



Town Council
Monday, September 15, 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

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. Ordinance No. 11, 2025 - RE Workforce Housing LUC changes - 2nd reading

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. Emergency Ordinance No. 16, 2025 RE Budget appropriation - \$250k for mobile home park purchase

8. Administrative Reports

8.A. STR Update & continued discussion

8.B. Construction Impact Map demonstration

9. Town Council Reports and Actions

Reports and Updates

10. Adjournment

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.
- 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
- Discussion RE electric mowers and leaf blowers
- E-Bikes

Monday Sept 8 – Work Session

- Tour Krabloonik invite POSTR
- Continue discussion of Thrive not survive
- Fire Mitigation – discussion & plan for mtg with Fire Board

Monday Sept 15 – Regular Meeting.

- Construction impact map demonstration
- Emergency ordinance for \$250K for mobile home park purchase
- STR continuation/ Update
- Cont of Ord No 11 RE Workforce Housing Special Review Code Amendment

Monday Oct 6 – Regular Meeting (Marolt out)

- Budget Introduction
- Town Attorney Update

Monday Oct 13 – Work Session

- Budget
- Discussion regarding community survey
-

Monday Oct 20 – Regular Meeting

- POST Grant Ord – 1st reading?
- Budget – Comments from FAB
- Mall Comprehensive Sign Plan Review?

EOTC – Thursday October 23 – City of Aspen

2025 DRAFT Agenda Overview

Monday Nov 3 – Regular Meeting

- GID Meeting - Adopting the GID Budget
- Budget Adoption
- POST Grant – 2nd reading
- Adopt DMP
- 2nd reading - Ord No 11 RE Workforce Housing Special Review Code Amendment
-

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

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:

September 15, 2025

AGENDA ITEM:

The Second Reading of Ordinance 11-2025 Regarding a Change to the Land Use Code Workforce Housing – Special Review Code Amendment

PRESENTED BY:

Brian McNellis, AICP/MLA,
Planner, Community Development Department

BACKGROUND:

The State of Colorado has now completed its initial review of the the proposed changes to the Land Use Code to ensure they are compliant with Proposition 123. Staff is now taking the feedback from the State and working it into the proposed ordinance. Because this work remains underway, staff is suggesting that this second reading be moved to November 3, 2025 so any required changes from the state can be incorporated.

Background:

This public meeting is the second reading of Ordinance No 11 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. First reading was approved on July 21, 2025

This proposed change(s) 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 necessary 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.

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 that 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 that 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 ordinance may be discussed by the Town Council and either adopted on second reading, continued for further consideration, or denied on second reading.

STAFF RECOMMENDATION:

It is the recommendation of Town Staff, that the Council, by motion, Continue this public hearing and second reading until November 3, 2025.).

ATTACHMENTS:

- A. Draft Ordinance
- B. PC Resolution No. 5 of 2025
- C. Exhibit A – proposed amendment redlines
- D. Housing Office memo 04/07/2025

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 that 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" are hereby amended 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 July 21, 2025, upon a motion by Council Member Marolt, the second of Council Member Fridstein, and upon a vote of 4 in favor and 0 against.

READ, APPROVED AND ADOPTED as amended, by the Town Council of the Town of Snowmass Village on Second Reading on September 15, 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)
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-  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.
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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
<i>Workforce Housing</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>P</i>	<i>P</i>	<i>S</i>
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:

September 15, 2025

AGENDA ITEM:

Consideration of ORDINANCE NO. 16, SERIES OF 2025-**AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL REVISING AND AMENDING THE CAPITAL IMPROVEMENT PROJECTS FUND BUDGET OF THE TOWN OF SNOWMASS VILLAGE TO PROVIDE FUNDING TOWARDS THE PURCHASE OF TWO MOBILE HOME PARKS AND APPROPRIATING FUNDS IN 2025 FOR THE IMMEDIATE PRESERVATION OF PUBLIC PROPERTY, HEALTH AND, WELFARE**

PRESENTED BY:

Clint Kinney, Town Manager
Marianne Rakowski, Finance Director

BACKGROUND:

The Council discussed an additional contribution of \$250,000 towards the purchase of the two mobile home parks as a means of preserving the supply of affordable housing, improving long-term housing security and supporting durable and sustainable homeownership for its residents. Snowmass Village has already appropriated and committed \$1 million toward this project.

