of Snowmass Village:

- (1) Use of unshielded outdoor lighting within Lz1.
- (2) Lighting (including neon and fluorescent) used to outline a structure *in whole or in part.*
- (3) *Use of outdoor televisions.*
- (4) ~~Facade lighting that is mounted above grade onto poles, trees, or other structures, except as permitted Section 16A-4-690. All facade lighting is prohibited except where it is allowed under 16-A-4-690.~~
- (5) *ALAN* that interferes with the safe movement of motor vehicles, disables the vision of a motor vehicle operator, contributes to traffic control confusion (e.g., sources resembling or imitating traffic control lighting, railroad signals, blinking, flashing, moving, and revolving), or that hides or interferes with the effectiveness of any official traffic control devices.
- (6) Beacons and searchlights are prohibited, except for emergency use by authorized first responders.

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Sec. 16A-4-650. – Building Permit Procedure.

Outdoor lighting plans shall meet the following requirements for residential, commercial, mixed use, or multi-family building permits, subdivision, planned unit development, illuminated signage, and development within environmentally sensitive area:

- (1) **Lighting Plans:** Acceptable means for outdoor lighting plans are as follows:
 - a. “Lighting Schedule”: For residential permits when specifically requested by the Community Development Director, or designee. This lighting plan shall be documented using a spreadsheet format by listing the *Luminaire* identifications (i.e., manufacturer, model number, type), *Luminaire* quantities, installation locations, and *Lumen* outputs for each.
 - b. “Performance Method”: For commercial, multi-family, mixed use, sports lighting or when specifically requested by the Community Development Director, or designee. Outdoor lighting plans shall include:

- i) *Luminaire* identification (model number), installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site.
- ii) Site plan demonstrating conformance with this ordinance.
- iii) Other information deemed necessary by the Building Official to document compliance with the requirements of this article.

(2) Review: Applications and lighting plans will be submitted as follows:

- a. Subdivisions, planned unit developments, or special review applications shall be submitted and reviewed with the applicable Land Use review process as defined in the Land Use and Development Code. The Building Official may review plans upon Land Use Approval for code compliance.
- b. Building permits for a commercial or residential structure shall be reviewed by the Building Official.
- c. Any appeals related to decisions regarding outdoor lighting shall be made to the Town Manager, or designee.

Sec. 16A-4-660. – Temporary Waiver Request.

Any person may submit a written request to the Community Development Director, or designee, for a temporary waiver request. The Community Development Director, or designee, shall have the authority to refer an application to the Planning Commission if deemed appropriate. If the temporary exemption request is approved, the waiver shall be valid for the dates designated by the town. Temporary waiver requests shall include:

- (1) Specific justification/purpose of the waiver request;
- (2) Description of *Luminaires* involved;
- (3) Duration and time period requested for waiver;
- (4) Proposed location on property;
- (5) Previous exemptions if applicable;
- (6) Other information deemed necessary by the Community Development Director, or designee.

Sec. 16A-4-670. - Enforcement and Penalty.

- (1) **Enforcement:** The Town Manager, or designee, is responsible to implement, administer, and enforce the provisions of this article, including alleged violation investigations.
 - a. The Town Manager, or designee, charged with enforcing this chapter shall have the authority to grant partial or complete waiver of the article requirements if a property owner demonstrates that compliance creates unreasonable hardship, as balanced against the potential impacts of non-compliance, or results in conditions that are materially detrimental to health, safety or welfare. The Chief Building Official shall have the authority to waive the requirements of this ordinance in order to comply with health and life safety requirements set forth in the adopted Residential, Building, and Electric codes.
- (2) **Penalty:** Any person, firm, or corporation found to have violated, disobeyed, omitted, neglected, or refused to comply with any provisions of this article shall be found in violation. Existing violations issued prior to [effective date 1] will remain. The punishment shall be in accordance with the provisions of Section 1-72 of this Municipal Code.

Sec. 16A-4-680. – General Outdoor Lighting Requirements.

Unless otherwise specified in this article, the following requirements apply to all *Luminaires* and *Luminaire* installations in the Town of Snowmass Village:

- (1) **Legal:** All outdoor *Luminaires* and *Luminaire* installations shall comply with federal, state, municipal codes, applicable energy and building codes, product safety labeling, the requirements of this ordinance, and be subject to the appropriate permit and inspection requirements thereof.
- (2) **Light Distribution:** Unless otherwise specified, all *Luminaires* shall be *Fully Shielded*, downward directed, except:
 - a. Festoon string lighting in commercial zone districts when no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot;
 - b. All clear-lensed point light sources must be shielded. Any unshielded light source must use a non-clear clouded material as the primary lens to reduce glare from the light bulb.
- (3) **Trespass:** Unless otherwise specified, *Luminaire* lamp sources shall be located and optically shielded such that the lamp source(s) shall be minimally visible from adjacent property or public right-of-way during *Nighttime Hours*.
- (4) **Light Curfew:** During *Nighttime Hours*, non-essential outdoor lighting, including but not limited to sports field, landscape, and decorative lighting elements, shall be extinguished, except for hotels, condominium hotels, and lodging with 24-hour check-in periods.
- (5) **Light Controls:** *Luminaires* activated by motion detection shall activate by motion within the same property on which they are installed. All motion activated lights that automatically turn on or brighten shall return to their off or dimmed state no more than [5] minutes after activity is no longer detected.

~~(5)(6) **Landscape Lighting:** Low lux (under 40 lux), landscape, or walkway lighting under 42" is allowed.~~

Sec. 16A-4-690. – Residential Lighting Requirements.

The following requirements are supplementary to the General Requirements and shall further regulate *Residential Use* properties:

- (1) Unshielded light sources meeting the requirements of Section 16A-4-680(2)(b) shall not exceed 850 lumens per *Luminaire* with a maximum of two (2) *Luminaires* per dwelling.
- (2) The total outdoor lumen allowance for *Residential Use* structures is 2.5 lumens per square foot (2.5 lm/sf). This is calculated on the approved above grade floor area of the structure and includes all building mounted and site lighting.
- (3) *Luminaires* shall not be pole mounted taller than 42 inches AFG.

Sec. 16A-4-691. – Public and Common Area Lighting Requirements.

- (1) The following requirements are supplementary to the General Requirements and shall further regulate public and common area uses including mixed use, commercial, and multi-family applications (e.g., condominiums, apartments): Outdoor charging stations shall target an average illuminance of 20 *Lux* within a 10-foot radius of the charging station and not exceed a maximum measurement of 40 *Lux*.
- (2) *Luminaires* used to illuminate parking lots and vehicle circulation areas shall not exceed a height of 20-feet AFG. The resulting illuminance shall provide a minimum of 2 *Lux* and not exceed 40 *Lux* horizontally at finished grade.

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- (3) *Light Trespass* leaving non-*Residential Use* property shall be no greater than (3) *Lux* when measured 20-feet past the property line, into the public right-of-way.

Sec. 16A-4-692. – Roadway Lighting Requirements.

Roadway *Luminaires* and lighting plans shall be approved jointly by the Community Development and Public Works Departments.

Sec. 16A-4-693. – Seasonal Lighting Requirements.

Temporary *Seasonal* lighting is allowed in Residential and Commercial Zones from *November 15 to March 1*, provided it meets all of the following:

- (1) *Seasonal* lighting shall not interfere with the safe movement of motor vehicles or create dangerous glare conditions on adjacent roadways or properties.
- (2) *Seasonal* lighting shall be maintained in an attractive condition and not constitute a dangerous situation or fire hazard.
- (3) *Seasonal* lighting shall be extinguished during *Nighttime Hours*.

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Town of Snowmass Village, CO

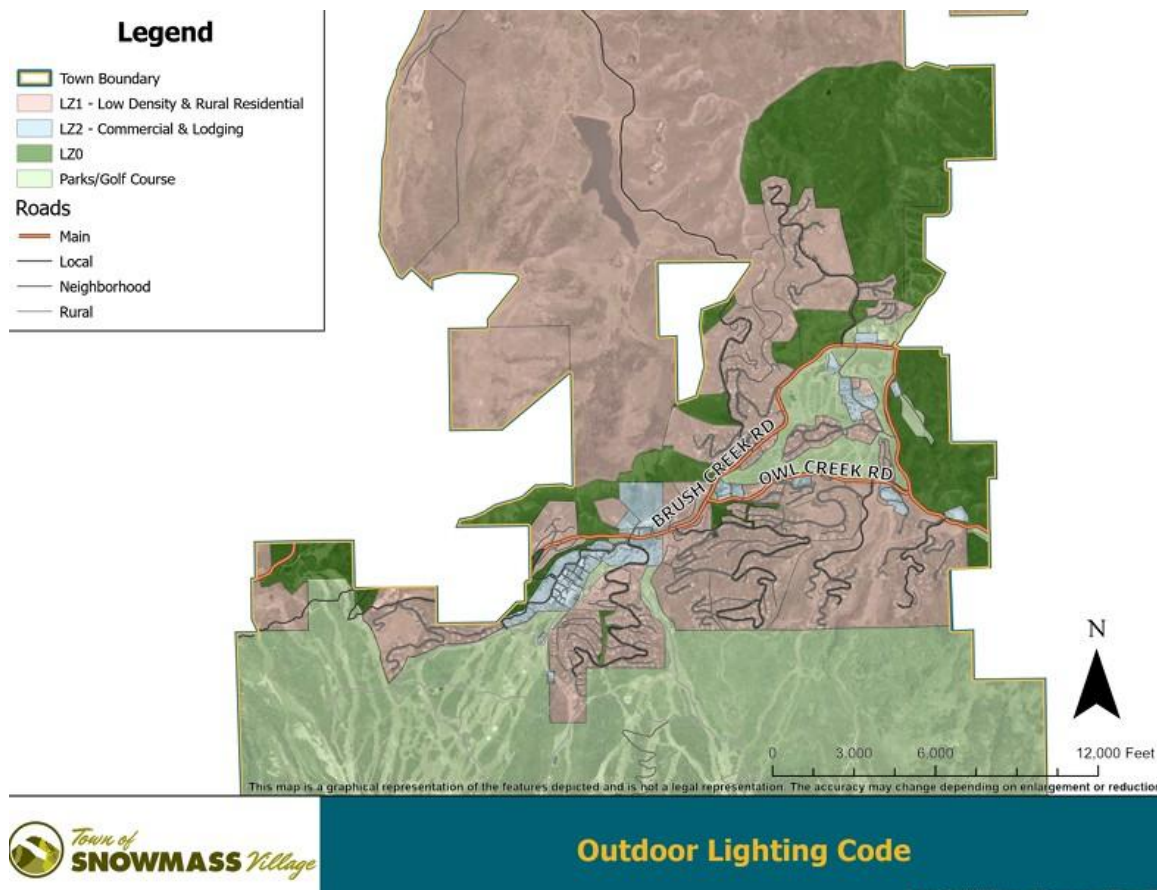
Municipal Code; Chapter 16A, Article IV, Division 6 – Lighting Standards

Draft: June 12, 2025 v0.10

Sec. 16A-4-600. – Purpose.