In order to meet the fund raising goals and the cash contribution requirements of the lender, additional fund raising by all the parties was necessary. This additional contribution of \$250,000 is being done as an emergency ordinance due to the short timeline to meet closing requirements and timelines. .

The attached emergency ordinance approves the budget amount of \$250,000 and appropriates the funds for expenditure. The funds are coming from housing funds within the Capital Improvement Program.

FINANCIAL IMPACT:

Ordinance No. 16, Series of 2025, revises the 2025 adopted budget and appropriates these funds for spending.

The impact on the Capital Improvement Program Fund is \$250,000.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

Workforce housing remains one of the main strategic initiatives of the Town Council. The budget is one of the keystone policy documents the Town Council adopts. It is the primary tool to pay for and implement Town Council goals. Revising the 2025 budget will ensure the Council's goals and objectives can continue to be met.

COUNCIL OPTIONS:

1. Approve, Modify or Deny Ordinance No. 16, Series of 2025

STAFF RECOMMENDATION:

It is the recommendation of the Town Staff that the Council, by motion, approve the Emergency Ordinance No. 16, Series of 2025 revising the 2025 budget.

ATTACHMENTS:

- A. Ordinance No. 16, Series of 2025

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

3
4 **ORDINANCE NO. 16**
5 **SERIES OF 2025**
6

7
8 **AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL REVISING AND**
9 **AMENDING THE CAPITAL IMPROVEMENT PROJECTS FUND BUDGET OF THE**
10 **TOWN OF SNOWMASS VILLAGE TO PROVIDE FUNDING TOWARDS THE**
11 **PURCHASE OF TWO MOBILE HOME PARKS AND APPROPRIATING FUNDS IN**
12 **2025 FOR THE IMMEDIATE PRESERVATION OF PUBLIC PROPERTY, HEALTH**
13 **AND, WELFARE**
14

15 **WHEREAS**, Clint Kinney, Town Manager, has prepared and submitted a request
16 to change the 2025 Budget; and
17

18 **WHEREAS**, the proposed 2025 amendment includes a change to the Capital
19 Improvement Projects Fund; and
20

21 **WHEREAS**, the Capital Improvement Projects Fund is revised to include an
22 expenditure for the funding towards the purchase of two mobile home parks to
23 preserve the supply of affordable housing, improving long-term housing security
24 and supporting durable and sustainable homeownership for its residents; and
25

26 **WHEREAS**, the Town of Snowmass Village Home Rule Charter requires
27 adjustments to the budget when circumstances change relating to the budget;
28 and
29

30 **WHEREAS**, the Town was not given enough notice to appropriate these additional
31 funds before the closing date, necessitating this additional appropriation and
32 expenditure by October 9, 2024; and

33 **WHEREAS**, this expenditure is needed to partner with entities to support
34 sustainable workforce housing in the Roaring Fork Valley thereby necessitating
35 adopting this ordinance by the emergency ordinance procedures set forth in the
36 Home Rule Charter.

37 **NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of
38 Snowmass Village, Colorado:
39

40
41 **Section One: Revised Budget**

42 That the Town of Snowmass Village 2025 budget for the Capital
43 Improvement Fund be adjusted to include the below amendment.
44
45

Section Two: Appropriation

That the below 2025 revised expenditure is hereby appropriated for immediate expenditure during the 2025 budget year.

**Town of Snowmass Village
Budget Changes - 2025**

	2025 Revenues	2025 Expenditures
CIP Fund	\$ -	\$ 250,000
TOTAL	\$ -	\$ 250,000

Section Three: Emergency Declaration

Because the Council has determined that a public emergency is declared to exist, this ordinance is declared to be necessary for the immediate preservation of the public property, health, and welfare, it is advisable to proceed to fund the \$250,000 for the contribution towards the purchase of two mobile home parks as a means of preserving the supply of affordable housing, improving long-term housing security and supporting durable and sustainable homeownership for its residents as described in this ordinance, and therefore, this ordinance shall be in full force and effect immediately upon final passage and adoption at a single meeting upon Council approval as required by Section 4.10 of the Charter.

Section Four: Effective Date

This ordinance shall be in full force and effect immediately upon final passage and adoption by the Council as required by the Charter. This ordinance upon such final passage shall be published by title and summary thereof in a newspaper of general circulation in the Town within 10 days after adoption.

Such notice shall be in substantially the following form:

“OFFICIAL NOTICE IS HEREBY GIVEN that on September 15, 2025, the Town Council approved as an emergency measure an ordinance titled as follows:

AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL REVISING AND AMENDING THE CAPITAL IMPROVEMENT PROJECTS FUND BUDGET OF THE TOWN OF SNOWMASS VILLAGE TO PROVIDE FUNDING TOWARDS THE PURCHASE OF TWO MOBILE HOME PARKS AND APPROPRIATING FUNDS FOR 2025 FOR THE IMMEDIATE PRESERVATION OF PUBLIC PROPERTY, HEALTH, AND WELFARE.

The proposed Ordinance provides for the Town's budget amendment to the 2025 Adopted Budget to provide funding towards the purchase of two mobile home parks for workforce housing. The

Ordinance has been adopted as an emergency measure and, in accordance with the Town Charter,
has become effective upon passage.

IN TESTIMONY WHEREOF, the Town Council of the Town of Snowmass Village, Colorado has
caused this notice to be dated this September 15, 2025.

(SEAL)

/s/ Megan Boucher
Town Clerk
Snowmass Village, Colorado”

(End of Form of Notice)

INTRODUCED PASSED AND ADOPTED this September 15, 2025 as an
emergency measure upon a motion made by Council Member _____, the
second of Council Member _____ with a roll call vote ___ in favor and ___
opposed.

Alyssa Shenk, Mayor

Attest:

Megan Harris Boucher, Town Clerk

Whereupon it was duly moved and seconded that the foregoing ordinance be now passed and adopted as an emergency measure. The question being upon the adoption of said motion and the approval of the ordinance as an emergency measure, the roll was called with the following result:

Those Voting Yes:

Those Voting No:

Those Absent:

The presiding officer thereupon declared that there having been an affirmative vote of at least three members of the Council, the ordinance was duly adopted as an emergency ordinance.

Alyssa Shenk, Mayor

(SEAL)

Attest:

Megan Boucher, Town Clerk

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

September 15, 2025

AGENDA ITEM:

Discussion – Tools to Maintain Affordability in Free Market Housing & STR Program – continued discussion

PRESENTED BY:

Betsy Crum, Housing Director

Sara Nester, Community Development Code Compliance Manager

BACKGROUND:

At its July 7, 2025, meeting, the Town Council had a wide-ranging discussion about the Town's Short-Term Rental (STR) Program and about tools that might be available to Snowmass Village to maintain affordability in free market housing. Specifically, discussion focused on the specific tools for regulating STRs, assessing communities' lodging and sales tax practices for housing, policies and programs to incentivize converting STRs to long-term rentals for workforce, how regulatory fees are impacting other similar communities, and addressing any loopholes or issues in the current STR regulations.

Staff has investigated these issues in some greater detail, and offers the following for Council consideration:

Specific Tools for Regulating STRs:

Maintaining affordability in a free-market system is a complex challenge that becomes increasingly difficult in a market like we are experiencing in the upper Roaring Fork Valley. With median home prices over \$7 million and rentals averaging \$4,500 monthly for a studio, deed-restricted affordable housing like ours and APCHA's have provided the only attainable options to date.