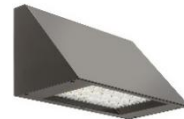
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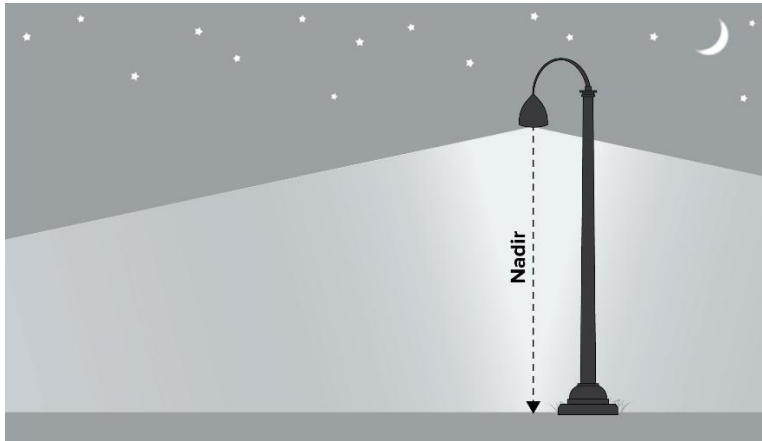
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 - b. Occupational Safety and Health Administration (OSHA) mandated lighting for worker safety.
 - c. Temporary lighting used for worker safety during construction, repair, or similar activity.
 - d. Temporary lighting used by authorized first responders during emergency procedures.
- (3) **Permitted:** Temporary and semi-permanent lighting approved by the Town Manager, or designee, for special events, festivals, or community benefit.
- (4) Lighted trees at entrances to arrival centers, condominiums, and hotels are permitted.

Sec. 16A-4-640. – Prohibitions.

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- (4) All façade lighting is prohibited except where it is allowed under 16-A-4-690.
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 - a. “Lighting Schedule”: For residential permits when specifically requested by the Community Development Director, or designee. This lighting plan shall be documented using a spreadsheet format by listing the *Luminaire* identifications (i.e., manufacturer, model number, type), *Luminaire* quantities, installation locations, and *Lumen* outputs for each.
 - b. “Performance Method”: For commercial, multi-family, mixed use, sports lighting or when specifically requested by the Community Development Director, or designee. Outdoor lighting plans shall include:
 - i) *Luminaire* identification (model number), installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site.
 - ii) Site plan demonstrating conformance with this ordinance.

- iii) Other information deemed necessary by the Building Official to document compliance with the requirements of this article.

(2) Review: Applications and lighting plans will be submitted as follows:

- a. Subdivisions, planned unit developments, or special review applications shall be submitted and reviewed with the applicable Land Use review process as defined in the Land Use and Development Code. The Building Official may review plans upon Land Use Approval for code compliance.
- b. Building permits for a commercial or residential structure shall be reviewed by the Building Official.
- c. Any appeals related to decisions regarding outdoor lighting shall be made to the Town Manager, or designee.

Sec. 16A-4-660. – Temporary Waiver Request.

Any person may submit a written request to the Community Development Director, or designee, for a temporary waiver request. The Community Development Director, or designee, shall have the authority to refer an application to the Planning Commission if deemed appropriate. If the temporary exemption request is approved, the waiver shall be valid for the dates designated by the town. Temporary waiver requests shall include:

- (1) Specific justification/purpose of the waiver request;
- (2) Description of *Luminaires* involved;
- (3) Duration and time period requested for waiver;
- (4) Proposed location on property;
- (5) Previous exemptions if applicable;
- (6) Other information deemed necessary by the Community Development Director, or designee.

Sec. 16A-4-670. - Enforcement and Penalty.

- (1) **Enforcement:** The Town Manager, or designee, is responsible to implement, administer, and enforce the provisions of this article, including alleged violation investigations.
 - a. The Town Manager, or designee, charged with enforcing this chapter shall have the authority to grant partial or complete waiver of the article requirements if a property owner demonstrates that compliance creates unreasonable hardship, as balanced against the potential impacts of non-compliance, or results in conditions that are materially detrimental to health, safety or welfare. The Chief Building Official shall have the authority to waive the requirements of this ordinance in order to comply with health and life safety requirements set forth in the adopted Residential, Building, and Electric codes.
- (2) **Penalty:** Any person, firm, or corporation found to have violated, disobeyed, omitted, neglected, or refused to comply with any provisions of this article shall be found in violation. Existing violations issued prior to [effective date 1] will remain. The punishment shall be in accordance with the provisions of Section 1-72 of this Municipal Code.

Sec. 16A-4-680. – General Outdoor Lighting Requirements.

Unless otherwise specified in this article, the following requirements apply to all *Luminaires* and *Luminaire* installations in the Town of Snowmass Village:

- (1) **Legal:** All outdoor *Luminaires* and *Luminaire* installations shall comply with federal, state, municipal codes, applicable energy and building codes, product safety labeling, the requirements of this ordinance, and be subject to the appropriate permit and inspection requirements thereof.
- (2) **Light Distribution:** Unless otherwise specified, all *Luminaires* shall be *Fully Shielded*, downward directed, except:
 - a. Festoon string lighting in commercial zone districts when no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot;
 - b. All clear-lensed point light sources must be shielded. Any unshielded light source must use a non-clear clouded material as the primary lens to reduce glare from the light bulb.
- (3) **Trespass:** Unless otherwise specified, *Luminaire* lamp sources shall be located and optically shielded such that the lamp source(s) shall be minimally visible from adjacent property or public right-of-way during *Nighttime Hours*.
- (4) **Light Curfew:** During *Nighttime Hours*, non-essential outdoor lighting, including but not limited to sports field, landscape, and decorative lighting elements, shall be extinguished, except for hotels, condominium hotels, and lodging with 24-hour check-in periods.
- (5) **Light Controls:** *Luminaires* activated by motion detection shall activate by motion within the same property on which they are installed. All motion activated lights that automatically turn on or brighten shall return to their off or dimmed state no more than [5] minutes after activity is no longer detected.
- (6) **Landscape Lighting:** Low lux (under 40 lux), landscape, or walkway lighting under 42" is allowed.

Sec. 16A-4-690. – Residential Lighting Requirements.

The following requirements are supplementary to the General Requirements and shall further regulate *Residential Use* properties:

- (1) Unshielded light sources meeting the requirements of Section 16A-4-680(2)(b) shall not exceed 850 lumens per *Luminaire* with a maximum of two (2) *Luminaires* per dwelling.
- (2) The total outdoor lumen allowance for *Residential Use* structures is 2.5 lumens per square foot (2.5 lm/sf). This is calculated on the approved above grade floor area of the structure and includes all building mounted and site lighting.
- (3) *Luminaires* shall not be pole mounted taller than 42 inches AFG.

Sec. 16A-4-691. – Public and Common Area Lighting Requirements.

- (1) The following requirements are supplementary to the General Requirements and shall further regulate public and common area uses including mixed use, commercial, and multi-family applications (e.g., condominiums, apartments): Outdoor charging stations shall target an average illuminance of 20 *Lux* within a 10-foot radius of the charging station and not exceed a maximum measurement of 40 *Lux*.
- (2) *Luminaires* used to illuminate parking lots and vehicle circulation areas shall not exceed a height of 20-feet AFG. The resulting illuminance shall provide a minimum of 2 *Lux* and not exceed 40 *Lux* horizontally at finished grade.
- (3) *Light Trespass* leaving non-*Residential Use* property shall be no greater than (3) *Lux* when measured 20-feet past the property line, into the public right-of-way.

Sec. 16A-4-692. – Roadway Lighting Requirements.

Roadway *Luminaires* and lighting plans shall be approved jointly by the Community Development and Public Works Departments.

Sec. 16A-4-693. – Seasonal Lighting Requirements.

Temporary *Seasonal* lighting is allowed in Residential and Commercial Zones from November 15 to March 1, provided it meets all of the following:

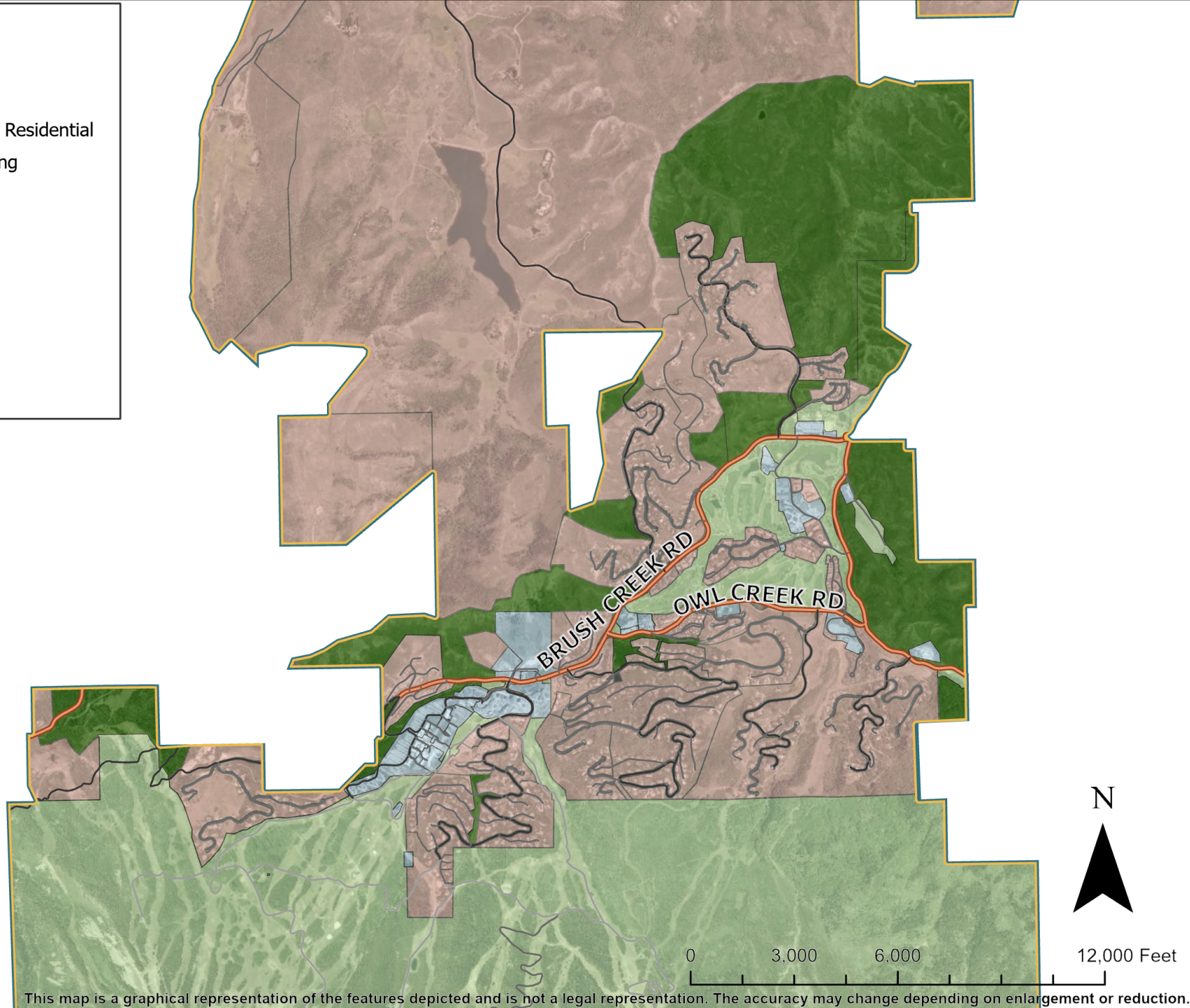
- (1) *Seasonal* lighting shall not interfere with the safe movement of motor vehicles or create dangerous glare conditions on adjacent roadways or properties.
- (2) *Seasonal* lighting shall be maintained in an attractive condition and not constitute a dangerous situation or fire hazard.
- (3) *Seasonal* lighting shall be extinguished during *Nighttime Hours*.

Legend

-  Town Boundary
-  LZ1 - Low Density & Rural Residential
-  LZ2 - Commercial & Lodging
-  LZ0
-  Parks/Golf Course

Roads

-  Main
-  Local
-  Neighborhood
-  Rural



This map is a graphical representation of the features depicted and is not a legal representation. The accuracy may change depending on enlargement or reduction.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION NO. 3
SERIES OF 2025**

**A RESOLUTION RECOMMENDING CODE TEXT AMENDMENTS TO THE TOWN OF
SNOWMASS VILLAGE MUNICIPAL CODE, AMENDING CHAPTER 16A - LAND USE
AND DEVELOPMENT CODE AND CHAPTER 18, ARTICLE XIII – OUTDOOR
LIGHTING, RELATED TO NEW OUTDOOR LIGHTING REGULATIONS**

WHEREAS, The Town of Snowmass Village (“TOSV” or the “Town”) is a home-rule municipality, duly organized and existing under the TOSV’s Charter adopted pursuant to Article XX of the Constitution of the State of Colorado; and

WHEREAS, the Town Council approved Ordinance No. 9, Series of 2018 on December 17, 2018, thereby adopting the 2018 Town of Snowmass Village Comprehensive Plan (the “Comprehensive Plan”); and

WHEREAS, amendments to Chapters 16A and 18 of the Snowmass Village Municipal Code (the “Code”) are necessary to implement certain action steps identified within the Comprehensive Plan; and

WHEREAS, the TOSV’s Building Regulations in Chapter 18, Article XIII of the Code contain the Town’s outdoor lighting standards; and

WHEREAS, the Town of Snowmass Village Land Use and Development Code (the “Land Use Code”), Chapter 16A of the TOSV Municipal Code, provides for orderly development of the Town while protecting the quality of life within the TOSV; and

WHEREAS, Section 16A-5-210 of the Code provides the authority for the Planning Commission or Town Council to initiate text amendments of the Land Use Code by resolution; and

WHEREAS, the TOSV wishes to protect the health, safety, and welfare of residents within the Town; enhance the Town’s character and livability; prevent noncompliant outdoor lighting; reduce lighting conflicts between property owners; prevent the increase of sky glow; and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment; and

WHEREAS, the TOSV wishes to update the Town’s outdoor lighting standards based on national best practices and to respond to updated lighting technology; and

WHEREAS, Planning Commission finds and determines that it is necessary to include the Town’s lighting standards in the TOSV’s Land Use Code and that the following

amendments to Chapter 18, Article XIII and Chapter 16A of the Code are necessary to protect the public health, safety, and welfare of the citizens of the TOSV; and

WHEREAS, Planning Commission finds that the passage of this Resolution is in the best interest of the TOSV.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the Town of Snowmass Village, as follows:

1. Recitals. The foregoing recitals are incorporated herein as findings of the Planning Commission.
2. Findings. The Planning Commission makes the following findings:
 - a. The procedural requirements set forth in Section 16A-5-210 of the Code have been satisfied.
 - b. The proposed amendments comply with the applicable review standards set forth in Section 16A-5-210(e) of the Code.
3. Recommendation to Town Council – Amendment to Chapter 16A – Land Use and Development Code. The Planning Commission hereby recommends that the Town Council approve the amendments to **Chapter 16A, Article IV** of the TOSV Municipal Code with the addition of Division 6 – Lighting Standards as set forth in **Exhibit A**.
4. Recommendation to Town Council – Amendment to Chapter 18 – Building Regulations. The Planning Commission hereby recommends that Town Council approve repealing and replacing **Chapter 18, Article XIII – Outdoor Lighting** as follows:

ARTICLE XIII – Outdoor Lighting

Sec. 18-261. – Outdoor Lighting.

All exterior lighting or illumination shall be designed, located, placed and shielded to be architecturally and aesthetically in compliance with Chapter 16A, Article IV, Division 6 of this Code.

5. Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Resolution which can be given effect without the

invalid provision or application, and, to this end, the provisions of this Resolution are severable.

INTRODUCED, READ, AND ADOPTED by the Planning Commission of the Town of Snowmass Village, Colorado on the 18th day of June 2025, with a motion made by Commissioner Dube and second by Commission member Marshack, by a vote of 5 in favor and 0 opposed. Absent were Commission members Clauson and Faurer.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

Matthew Dubé
Matthew Dube, Chairperson

ATTEST:

Ashleigh Huff
Ashleigh Huff, Planning Commission Secretary

ATTACHMENTS:

Exhibit A – Amendment to Chapter 16A, Article IV of the TOSV Municipal Code

Res. 3, 2025
Page 4 of 4

EXHIBIT A
AMENDMENT TO TOWN CODE

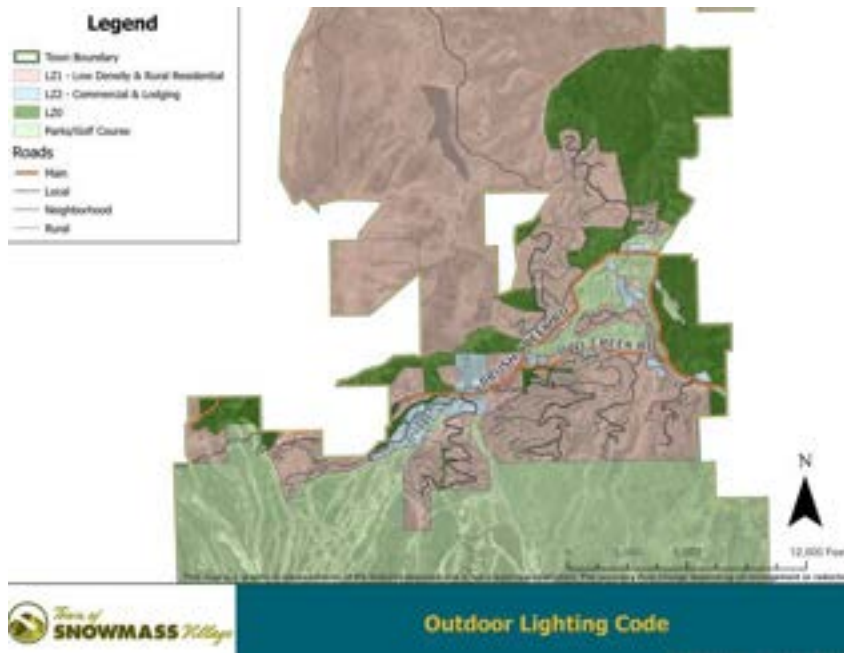
*Chapter 16A, Article IV of the Code is approved amended with the addition of Article 6 –
Lighting Standards as follows:*

Town of Snowmass Village, CO
Municipal Code; Chapter 16A, Article IV, Division 6 – Lighting Standards
Draft: June 12, 2025 v0.10

Sec. 16A-4-600. – Purpose.

This article is intended to protect the health, safety, and welfare of residents within the Town of Snowmass Village, enhance the town's character and livability, prevent noncompliant outdoor lighting, reduce lighting conflicts between property owners, prevent the increase of sky glow, and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment. Per the *Five Principles for Responsible Outdoor Lighting*, the following goals outline our outdoor lighting requirements:

- (1) Reduce excessive amounts of outdoor lighting and high-angle sources of glare that both contribute to an unsafe reduction in nighttime visual performance;
- (2) Reduce the use of unnecessary outdoor lighting during daytime hours to lessen the consumption of non-renewable energy and fuels;
- (3) Limit the use of outdoor lighting to help mitigate wasted energy and unnecessary *Light Pollution* that negatively affect the natural night sky, migration, and nocturnal ecosystems;
- (4) The Town of Snowmass Village, which has the authority to protect natural resources and maintain a healthy environment for present and future generations, will assign the following *Lighting Zones* to all property within the Town of Snowmass Village per the following map:



Sec. 16A-4-610. - Definitions.

- (1) **AFG:** Above Finished Grade
- (2) **ANSI/IES Outdoor Standards:** The American National Standards Institute (ANSI) recognizes the Illuminating Engineering Society (IES) as the authoritative standards for lighting applications. Applicable outdoor standards and metrics for this ordinance include:
 - a. RP-2: Outdoor Lighting for Retail (Illuminance)
 - b. RP-6: Outdoor Sport and Recreational (Illuminance)
 - c. RP-8: Roadway and Parking (Luminance and Illuminance respectively)
 - d. RP-43: Outdoor Pedestrian Applications (Illuminance)
- (3) ***ALAN (Artificial Lighting at Night):*** *Light that is created from human technology, such as electric lighting, rather than a naturally occurring process.*
- (4) **Festoon String Lighting:** Decorative overhead lighting that consists of multiple electric lamps, evenly spaced, wired to a flexible cable, and strung between at least two mounting points.
- (5) **Five Principles for Responsible Outdoor Lighting:** Co-authored and published by DarkSky International and ANSI/IES, 1) Use light only if needed, 2) Distribute light only where needed, 3) Use light no brighter than needed, 4) Use light only when needed, 5) Use warmer color light when possible.
- (6) **Fully Shielded:** An installed *Luminaire* that produces no light rays above a simulated horizontal plane that passes through the lowest point where light is emitted. Examples include:



- (7) **Glare:** Light entering the eye directly from a luminaire or indirectly from reflective surfaces that cause visual discomfort or reduced visibility.
- (8) **Light Level:** The amount of maintained light that hits, or is reflected from, a surface as measured by *Luminance* or *Illuminance*.
- (9) **Light Pollution:** *ALAN* traveling into areas where it's not needed or wanted. This can be in the form of *Light Trespass*, glare, or atmospheric sky glow.
- (10) **Light Trespass:** *ALAN* illuminating past property lines and affecting other property owners or jurisdictions. Light trespass limits are measured at any location along a property line both horizontally on the ground plane facing upward and vertically at 5-feet above grade with the meter aimed toward the light source in question. Neither measurement shall exceed the established threshold.
- (11) **Lighting Zones:** An ANSI/IES/DarkSky system describing the luminous environment and related lighting conditions based on land uses and expected tasks. These include Lz0, Lz1, and Lz2.
- (12) **Lighting Zone Zero (0):** Open space areas characterized by predominantly dark areas such as rural, agricultural, and areas with limited built environment or adjacent to sensitive and protected lands.
- (13) **Lumen (lm):** A unit of measure for the quantity of light provided by a source.

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- (14) **Luminaire:** A complete lighting unit, including the light source, housing, optics, and necessary electronics for the purpose of outdoor illumination.
- (15) **Lux (lx):** The unit of measure for illuminance.
- (16) **Nadir:** A downward vertical vector directly beneath the luminaire's light source, opposite to zenith.



- (17) **Nighttime Hours:** A time period for seasonal lighting restrictions. Observed in *residential and commercial zone districts* between ~~11pm and 6am~~ *10pm and 7am*. ~~Residential zone districts and all other areas will use 10pm until 6am.~~ For businesses and events with operating hours later than 10pm, nighttime hours will begin one hour after closing.
- (18) **Residential Use:** Zoning districts dedicated exclusively to properties for low-density human residence and dwelling. Examples include single family, duplex, townhouse, and mobile home. This does not include apartment and mixed-use living.
- (19) **Seasonal Lighting:** A time period starting November 15 for temporary and decorative holiday-style lighting not intended for general illumination, including but not limited to string lighting, icicle lighting, and lighted inflatables. *Observed in residential and commercial zone districts until March 1.*
- (20) **Security Lighting:** Illumination used specifically to protect people, property, and infrastructure from criminal threat. *Security Lighting must be kept to the minimum amount of lighting required, and the time of the motion detector light shall not exceed five minutes.*
- (21) **Shielding:** A Luminaire design, optical intervention, or physical accessory (such as a louver) preventing light emission from traveling into a particular area, angle, or region.