The Colorado Association of Ski Towns (CAST) published a Short-Term Rental Ordinance Matrix in 2024 that assembled a large amount of data about how Rocky Mountain Ski Towns and Denver are implementing and managing their STR portfolios and programs. The entire matrix is attached as Attachment A, but it is quite large and detailed. To summarize some highlights:

- Data was provided from 40 individual communities.
- Most do not limit the number of licenses per person, but about half limit the total number of licenses and the concentration of STR homes, typically by zone.
- Fees range from \$100-\$750 annually, and some add a fee per bedroom.
- Like Snowmass Village, most restrict occupancy to 2 people/bedroom and require local property management.
- Twenty-five percent (25%) have used moratoria to control STR growth.
- In the resorts, the percentage of residential units with STR leases range from about 30% (Vail and Aspen) to 54% in Breckenridge. Snowmass' percentage is at 42.25%.

There are also interesting twists that some communities put on their STRs:

- Denver requires that the owner notify their HOA and provide an affidavit that the HOA is aware of the use.
- Aspen and Pitkin County require renter education on how to vacation responsibly in the mountains.
- Denver makes it illegal for booking platforms to process unlicensed transactions, which shifts some of the responsibility from the owners to the platforms.

To date, Snowmass Village has charged a relatively standard license fee and no separate STR fee. We have not imposed moratoria and have instead controlled local impact in several other ways including by limiting the number of nights a single family property can be used and requiring local property management.

Comparison of communities' lodging and sales tax:

There are a wide range of taxes paid by STRs. The CAST report collected this information, and the results are as follows for selected Colorado mountain resort towns:

Community	STR Tax	Sales Tax	Lodging Tax	Other
Aspen	16.3% - 21.3%	<i>Combined with STR amount</i>		
Breckenridge		2.4%	3.5%	
Crested Butte		9.4%	4.0%	7.5%
Estes Park			2.0%	\$1,460/year
Frisco	5%	5.475%	2.35%	2.9%
Keystone		3.475%	2.5%	2.9%
Minturn	6.5%	<i>Combined with STR amount</i>		
Mountain Village		4.5%	4.0%	
Mt. Crested Butte	2.9%	5.0%		
Ouray		4.5%	4.0%	
Snowmass Village		3.5%	2.4%	
Steamboat Springs	9.0%	<i>Combined with STR amount</i>		
Telluride	2.0%	4.5%	4.5%	

Policies/Programs to Incentivize Long-term rentals over Short-term rentals:

There are a few examples of programs designed to convert STRs to seasonal or long-term availability for the local workforce.

- Summit County “Lease to Locals” Program: this was targeted toward properties with an active STR license. Incentives ranged from \$5,000 to \$10,000 for a seasonal lease and from \$10,000 to \$24,000 for a 12-month lease, depending on the size of the apartment. Rents were capped by bedroom size. The program operated from 2021-2024 and was considered successful in converting dozens of units; however, it was discontinued due to the ongoing cost and the desire to use incentive dollars for permanent housing options. In addition, the County preferred to focus any incentives on local workforce individuals and employers rather than individual homeowners.
- Eagle County “Lease to Locals” Program: This program was launched in 2022 and operated through 2025. The incentive was approximately \$4,000 per bedroom and \$8,500 per property, depending on the length of the lease and unit size. Rents were capped at 100% of Area Median Income (AMI). Since its inception, some 55 properties have been converted across Eagle, Gypsum, Vail, Edwards, Avon, and Minturn. The primary reason for discontinuation is the long-term budget impact of ongoing incentive payments.
- Gunnison County’s “Housing Matters” program was developed in conjunction with Mt. Crested Butte several years ago. The program offered tenant screening and the Housing Authority master leased units from the owner, providing a layer of security and guaranteed rental payments of up to one month if the tenant moves out. Rents were capped and required to be offered for at least a one-year term. The program was phased out due to lack of interest and the long-term cost implications.

Based on others’ experience, the amount of the “carrot” that would be effective would be approximately \$25,000 annually per home. The types of STRs that would be most likely to participate would be the Type 3 units, which are largely the privately-owned condominiums on and adjacent to the mountain.