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Sec. 16A-4-620. – Applicability.

- (1) The outdoor lighting requirements of this article shall be applicable to all outdoor *Luminaires* installed within the Town of Snowmass Village after *[effective date 1]*.
- (2) Existing outdoor *Luminaires* not meeting the requirements of this article and lawfully installed prior to *[effective date 1]* shall be considered legal and repairable but non-conforming. Automatic trigger events causing compliance to this article are as follows:
 - a. *Light Trespass and Nighttime Hour* requirements will go into effect *[effective date 2]*; or
 - b. If the Community Development Director, or designee, determines that a *Luminaire* constitutes a hazard to public safety, compliance can be mandated; or
 - c. All remaining installations of non-conforming *Luminaires* can be used and maintained until they are replaced.

Sec. 16A-4-630. – Exemptions.

- (1) **Lawful:** Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal, state, or territorial) than the Town of Snowmass Village.
- (2) **Safety:** *Luminaires* installed for the benefit of public health, safety and welfare, including but not limited to:
 - a. Any contradictory building code or Department of Transportation illumination requirements.
 - b. Occupational Safety and Health Administration (OSHA) mandated lighting for worker safety.
 - c. Temporary lighting used for worker safety during construction, repair, or similar activity.
 - d. Temporary lighting used by authorized first responders during emergency procedures.
- (3) **Permitted:** Temporary and semi-permanent lighting approved by the Town Manager, or designee, for special events, festivals, or community benefit.

~~(3)(4) *Lighted trees at entrances to arrival centers, condominiums, and hotels are permitted.*~~

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Sec. 16A-4-640. – Prohibitions.

Unless otherwise specified in this article, the following are prohibited in the Town of Snowmass Village:

- (1) Use of unshielded outdoor lighting within Lz1.
- (2) Lighting (including neon and fluorescent) used to outline a structure *in whole or in part.*
- (3) *Use of outdoor televisions.*
- (4) ~~Facade lighting that is mounted above grade onto poles, trees, or other structures, except as permitted Section 16A-4-690. All facade lighting is prohibited except where it is allowed under 16-A-4-690.~~
- (5) *ALAN* that interferes with the safe movement of motor vehicles, disables the vision of a motor vehicle operator, contributes to traffic control confusion (e.g., sources resembling or imitating traffic control lighting, railroad signals, blinking, flashing, moving, and revolving), or that hides or interferes with the effectiveness of any official traffic control devices.
- (6) Beacons and searchlights are prohibited, except for emergency use by authorized first responders.

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Sec. 16A-4-650. – Building Permit Procedure.

Outdoor lighting plans shall meet the following requirements for residential, commercial, mixed use, or multi-family building permits, subdivision, planned unit development, illuminated signage, and development within environmentally sensitive area:

- (1) **Lighting Plans:** Acceptable means for outdoor lighting plans are as follows:
 - a. “Lighting Schedule”: For residential permits when specifically requested by the Community Development Director, or designee. This lighting plan shall be documented using a spreadsheet format by listing the *Luminaire* identifications (i.e., manufacturer, model number, type), *Luminaire* quantities, installation locations, and *Lumen* outputs for each.
 - b. “Performance Method”: For commercial, multi-family, mixed use, sports lighting or when specifically requested by the Community Development Director, or designee. Outdoor lighting plans shall include:

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- ii) Site plan demonstrating conformance with this ordinance.
- iii) Other information deemed necessary by the Building Official to document compliance with the requirements of this article.

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- (3) *Seasonal* lighting shall be extinguished during *Nighttime Hours*.

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PC Reso No. 3 of 2025 Outdoor Lighting Code

Final Audit Report

2025-07-08

Created:	2025-07-07
By:	Ashleigh Huff (Ahuff@tosv.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAINAx4OOUwQgMf8QKpl_ZJCft4B9xPBN_

"PC Reso No. 3 of 2025 Outdoor Lighting Code" History

 Document created by Ashleigh Huff (Ahuff@tosv.com)
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 Document emailed to dube.innover@gmail.com for signature
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 Email viewed by dube.innover@gmail.com
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 Signer dube.innover@gmail.com entered name at signing as Matthew Dubé
2025-07-08 - 1:26:46 PM GMT

 Document e-signed by Matthew Dubé (dube.innover@gmail.com)
Signature Date: 2025-07-08 - 1:26:48 PM GMT - Time Source: server

 Agreement completed.
2025-07-08 - 1:26:48 PM GMT

1 **TOWN OF SNOWMASS VILLAGE**
2 **TOWN COUNCIL**

3
4 **ORDINANCE NO. 10**
5 **SERIES OF 2025**
6

7 **AN ORDINANCE APPROVING AMENDMENTS TO THE TOWN OF SNOWMASS**
8 **VILLAGE MUNICIPAL CODE, AMENDING CHAPTER 16A - LAND USE AND**
9 **DEVELOPMENT CODE AND CHAPTER 18, ARTICLE XIII – OUTDOOR LIGHTING,**
10 **RELATED TO NEW OUTDOOR LIGHTING REGULATIONS**
11

12 WHEREAS, The Town of Snowmass Village (“TOSV” or the “Town”) is a home-
13 rule municipality, duly organized and existing under the TOSV's Charter adopted pursuant
14 to Article XX of the Constitution of the State of Colorado; and
15

16 WHEREAS, Section 3.3 of the TOSV's Charter confers upon Town Council the
17 power to amend the TOSV Municipal Code (the “Code”); and
18

19 WHEREAS, the TOSV’s Building Regulations in Chapter 18, Article XIII of the
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21

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25

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30 visitors, wildlife, and the environment; and
31

32 WHEREAS, the TOSV wishes to update the Town’s outdoor lighting standards
33 based on national best practices and to respond to updated lighting technology; and
34

35 WHEREAS, Town Council finds and determines that it is necessary to include the
36 Town’s lighting standards in the TOSV’s Land Use Code and that the following
37 amendments to Chapter 18, Article XIII and Chapter 16A of the Code are necessary to
38 protect the public health, safety, and welfare of the citizens of the TOSV; and
39

40 WHEREAS, Town Council finds that the adoption of this Ordinance is in the best
41 interest of the TOSV.
42

43 NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of
44 Snowmass Village, as follows:
45

1. Recitals. The foregoing recitals are incorporated herein as findings of the Town Council.
2. Amendment to Chapter 16A – Land Use and Development Code. **Chapter 16A, Article IV** of the TOSV Municipal Code is hereby amended with the addition of Division 6 – Lighting Standards as set forth in **Exhibit A**.
3. Amendment to Chapter 18 – Building Regulations. **Chapter 18, Article XIII – Outdoor Lighting** is hereby repealed and replaced as follows:

ARTICLE XIII – Outdoor Lighting

Sec. 18-261. – Outdoor Lighting.

All exterior lighting or illumination shall be designed, located, placed and shielded to be architecturally and aesthetically in compliance with Chapter 16A, Article IV, Division 6 of this Code.

4. Severability. If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.
5. Effective Date. This Ordinance shall be effective 15 days after adoption in accordance with the Town of Snowmass Village Home Rule Charter.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on First Reading on _____, 2025, upon a motion by Council Member _____, the second of Council Member _____, and upon a vote of _____ in favor and _____ against.

READ, APPROVED AND ADOPTED as amended, by the Town Council of the Town of Snowmass Village on Second Reading on _____, 2025, upon a motion by Council Member _____, seconded by Council Member _____, and upon a vote of ____ in favor and ____ against.

TOWN OF SNOWMASS VILLAGE

Alyssa Shenk, Mayor

ATTEST:

Megan Harris Boucher, Town Clerk

APPROVED AS TO FORM:

Jeff Conklin, Town Attorney

DRAFT

EXHIBIT A
AMENDMENT TO TOWN CODE

Chapter 16A, Article IV of the Code is amended with the addition of Article 6 – Lighting Standards as follows:

DRAFT

Town of Snowmass Village Agenda Item Summary

Date of Meeting:

July 21, 2025

Agenda Item:

Workforce Housing Land Use Process - Code Amendment Ordinance No. 11, 2025 - First Reading

Presented by:

Brian McNellis, Senior Planner

Background:

This public meeting is intended for the review of Planning Commission's Resolution No. 5 of 2025, recommending approval of amendments to the Land Use Code which would formally recognize "Workforce Housing" as an allowed use in any residential, commercial, mixed-use, or public zone with Special Review approval.

This change would simplify the current approval process by replacing the existing three-step PUD process with a streamlined Special Review process. Projects could remain under "ownership review" for as long as needed to gather essential feedback before a formal workforce housing application is submitted. Furthermore, multiple meetings could be held as part of the formal application process so long as the review is completed within 90 days.

The proposal would also standardize the term "Workforce Housing" aligning it with the 2022 Workforce Housing Master Plan as well as references to Affordable, Employee, and Restricted Housing throughout the Land Use Code. The proposed definition is provided below:

Workforce Housing means any dwelling unit that is restricted to use for the sale or rent to qualified employees pursuant to the Permanent Moderate Housing Regulations, a restricted housing agreement approved by the Town, or other restrictions approved by the Town for such uses.

Staff is continuing to review this ordinance to ensure it meets the requirements of Proposition 123. Currently, the TOSV proposed code language requires that 100% of the units in the proposed development be affordable in order to be eligible for this process. The State may need this percentage to be decreased to 50%. Staff will have an answer to this question by the Council meeting.

Financial Impact:

The savings incurred by the Town and individual developers wishing to pursue Workforce Housing projects (amounting in significantly less time going through the application and review process) may incentivize these type of community benefiting

projects within the community.

The Special Review process would also make the Town of Snowmass Village (TOSV) eligible for state grants to support workforce housing development. The recently established State Affordable Housing Fund - created through voter-approved Proposition 123 - requires local governments to implement an “expedited review process” to qualify for funding. With construction costs rising and demand for workforce housing increasing, it is crucial Snowmass Village maintain access to all available funding sources. Enabling workforce housing to proceed through the Special Review process would help TOSV to meet this requirement.

Applicability to Council Goals & Objectives:

Staff finds the project contributes to the following goals and objectives identified in the 2018 Comprehensive Land Use Plan to “Provide More Employee Housing.”

This project is also intended to meet the 2023 Town Council Goal to: “Identify and Provide More Affordable, Community, Workforce Housing.”

Council Options:

Town Council should listen to the presentation by staff and ask questions as needed. The draft ordinance may be discussed by the Town Council and either adopted on first reading, continued for further consideration, or denied on first reading.

Staff Recommendation:

Staff recommends that the Town Council, by motion adopt the Ordinance No. 11, 2025 on first reading (with amendments as needed) and schedule a public hearing for further consideration of the code amendment(s) and second reading for August 18, 2025.

Attachments:

1. 7B Attachment A - Snowmass - Ord No. 11 of 2025 - Workforce Housing as Special Review - DRAFT
2. 7B Attachment B -Workforce Housing Code Amend_Reso No.5 of 2025 final - signed
3. 7B Attachment C -Workforce Housing redline amendments
4. 7B Attachment D -Housing Office memo

1 TOWN OF SNOWMASS VILLAGE
2 TOWN COUNCIL

3
4 ORDINANCE NO. 11
5 SERIES OF 2025
6

7 AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE TOWN OF
8 SNOWMASS VILLAGE MUNICIPAL CODE, SPECIFICALLY TO CHAPTER 16A
9 LAND USE DEVELOPMENT CODE, AND CHAPTER 17- EMPLOYEE HOUSING,
10 WHICH WOULD CHANGE THE REVIEW PROCESS FOR 'RESTRICTED'
11 HOUSING FROM PLANNED UNIT DEVELOPMENT (PUD) TO SPECIAL REVIEW
12 AND CHANGING THE TERMINOLOGY OF SUCH THROUGHOUT THE LAND
13 USE CODE TO 'WORKFORCE' HOUSING AND PROVIDING A DEFINITION
14 THEREOF
15

16 WHEREAS, The Town of Snowmass Village ("TOSV" or the "Town") is a home-
17 rule municipality, duly organized and existing under the TOSV's Charter adopted pursuant
18 to Article XX of the Constitution of the State of Colorado; and
19

20 WHEREAS, Section 3.3 of the TOSV's Charter confers upon Town Council the
21 power to amend the TOSV Municipal Code (the "Code") and Section 16A-5-210 of the
22 Code provides the authority for the Planning Commission or Town Council to initiate text
23 amendments thereof; and
24

25 WHEREAS, the Town of Snowmass Village Land Use and Development Code (the
26 "Land Use Code"), Chapter 16A of the TOSV Municipal Code, provides for orderly
27 development of the Town while protecting the quality of life within the TOSV; and
28

29 WHEREAS, amendments to Chapters 16A and 17 of the Snowmass Village
30 Municipal Code (the "Code") are necessary to implement certain action steps identified
31 within the Comprehensive Plan; and
32

33 WHEREAS, the Town Council approved Ordinance No. 9, Series of 2018 on
34 December 17, 2018, thereby adopting the 2018 Town of Snowmass Village
35 Comprehensive Plan (the "Comprehensive Plan"); and
36

37 WHEREAS, the 2018 Comprehensive Plan and the 2022 Amendments
38 incorporated Goals, Policies, and Next Steps as it pertains to providing More
39 Employee Housing; and
40

41 WHEREAS, the Comprehensive Plan's Goal E, **Expanding Housing Choice &**
42 **Affordability**, in which policy number E.2 states:
43

44 ***'Provide More Employee Housing' - The Town should continue to provide***
45 ***and ensure that others also build many different types, sizes, and price points***

of housing intermingled in close proximity, with a range of living experiences from rural (where feasible) to more dense, so that there is something for everyone. The variety of dwelling types should include: different sizes of detached single family houses, townhouses, and multifamily condo buildings. Residential units should be available for lease and for ownership. This allows young and old, singles and families, having a range of income levels to find a home that suits their preferences and lifestyles. An additional benefit of this mix of housing types is that workers can live within walking distance of their jobs, rather than requiring that they commute to work, worsening traffic on local roads. Workforce housing should be in balance with the character and resources of the Town. As its primary housing goal, provide housing for 70 percent of full-time, year-round employees (60 percent of total employees).

WHEREAS, said amendments of the Snowmass Village Municipal Code ("Code") are necessary to make it easier to accomplish the goal of 'Expanding Housing Choice and Affordability' by making the associated land use process less cumbersome for applicants and the Town; and

WHEREAS, in 2022, Colorado voters approved Proposition 123 which, among other requirements, requires a local government to implement an expedited review/fast track process (by December 31, 2026) for the Town (and affordable housing projects in the Town) to be eligible for Proposition 123 financial assistance/grant funds (from DOLA and/or OEDIT); and

WHEREAS, allowing Affordable, Employee, Restricted, and/or Workforce Housing on any property, whether private or public, to proceed through the Special Review process pursuant to Section 16A-5-230 of Code which would no longer require Planned Unit Development (PUD) review pursuant to Section 16A-5-300 of the Code and thereby allow for the expedited review of said land use and would allow for compliance with Proposition 123: and

WHEREAS, the Code has varying references to deed restricted housing which also include, among others, 'Affordable, Employee or Restricted' housing, and while in an effort to standardize any references to residential units dedicated for the benefit Town of Snowmass Village serving employees, shall now consistently be referenced as 'Workforce' housing in the Code as it pertains to the established definition herein as Exhibit 'A'; and

WHEREAS, Town Council finds that the adoption of this Ordinance is in the best interest of the TOSV.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of

Snowmass Village, as follows:

Section One: General Findings. Based upon the information provided, analyses and testimony given during the meetings, the Town Council finds as follows:

1. The procedural requirements set forth in Section 16A-5-210, '*Amendments to the Text of the of the Development Code*' of the Municipal Code have been satisfied.
2. The proposed amendments comply with the applicable review standards specified within Section 16A-5-210(e) of the Municipal Code.

Section Two: Action. The Town Council approves upon second reading the proposed amendments to the Land Use Code, Chapter 16A, Article II, Section 16A-2-20, "Definitions," Chapter 16A, Article III, Table 3-1, "Schedule of Uses," and Chapter 17, "Employee Housing" to address proposed modifications to the Town's processing of land use applications pertaining to (hereafter) 'Workforce' housing as further described in Exhibit 'A' attached hereto and incorporated herein.

1. Recitals. The foregoing recitals are incorporated herein as findings of the Town Council.
2. Severability. If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.
3. Effective Date. This Ordinance shall be effective 15 days after adoption in accordance with the Town of Snowmass Village Home Rule Charter.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on First Reading on _____, 2025, upon a motion by Council Member _____, the second of Council Member _____, and upon a vote of _____ in favor and _____ against.

READ, APPROVED AND ADOPTED as amended, by the Town Council of the Town of Snowmass Village on Second Reading on _____, 2025, upon a motion by Council Member _____, seconded by Council Member _____,

and upon a vote of ____ in favor and ____ against.

TOWN OF SNOWMASS VILLAGE

Alyssa Shenk, Mayor

ATTEST:

Megan Harris Boucher, Town Clerk

APPROVED AS TO FORM:

Jeff Conklin, Town Attorney

EXHIBIT A
AMENDMENT TO TOWN CODE

Chapter 16A, Article IV and Chapter 17, Article I of the Code is amended as follows:

DRAFT

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION NO. 5
SERIES OF 2025**

**A RESOLUTION RECOMMENDING TEXT AMENDMENTS TO CHAPTER 16A
LAND USE DEVELOPMENT CODE, AND CHAPTER 17- EMPLOYEE HOUSING
TO REVISE THE REVIEW PROCESS FOR 'RESTRICTED' HOUSING FROM
PLANNED UNIT DEVELOPMENT (PUD) TO SPECIAL REVIEW AND CHANGING
THE TERMINOLOGY OF SUCH THROUGHOUT THE LAND USE CODE TO
'WORKFORCE' HOUSING AND PROVIDING A DEFINITION THEREOF**

WHEREAS, The Town of Snowmass Village ("TOSV" or the "Town") is a home-rule municipality, duly organized and existing under the TOSV's Charter adopted pursuant to Article XX of the Constitution of the State of Colorado; and

WHEREAS, the Town Council approved Ordinance No. 9, Series of 2018 on December 17, 2018, thereby adopting the 2018 Town of Snowmass Village Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, amendments to Chapters 16A and 17 of the Snowmass Village Municipal Code (the "Code") are necessary to implement certain action steps identified within the Comprehensive Plan; and

WHEREAS, the Town of Snowmass Village Land Use and Development Code (the "Land Use Code"), Chapter 16A of the TOSV Municipal Code, provides for orderly development of the Town while protecting the quality of life within the TOSV; and

WHEREAS, Section 16A-5-210 of the Code provides the authority for the Planning Commission or Town Council to initiate text amendments of the Land Use Code by resolution; and

WHEREAS, the 2018 Comprehensive Plan and the 2022 Amendments incorporated Goals, Policies, and Next Steps as it pertains to providing More Employee Housing; and

WHEREAS, the Comprehensive Plan's Goal E, **Expanding Housing Choice & Affordability**, in which policy number E.2 states:

'Provide More Employee Housing' - The Town should continue to provide and ensure that others also build many different types, sizes, and price points of housing intermingled in close proximity, with a range of living experiences from rural (where feasible) to more dense, so that there is something for everyone. The variety of dwelling types should include: different sizes of detached single family houses, townhouses, and multifamily condo buildings.

Residential units should be available for lease and for ownership. This allows young and old, singles and families, having a range of income levels to find a home that suits their preferences and lifestyles. An additional benefit of this mix of housing types is that workers can live within walking distance of their jobs, rather than requiring that they commute to work, worsening traffic on local roads. Workforce housing should be in balance with the character and resources of the Town. As its primary housing goal, provide housing for 70 percent of full-time, year-round employees (60 percent of total employees).

WHEREAS, said amendments of the Snowmass Village Municipal Code ("Code") are necessary to make it easier to accomplish the goal of 'Expanding Housing Choice and Affordability' by making the associated land use process less cumbersome for applicants and the Town; and

WHEREAS, allowing Affordable, Employee, Restricted, and/or Workforce Housing on any property, whether private or public, to proceed through the Special Review process pursuant to Section 16A-5-230 of Code which would no longer require Planned Unit Development (PUD) review pursuant to Section 16A-5-300 of the Code and thereby allow for the expedited review of said land use: and

WHEREAS, the Code has varying references to deed restricted housing which also include, among others, 'Affordable, Employee or Restricted' housing, and while in an effort to standardize any references to residential units dedicated for the benefit Town of Snowmass Village serving employees, shall now consistently be referenced as 'Workforce' housing in the Code as it pertains to the established definition herein as Exhibit 'A'; and

WHEREAS, Planning Commission finds that the passage of this Resolution is in the best interest of the TOSV.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the Town of Snowmass Village, as follows:

1. Recitals. The foregoing recitals are incorporated herein as findings of the Planning Commission.
2. Findings. The Planning Commission makes the following findings:
 - a. The procedural requirements set forth in Section 16A-5-210 of the Code have been satisfied.
 - b. The proposed amendments comply with the applicable review standards set forth in Section 16A-5-210(e) of the Code.

3. Recommendation to Town Council - The Planning Commission hereby recommends the Town Council approve the amendments to **Chapter 16A and Chapter 17 of Article V** of the TOSV Municipal Code with the additions as set forth in **Exhibit A**.
4. Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Resolution which can be given effect without the invalid provision or application, and, to this end, the provisions of this Resolution are severable.

READ, APPROVED AND ADOPTED by the Planning Commission of the Town of Snowmass Village, upon a motion by Planning Commission member Marshack, the second of Planning Commission member McMannes, and upon a vote of 3 in favor and 2 against, on this 18th day of June 2025. Absent were Faurer and Clauson.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

Matthew Dubé
Matthew Dubé, Chairperson

ATTEST:

Ashleigh Huff
Ashleigh Huff, Planning Commission Secretary

ATTACHMENTS:

Exhibit A – Amendment to Chapter 16A, Article IV and Chapter 17 of the TOSV Municipal Code

Attachment A_Workforce Housing Code Amend_Reso No.5 of 2025 final

Final Audit Report

2025-07-14

Created:	2025-07-07
By:	Ashleigh Huff (Ahuff@tosv.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAI4Bhzauql9ag0OxRIhUJPEQCOZLv9VBg

"Attachment A_Workforce Housing Code Amend_Reso No.5 of 2025 final" History

-  Document created by Ashleigh Huff (Ahuff@tosv.com)
2025-07-07 - 7:08:39 PM GMT
-  Document emailed to dube.innover@gmail.com for signature
2025-07-07 - 7:09:31 PM GMT
-  Email viewed by dube.innover@gmail.com
2025-07-14 - 5:37:23 PM GMT
-  Signer dube.innover@gmail.com entered name at signing as Matthew Dubé
2025-07-14 - 5:38:42 PM GMT
-  Document e-signed by Matthew Dubé (dube.innover@gmail.com)
Signature Date: 2025-07-14 - 5:38:44 PM GMT - Time Source: server
-  Agreement completed.
2025-07-14 - 5:38:44 PM GMT

Sec. 16A-2-20. - Definitions.

Workforce Housing means any dwelling unit that is restricted to use for the sale or rent to qualified employees pursuant to the Permanent Moderate Housing Regulations, a restricted housing agreement approved by the Town, or other restrictions approved by the Town for such uses.

Sec. 16A-3-40. - Statements of zone district intent.

Specially planned area and planned unit development zone districts.

(5) Specially Planned Area (SPA-1 and SPA-2). There are areas within the Town where development existed prior to incorporation of the Town and the establishment of municipal zoning. It is the purpose of the Specially Planned Area (SPA-1 and SPA-2) zone districts to establish standards that are applicable to existing development within said areas. Governmental Specially Planned Areas were established for the Fire Department and the Water and Sanitation District. Except as may be permitted pursuant to [Section 16A-5-250\(a\)\(10\)](#), Interim SPA (SPA-1 and SPA-2) Authorization, this is done by requiring the approval of a plan that establishes approved densities, uses, required parking and other development limitations for all or any portion of a property so designated. This plan shall be submitted and reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development, and shall constitute the zoning and development regulations for said area or building *except for 100% Workforce Housing projects for which Special Review process shall determine the residential development parameters by Resolution of the Town Council.*

Sec. 16A-3-50. - Zone district use schedule

TABLE 3-1 Schedule of Uses																			
Uses: A = Allowed; S = Special Review; P = Prohibited	SF 4	SF 6	SF 15	SF 30	SF 150	EST	DU	MF	MF PUD	MU	MU PUD	MU 1	MU 2	CC	CC PUD	PUB	CON	OS	REC
Residential and Accommodation Uses																			
Single-Family Detached Dwelling ¹	A	A	A	A	A	A	A	A	A	P	A	P	P	P	P	P	P	P	P
Two-Family Dwelling ²	P	P	P	P	P	P	A	A	A	P	A	P	P	P	P	P	P	P	P
Single-Family Attached Dwelling	P	P	P	P	P	P	P		A	A	A			P	A	P	P	P	P
Multi-Family Dwelling	P	P	P	P	P	P	P	A	A	A	A	A	A	P	A	P	P	P	P
Workforce Housing	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S
Hotel/Lodge Room or Suite	P	P	P	P	P	P	P	P	P	A	A	P	A	S	A	P	P	P	S
Lock-Off Room	P	P	P	P	P	P	P	P	P	A	A	A	A	S	A	P	P	P	S
Time Share Unit ³	P	P	P	P	P	P	P	S	S	S	S	P	A	S	S	P	P	P	S
Dormitory	P	P	P	P	P	P	P	A	A	S	A	P	A	S	A	P	P	P	S
Manager's Unit/ Restricted Employee Housing	P	P	P	P	P	P	P	A	A	A	A	A	A	A	A	S	P	P	S
Conference Facilities ⁴	P	P	P	P	P	P	P	P	A	A	A	S	A	A	A	P	P	P	S
Accessory Building and Use ¹⁵	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	S	S	P	A
Home Occupation ⁵	A	A	A	A	A	A	A	A	A	P	A	S	P	P	P	P	P	P	P
Day Care Home	S	S	S	S	S	P	S	S	S	S	S	A	A	S	S	P	P	P	P
Wireless Communication Facilities ⁶	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S

Sec. 16A-5-60. - Notice of public hearings

TABLE 5-2 Timing of Required Public Notices			
<i>Application Type</i>	<i>Days Prior to Hearing That Public Notice Must Be Given</i>		
	<i>Published</i>	<i>Mailed</i>	<i>Posted</i>
Amendment to Comprehensive Plan	30	No	No
Interpretation	No	No	No
Amendment to Text of Development Code	15	No	No
Amendment to Official Zone District Map	15	15	15
PUD Sketch Plan (Planning Commission)	10 ¹	No	No
PUD Sketch Plan (Town Council)	10	10	10
PUD Preliminary Plan	30	30	15
PUD Final Plan	No	No	No
PUD Amendment	15	30 (Major) 15 (Minor)	15
Special Review	15 ³	15 ³	15 ³
Variance	30	30	15
Administrative Modification	No	15 ²	No
Subdivision Exemption	No	No	No
Subdivision	30	30	15
Subdivision Amendment	15	15	15
Annual Temporary Use	15	No	15
Administrative Temporary Use	No	No	No
Comprehensive Sign Plan	15	15	No
Special Event	No	No	No

¹ No public hearing occurs before the Planning Commission; the required public notice is for the joint meeting, pursuant to Section 16A-5-320(c)(4), Joint Meeting.

² Mailed notice shall be by United States mail postage prepaid.

³ *Workforce Housing applications that propose 100% deed restricted units and thereby qualifying for Special Review, shall provide public notice (15 days for mailing, posting and publishing) for all Planning Commission public meetings and Town Council public hearings for which the proposal is considered.*

Division 4. - Standards for Restricted **Workforce** Housing

Sec. 16A-4-400. - Purpose.

To provide adequate housing for persons of low, moderate or middle income, provisions for comfortable and affordable housing in locations approved by the Town Council shall be made to accommodate sixty percent (60%) of new employees generated by development and redevelopment within the Town.

Sec. 16A-4-410. - Restricted **Workforce** housing requirements.

(b) Square Footage Per Employee. For that number of employees required to be housed in restricted **workforce** housing, as determined in Subsection (a) above, the developer shall be responsible for the creation of a total square footage equal to four hundred forty-eight (448) square feet (as measured in [Section 16A-3-210\(b\)](#), Measuring Floor Area) for each employee to be housed. The total square footage for which the developer shall be responsible shall be provided in dwelling units whose size shall be within the range of sizes described in Subsection (c), Size Ranges of Restricted Dwelling **Workforce** Units. The unit mix and methods of providing housing shall be determined as described in [Section 16A-4-420](#), Methods of Complying With Requirements.

Size Ranges of ~~Restricted Dwelling~~ **Workforce** Units for Full-time Employees. Table 4-6, Size Ranges of ~~Restricted Dwelling~~ **Workforce** Units, establishes the minimum and maximum size range of restricted dwelling **Workforce** units, to ensure that the size of dwelling units contributed by a developer is appropriate. All units contributed by a developer shall meet these size limits.

Table 4-6
Size Ranges of ~~Restricted Dwelling~~ **Workforce Units**

<i>Type of Unit</i>	<i>Minimum Size (sq. ft.)</i>	<i>Maximum Size (sq. ft.)</i>
Studio	448	550
One-bedroom	550	750
Two-bedroom	750	1,080
Three-bedroom	1,150	1,350

(d) Size Ranges of ~~Restricted~~ **Workforce** Housing Units for Seasonal Employees. Seasonal employee housing shall be designed to provide efficient, comfortable and affordable accommodations for seasonal employees and may include dormitory style or shared living accommodations configured to provide single-room occupancy for each employee with shared living, restroom and kitchen facilities. To ensure that the size of the housing contributed by a developer for shared living accommodations is appropriate, each building shall provide two hundred twenty-four (224) square feet of private or jointly shared living area for each employee being housed.

(e) Redevelopment.

(2) Existing ~~employee~~ **workforce** housing replacement. If any existing square footage currently utilized as employee housing is to be removed, an equal square footage of restricted housing shall be replaced within the development.

(h) Independent Payroll Audit. In the event of an independent calculation, the Town Council may require the applicant to have an independent payroll audit performed two (2) years following the subject building's occupancy to determine if the number of employees in the project corresponds with the applicant's calculation. The Town Council may waive or extend the date of the independent payroll audit. The applicant and the Town shall agree upon a method for mitigating any additional restricted housing that may be required as a result of the audit and said methodology shall be specified within the ~~restricted~~ **Workforce** housing agreement.

Sec. 16A-4-420. - Methods of complying with requirements.

~~Restricted~~ **Workforce** housing shall be provided as follows:

(2) Methods of providing housing. Housing shall be provided using one (1) or more of the following methods with preferences given to Subparagraph a or b below:

b. ~~Restricted~~ **Workforce** sale. Developer builds the ~~restricted~~ **workforce** units and sells the units to qualified employees, at prices established by the Town Council, as determined by current sale prices of comparable restricted units within the Town.

c. Other means. Such other means as may be agreed upon by the Town Council at its sole discretion and the developer of a project requiring ~~restricted~~ **workforce** housing, as required by Article IV of this Chapter, which may include:

1. ~~Restricted~~ **Workforce Housing** rates and use. The developer builds, owns and manages ~~restricted~~ **workforce** rental units in accordance with current Town of Snowmass Village ~~Restricted~~ **Workforce** Housing Guidelines. When permitted by all applicable state and local laws, or when agreed to by the developer, the units shall be restricted at the same rental rates charged by the Town for similar size units with similar amenities, as determined by the Town Council. Rental rates may be adjusted annually based on the inflation index used by the Town. A ~~restricted~~ **workforce** housing agreement shall be entered into between the Town and the developer identifying the conditions of occupancy, maintenance and rental guidelines for the ~~restricted~~ **workforce** units.

(3) Cash in lieu for minor developments. The Town Council may, at its sole discretion, accept cash in lieu of ~~restricted employee~~ **workforce** housing as defined in this Chapter. Cash in lieu of employee housing shall include the net cost (total cost less the amount covered by rental or sale income) of land and all related planning, design, site development, construction and construction management costs of the project, in current dollars, which would be incurred by the Town in order to provide the required amount of ~~restricted~~ **workforce** housing, or as agreed to by the Town and developer.

(4) Developer responsibilities. The developer shall be responsible for planning, design and development approvals for any housing proposed to mitigate employee impact. The developer shall provide adequate land for the project and shall be responsible for the full costs of constructing the project. If the Town Council has determined that the ~~restricted~~ **workforce** housing will be owned by the Town, upon issuance of a certificate of occupancy, the developer shall convey the project free and clear of any monetary liens or restraints on alienation to the Town and the Town shall thereafter own and manage the ~~restricted~~ **workforce** units. The developer shall warrant that the project is free of any construction defects for a period of one (1) year from the transfer of title to the Town.

(5) Town Council responsibilities. The Town Council shall determine, at the time of Preliminary PUD review of the specific ~~restricted~~ **workforce** housing projects, the unit mix and configuration of restricted units to be provided, fair and reasonable rental rates and sale prices for each type of restricted unit, estimates of occupancy rates, estimates of operating budgets (including maintenance and capital reserve), and the effect of the proposed ~~restricted~~ **workforce** units on the overall restricted housing inventory in the Town. The criteria shall be the Comprehensive Plan, the most recent housing surveys, comparable restricted rental rates, information provided by the developer and recommendations from Town staff. At the Town Council's discretion, the developer may be required to prepare, or the developer may provide, a peak season (maximum annual) employee staffing plan for all or portions of the development being mitigated to determine the appropriate full-time/seasonal ~~restricted~~ **workforce** housing mix to be provided by the developer.

(6) Homeowner's Association. If a restricted housing unit is developed as part of a mixed free market/~~restricted~~ **workforce** housing development project in which both free market and ~~restricted~~ **workforce** units will be included in the same association, then the documents creating the condominium regime, Homeowner's Association (HOA) and any Covenants, Conditions and Restrictions (CC&R) shall state that the ~~restricted~~ **workforce** housing unit shall only be assessed monthly dues and other shared assessments based on whichever of the following two (2) formulas apply:

- a. The size of the ~~restricted~~ **workforce** housing unit in square feet as compared to the total size of the other units in the development; or
- b. The size of the lot on which the ~~restricted~~ **workforce** housing unit is located as compared to the total size of the other lots in the development.

The Town shall consider the economic effect all assessments may have upon the Town's goal of successfully maintaining reasonable long-term affordability of the ~~restricted~~ **workforce** housing units or lots. The Town Council will evaluate the proposed assessment rates considering the nature of the project, the level of maintenance, types of utilities, services and amenities being provided relative to those of comparable wholly ~~restricted~~ **workforce** projects. The condominium regime, HOA and any CC&R documents shall state the maximum share of general, common, limited, special or other assessments allocated to each ~~restricted~~ **workforce** housing unit or lot and how such documents may be amended in the future within a ~~restricted~~ **workforce** housing agreement.

CHAPTER 17 – Employee **Workforce** Housing

ARTICLE I - Permanent ~~Moderate~~ **Workforce** Housing

Sec. 17-1. - Purpose.

To effectuate the orderly administration of housing units, the Town Council has determined that reasonable regulation is required. It is the intention of the Town Council to ensure that **workforce** housing units shall be available for purchase and occupancy by qualified individuals at an affordable price. Public funds are being utilized to make the original purchase price of a **workforce** housing unit affordable, and, therefore, restrictions on the escalation of the value of the unit are required to ensure that the purposes of creation of the housing unit are maintained.

Sec. 17-2. - Application.

The provisions of this Chapter shall apply to and restrict the use, occupancy and sale of all **workforce** housing units in the Town, including without limitation those units located in the following projects: Capital Peak Condominiums, Coffee Place, Creekside Condominiums, Country Club Townhomes, Crossings at Horse Ranch, Daly Permanent Moderate Housing Townhomes, Mountain View Permanent Moderate Housing Condominiums, and all other ~~Permanent Moderate~~ **Workforce** Housing developments and housing units recognized by the Snowmass Village Town Council.

Sec. 17-3. - Definitions.

Maximum resale price means the maximum price for which a **workforce** housing unit may be sold. The maximum resale price for **any workforce** housing units located in the Creekside Condominiums and Country Club Townhomes that have been continuously owned by the same owner on and after July 22, 1991, shall be computed in accordance with resale price procedures established by the Housing ~~Manager~~ **Director** referred to as the current resale price.

Owner means the fee simple owner of a **workforce** housing unit.

Pre-sale inspection means an inspection of the housing unit to confirm that the **workforce** housing unit has been kept and maintained in a clean and orderly condition, normal wear and tear excepted, in a manner determined by the Housing ~~Manager~~ **Director**.

Qualified applicant means all adult applicants who collectively meet the qualifications for purchase of a **workforce** housing unit as established from time to time by the Housing ~~Manager~~ **Director**, taking into consideration employment, income, net worth, unit size, dependents and any other criteria established by the Housing ~~Manager~~ **Director** to determine eligibility for purchase.

Resale fee means a fee collected upon the filing of a notice of intent to sell a **workforce** housing unit as determined by the Housing ~~Manager~~ **Director**.

Requalified owner is an owner who, following initial purchase of a **workforce** housing unit, meets the qualifications for employment, income, net worth and residency established by the Housing ~~Manager~~ **Director**.

Unit size means a **workforce** housing unit intended to be occupied by a minimum or maximum number of occupants as established by the Housing ~~Manager~~ **Director**.

Workforce Housing unit means a dwelling unit that is subject to the provisions of this Chapter.

Sec. 17-4. - Resale procedure.

(a) **Workforce** Housing Unit Inspection. As a condition precedent to filing a notice to sell a **workforce** housing unit, the owner shall obtain an approved pre-sale inspection which shall, among other things, confirm that the number of bedrooms in the **workforce** housing unit has not decreased since the housing unit was purchased by the owner.

(b) Notice to Sell and Resale Fee Deposit. The owner, after having received an approved inspection report, shall file a written notice of intent to sell with the Housing ~~Manager~~ **Director** and shall pay the resale fee.

(c) Town Purchase Option. The Town reserves the right to purchase any housing unit **as workforce housing inventory**.

(d) Snowmass Village Employee Priority. For thirty (30) days from the date of filing of the notice of intent to sell, the Housing ~~Manager~~ **Director** will receive applications for the purchase of the **workforce** housing unit from qualified applicants. At the end of the thirty-day period, the Housing ~~Manager~~ **Director** will proceed to determine if a super priority exists or if lottery chances will be assigned to all qualified applicants.

(e) Super Priorities. If a qualified applicant meets the criteria for a super priority as established by the Housing ~~Manager~~ **Director** for disabled employees and in-complex owners, a first priority qualified applicant shall be designated and is authorized to enter into a contract for purchase of the **workforce** housing unit in accordance with the provisions of [Section 17-4](#) (g) of this Code.

(f) Determination of Employment Priority and Lottery Chances. Lottery chances will be assigned by the Housing ~~Manager~~ **Director** to qualified applicants. Following the assignment of lottery chances to qualified applicants, the Housing ~~Manager~~ **Director** shall schedule and conduct a lottery to determine the priority of qualified purchasers.

(g) Contract and Sale Procedure. The qualified purchaser, in priority, may negotiate a contract for the purchase of the **workforce** housing unit from the owner and proceed to close the purchase.

(h) Confirmation of Qualification. At the closing of the sale, the Housing ~~Manager~~ **Director** shall confirm the status of the qualified purchaser to purchase the **workforce** housing unit and that the purchase price does not exceed the maximum resale price.

Sec. 17-5. - Mandatory resale.

An owner shall immediately offer the **workforce** housing unit for sale in accordance with the provisions of [Section 17-4](#) upon the happening of any of the following events:

- (1) If a non-qualified purchaser takes title to a **workforce** housing unit, or
- (2) The owner does not maintain residency at the **workforce** housing unit; or
- (3) The owner has not sold a residential dwelling unit within six (6) months of the closing of the acquisition of the **workforce** housing unit, or such greater period of time as approved by the Town Council upon good cause shown; or
- (4) The owner acquires a residential dwelling unit after the closing of the acquisition of a **workforce** housing unit; and
- (5) The owner purchases the **workforce** housing unit for a purchase price greater than the maximum purchase price; or
- (6) The owner fails to be a requalified owner.

Sec. 17-6. - Rental.

An owner may rent a **workforce** housing unit only to the extent permitted by and in accordance with the regulations adopted pursuant to this Article.

Sec. 17-7. - Exempt transactions.

A one-time transfer by operation of law, by will or inheritance to a surviving spouse of an owner is exempt from the procedures set forth in [Section 17-4](#) and 17.4 of the Regulations, provided written notice shall be given to the Housing Manager **Director** providing information to support that an exempt transaction has occurred.

Additional, limited exempt transactions are set forth in the regulations adopted pursuant to this Article.

Sec. 17-8. - Release of restrictions.

To induce lending institutions to finance **workforce** housing units, the Housing Manager **Director** is authorized to enter into agreements with lending institutions which allow for the release of a **workforce** housing unit from the application of the provisions of this Chapter in the event of a foreclosure of a first priority deed of trust or mortgage securing a loan. Any such agreement shall provide that:

- (1) The Town shall have an option to purchase the **workforce** housing unit for the price which would be paid by the redeeming owner in the foreclosure;
- (2) The option to purchase period shall commence upon the end of the last redemption period of the foreclosure and shall continue for a period not less than ten (10) days; and
- (3) The release of the **workforce** housing unit from the applicability of this Chapter shall occur only after the expiration of the option to purchase period.

Sec. 17-9. - Remedies of the town.

The Town expressly reserves all remedies provided by law for breach of these restrictions.

- (1) Transfer void. In the event a **workforce** housing unit is sold and conveyed without compliance herewith, such sale shall be wholly null and void and shall confer no title whatsoever upon the purported purchaser. Each and every conveyance of the property, for all purposes, shall be deemed to include and incorporate by this reference the covenants herein contained, even without reference herein to this agreement.
- (2) Failure to cure breach. In the event the owner fails to cure any breach, the Town may resort to legal action, including, but not limited to, specific performance of these restrictions or a mandatory injunction requiring sale of the **workforce** housing unit by the owner.
- (3) **Workforce** Housing unit price freeze. In the event of a breach of any of the terms or conditions hereby of the owner or the transfer of a housing unit to a non-qualified transferee, the original purchase price of the **workforce** housing unit shall upon the date of such breach or transfer automatically cease to increase and shall remain fixed until the date of cure of said breach or disqualification.
- (4) Purchase of **Workforce** Housing Unit. The Town reserves the right to purchase a **workforce** housing unit.
- (5) Town Attorney Fees. All costs incurred by the Town in enforcing the terms of this Article and regulations adopted pursuant thereto, including without limitation, costs of suit and reasonable attorneys' fees, even in the event that the Town secures redress without a completed judicial proceeding, shall be repaid upon demand by the person or persons against whom enforcement has been sought.

Sec. 17-10. - No guaranty or warranty.

No guaranty or warranty is made by the Town that an owner may be able to:

- (1) Resell a **workforce** housing unit without incurring a monetary loss;
- (2) Resell a **workforce** housing unit at a maximum price;
- (3) Rent a **workforce** housing unit; or
- (4) Rent a **workforce** housing unit without incurring monetary loss.

Sec. 17-11. - Regulations.

The Housing ~~Manager~~ **Director** shall establish rules and regulations to effectuate the provisions of this Article after conducting a public hearing and with the advice and consent of the Town Council. All rules and regulations so established shall be enforceable as if enacted in this Code. In the event of a conflict between this Article and the regulations, the more restrictive provision shall control.

INTEROFFICE MEMORANDUM

TO: BRIAN MCNELLIS, SENIOR PLANNER
FROM: BETSY CRUM, HOUSING DIRECTOR
SUBJECT: PROPOSED AFFORDABLE HOUSING PROCESS AMENDMENTS
DATE: APRIL 7, 2025

I am writing to express my support for the proposal to amend the Snowmass Village Code to have Workforce Housing qualify for review as a Special Use. As you know, workforce housing is not considered as a specific residential use outside of the Multi-Family Dwelling use and so can only be approved under an existing Multi-family or Mixed-Use zone, or as a Planned Unit Development.

As you know, we currently face an unprecedented need for workforce housing in Snowmass Village. Rising housing costs have pushed prices beyond the reach of our local employees. Commutes continue to expand in volume and length as many workers seek down-valley costs of living and need up-valley wages to make ends meet. As a result, the formerly attainable mid-valley housing markets are now also experiencing significant increases in housing costs, pushing regional labor markets even beyond Glenwood Springs toward Western Slope communities. There is functionally no local free-market attainable housing available to our workforce, and the waitlist for TOSV's rental housing results in a 10+ year wait for an affordable apartment.

New workforce housing development is one of the essential tools to meet the housing needs of our local workforce. In fact, we currently require that businesses mitigate the housing needs for at least 60% of the employees generated by them when they build in town. However, the PUD process we currently use is lengthy and requires multiple submissions, public hearings, meetings and back-and-forth throughout the approval process. This can, and often does, add many months to the process. This is not just costly; it delays the provision of the very housing needed for the new employees.

In addition, the primary state funding program – called the State Affordable Housing Fund and created a few years ago by Proposition 123 – requires that, to remain eligible for Prop 123 funds, local governments must demonstrate they have implemented an “expedited review process.” With the rising cost of construction and the increasing demand for workforce housing, it is critical that Snowmass Village and our partners remain eligible for state and federal grants and loans. Allowing workforce housing to be approved under a Special Use process would go a long way toward meeting that criterion.

In short, workforce housing is a critical community need that benefits our entire Village and, like public utilities, day care and trails, adds an essential service to our community. I believe that this change would reflect the importance of getting housing built when it is most needed.

Please let me know if you have any questions.

Town of Snowmass Village Agenda Item Summary

Date of Meeting:

July 21, 2025

Agenda Item:

Discuss details of Council Goal to Help year-round residents thrive, not just survive

Presented by:

Background:

In April 2025, the Town Council adopted a Comprehensive Goal Statement. Specific tasks and objectives have been set for each of the goals except:

Help Year-round Residents Thrive, Not Just Survive

The Council recognizes the clear threat of losing our core year-round residents to more affordable locations. This Council desires to address fundamental affordability, capacity, and accessibility issues for year-round residents. Childcare, housing, groceries, homeowner insurance, tax rates and affordable eats need to be addressed.

To have the maximum impact possible, the Town will partner with others to reduce the squeeze year-round residents are feeling to ensure we can continue to provide the highest quality of life possible.

This will be an opportunity for the Council to discuss this goal in detail and how the Council would like to approach it.

Financial Impact:**Applicability to Council Goals & Objectives:****Council Options:****Staff Recommendation:****Attachments:**

1. 8A Council Goals

**SNOWMASS VILLAGE
TOWN COUNCIL
GOAL STATEMENT
ADOPTED APRIL 7, 2025**

The Town Council remains firmly committed to the *Aspiration Statement*, *Guiding Principles*, *Just Big Enough* economic analysis, *Plan Framework*, and *Strategic Initiatives* found in the 2018 Comprehensive Plan.

GUIDING PRINCIPLES

Stewardship Vibrant Genuine Active & Healthy Balanced
 Connected Inclusive

STRATEGIC INITIATIVES OF SNOWMASS VILLAGE

- Preserve and protect open spaces and our environment to ensure that nature is and remains the dominate feature of the landscape.
- Promote environmental and economic sustainability and resiliency.
- Focus on improved access and safety to make Snowmass Village more walkable and bikeable.
- Continue to improve the multi-modal connections between Base Village, the Mall, and the Center.
- Manage parking and transit to encourage efficient, effective, and sustainable mobility choices.
- Focus new development and/or redevelopment within the identified CPAs.
- Encourage the update and renovation of older buildings Village-wide.
- Strengthen local economic opportunities to assure vibrancy.
- Continue to support a viable workforce and our commitment to workforce housing by exploring opportunities that best balance the character and resources of the Town.

These Strategic Initiatives are of the utmost importance to the Town Council and, as such, the Council remains committed to moving them forward. *Supporting Families*, *Safety*, *Connectivity*, *Transit & All Forms of Mobility*, *Environmental Activism*, *Resiliency*, *Regionalism*, *Risk Taking*, and *Recruiting & Retaining High Quality Staff* all remain critical components to the Village’s success.

The preservation of Snowmass Village’s unique character is at the heart of this Town Council’s priorities. Snowmass Village is a community rooted in respect for nature, adventure, and enjoying an unprecedented quality of life. The Council will work hard to protect the Village’s intrinsic charm—its grit, warmth, family-friendly atmosphere, and resilient spirit—and is dedicated to ensuring that these qualities make it so locals, people that live here year-round, are able to thrive, not just survive.

The Council remains committed to its overarching priority to:

Passionately Protect the Community Character of the Village by Promoting Balance and Emotional Connectivity

As the Council moves forward weaving both preservation and progress together, it will focus its efforts on these specific projects over the next two years:

Identify & Provide More Affordable Housing

This Council will continue to work toward the near-term goal of creating 185 new units moving toward the larger goal of 383 units identified in the 2018 Comprehensive Plan. The Town Council recognizes that there are virtually no viable free-market housing opportunities for working citizens; thus, the Town Council remains committed to updating the 2021 Housing Master Plan by incorporating the upcoming needs assessment and other creative solutions. The Town Council recognizes providing places for our community members to live is vital to protecting our community character. The Draw Site will be the next location for new construction. The Town will study and develop a concept plan for the Center site. In addition, the Town will continue with the buydown program, purchasing existing free market units, and implement other innovative ideas as needed. The Town will work closely with regional partners to maximize financial resources, explore a new priority system (a pilot program) at the Draw

Site, creatively revise rental housing regulations to better serve locally owned and locally serving businesses, and will explore the idea of creating a new citizen advisory commission to help address these efforts all while protecting Snowmass Village’s community character. Finally, the Town will explore increasing our employee mitigation rate from 60% to 100% while maintaining preference for physical construction over cash-in-lieu contributions from developers.

Embrace High Quality Balanced Destination Management

The Town Council understands that the Village cannot be a world-class resort without being a world-class community first. We want to be a better place to visit by being a stable year-round community. As a community with a resort within it, Snowmass Village must continually work to strike a balance between welcoming visitors and maintaining the needs of its local community. Recognizing that the Village heavily relies on its tourist economy, the Council is also committed to refocusing and rebalancing our efforts to better support those that work here year-round. The Council further recognizes that Snowmass Village thrives because of its locally owned and locally serving businesses, which foster a deep sense of community by creating unique places for connection and gathering that are vital to our success. The Town will direct our tourism promotion so as not to concentrate on just growth in numbers but to ensure we focus on supporting our community. We will increase our focus on marketing to locals so we can enjoy the amenities our community has to offer. We will continue to protect our off seasons while strengthening opportune times of year when we have capacity but not demand (such as early December, early April, and late September). The Town will:

- Focus on local businesses, local causes and local participation and increase awareness of services already provided to local businesses.
- Celebrate our grateful guests and encourage responsible visitor behavior through education. We want visitors and residents alike to know how to “Snowmass”.
- Reexamine STR regulations to ensure they are meeting desired goals.
- Events will continue to focus on making a connection with the community.
- Adopt a Destination Management Plan.
- Explore ways to keep our retail experience unique, increase the variety of stores, limit chain stores, limit real estate offices in prime retail space, and increase vibrancy in the commercial cores.
- Begin to prepare for the eventual transition of the Collective to the Town and continue to aim for increased community utilization.

Develop a Detailed Area Plan in and Around the Snowmass Mall

The area in and around the Snowmass Mall is the heart of the community. It is the primary portal to the mountain, is the center of much of our history, and is a funky, fun, authentic, Mom & Pop-dominated place that deserves the Town’s leadership and investment. The Town will lead an effort to work with all of our stakeholders including property owners, business owners, residents, guests, Aspen Ski Company, and transit agencies to develop a viable concept plan that will guide the future by protecting the history of the area, support locally owned and locally serving businesses and create more housing opportunities in a transit-oriented manner. The plan will reflect the values of Snowmass residents while promoting long-term sustainability and economic growth in a manner that is consistent with the character of the community. The Area Plan will create a space where the past and future of Snowmass Village can coexist harmoniously with a predictable development pattern guided by our community values. The plan will provide opportunities to explore viable public, private partnerships.

Strengthen Community Engagement to Foster Emotional Connectivity

The Council will strive to strengthen effective community engagement to foster relationships, emotional connectivity and to protect community character. The Council will protect the community’s character by ensuring that public amenities, events, facilities, and services enhance and meet local community needs and interests. This Town Council is focused on offering a variety of opportunities to receive feedback, create connections, and listen. It is imperative to expand citizen access to the Council thus elevating community conversation, collaboration, and emotional connection to the Village. Specific ideas include:

- Ensuring public notices are easily understandable and widely publicized.
- Increasing bilingual communications.
- Explore creating a quarterly insert for the local papers designed to inform constituents.

- Consider adding staff resources to assist with increased communication and community engagement.
- Explore opportunities to create a location for a community hub.

A Continued Commitment to Sustainability and Resiliency

Snowmass Village is committed to being proactive in protecting community assets. This requires addressing environmental and other safety topics. Efforts to improve resiliency will require strong leadership from the Town Council and efforts from the community at large. Educational efforts and more public involvement with disaster preparedness and recovery will be critical. The Council will work to ensure broad community involvement, through HOAs and other organizations, to address specific identified hazards such as wildfires.

- Adopt an updated building code to support environmental goals.
- Maintain a strong focus on ongoing wildfire fire mitigation efforts, including studying strengthen defensible space requirements and other hardening measures.
- Enhance community communication around preparedness and recovery.
- Further explore opportunities around improving sustainability focusing on wildfire mitigation, water use reduction, greenhouse gas reduction and effective waste disposal.

Help Year-round Residents Thrive, Not Just Survive

The Council recognizes the clear threat of losing our core year-round residents to more affordable locations. This Council desires to address fundamental affordability, capacity, and accessibility issues for year-round residents. Childcare, housing, groceries, homeowner insurance, tax rates and affordable eats need to be addressed. To have the maximum impact possible, the Town will partner with others to reduce the squeeze year-round residents are feeling to ensure we can continue to provide the highest quality of life possible.

Investing in Community Infrastructure

The Town Council is committed to investing in infrastructure projects that support the sustainability of the Village and protects neighborhoods. The Town is also very aware of the construction fatigue the community is experiencing and will plan and time projects in a thoughtful manner designed to reduce impacts to residents. Understanding there are many needs and opportunities within the community, this Town Council remains open to them all but is committed to focusing on the following projects:

- 1) Raise the necessary grant funds to construct the approved Little Red School House project. The Council desires to use the new facility to its fullest extent in order to meet the varied needs of the community. The Town will continue to explore opportunities to expand childcare and early childhood learning.
- 2) Set the timing and project scope for the Owl Creek / Brush Creek Roundabout and potentially evaluate interim safety measures.
- 3) Partner with Pitkin County to expand library services in the Village, including building a library facility adjacent to, or connected to the Recreation Center.
- 4) Identify, support and preserve more community spaces.
- 5) Coordinate a regional effort to study the potential for workforce housing at the Brush Creek Park and Ride.
- 6) Determine the future of the Krabloonik property.
- 7) Continue forward with the efforts to better “Connect the three Commercial Nodes” including the Benedict Trail.
- 8) Continue to embrace and invest in the Ice Age Discovery.
- 9) Complete the replacement of the Skittles.
- 10) Explore opportunities to increase historic preservation efforts.
- 11) Complete the entryway beautification project.
- 12) Gather public input and use it to finalize the design process for the Mall Transit Center.
- 13) Create and maintain a master schedule of all proposed major public and private construction projects and ensure consistent communication with the public.