Effects on STRs from higher regulatory fees:

Council has expressed an interest in exploring ways to convert STRs to LTRs through disincentives to short-term renting. The methods for doing so primarily focus on increased taxes and fees.

Due to the relatively recent nature of STR fees, much of the information on the impact of high fees is anecdotal. The research done to date shows that high regulatory fees have produced diverse impacts on local economies, housing markets, and community life. Many STR owners have said publicly that they will take their homes off the STR market or leave town if fees become too high. Conversely, bookings appear to be increasing

across the board, with much of the extra fee passed along to the traveler. According to a comprehensive analysis printed in the Colorado Sun in September 2023 “AirDNA, which studies short-term rental traffic, shows no evidence of a significant downturn in bookings in Colorado’s mountain communities.” A snapshot of their findings:

- In Aspen, there were slightly more than 28,000 bookings from May through July in both 2022 and 2023, while the average daily rate for those months climbed more than \$500 to \$1,382 compared with summer 2022.
- Breckenridge bookings climbed to 159,415 from May through July, up from 145,962 last year, while the nightly rate dropped about \$30 to \$426 this summer.
- Crested Butte saw 43,301 bookings from May through July, compared with 39,453 in 2022, with nightly rates climbing \$40 to \$503.
- Steamboat Springs bookings were 91,769 from May through July, down about 1,000 from last year with nightly rates down about \$100 to \$358.
- Vail bookings were 72,593 from May through July, down from 76,352 in 2022, with nightly rental rates up about \$55 to \$776.
- Winter Park bookings were 42,884 in May through July, up about 2,600 from the summer of 2022 with nightly room rates up \$20 to \$349.

One notable development is that homeowners are starting to exert more control over the STR licensing process. Summit County STR owners have organized a coalition called Summit Alliance of Vacation Rentals and are suing the Summit County commissioners in federal court over limitations on the number of STR licenses and their STR taxes. A similar group in Breckenridge is challenging the community’s caps and zoning limitations. In 2022, a Colorado District Court judge struck down a voter-imposed fee on STRs in Pagosa Springs, asserting that it violated the equal protection clause of the 14th Amendment. And a bill to allow municipalities to tax STRs as commercial property has failed three times in recent years due to strong opposition from owners and STR platforms.

While many communities have been considering enabling a local vacancy tax, no Colorado city, town or county has passed a vacancy tax to date. In May 2025, Boulder City Council postponed putting a vacancy tax on the November ballot. Similarly, a controversial proposal by Steamboat Springs to put a vacancy tax on the ballot failed to move forward when it was voted down by the Steamboat City Council last month. The Colorado Association of Ski Towns (CAST) has pushed for legislation that would enable local jurisdictions to propose such taxes, but that legislation has failed to win support.

In summary, the available research shows that high regulatory fees have only slightly reduced the STR supply and shifted some homes to other rental types, providing some relief to extremely tight housing markets. However, these fees have not solved underlying affordability issues and have produced strong pushbacks from owners and concern about the long-term impacts on the local tourism economy, tax base, and

community infrastructure needs. Resort towns remain critically short on workforce housing, and while fees generate funds for affordable housing programs, actual housing creation lags behind demand.

Addressing STR loopholes:

One question raised by Council was whether lodging tax could be levied on stays for longer than 30 days. The thought is that some people rent for longer periods to avoid the tax, creating a loophole for some owners. Any such change would require a townwide vote to implement, as it is not permitted under the current law.

Staff has a recommendation for adjusting the current STR licensing system:

- Change the license renewal date to a single date annually, rather renewing annually at the date the license was first issued. This would allow for a more coordinated and consistent approach.
- Update the code language to be able to hold the advertising platform (in addition to the property owner/manager) accountable to remove illegal ads. This has been done in other communities with good success and provides another tool in the STR compliance toolkit. Attachment B is the suggested language provided by the Expedia/VRBO Government Affairs Manager.

FINANCIAL IMPACT:

Not applicable – this is a discussion item.

RECOMMENDATIONS:

With respect to incentivizing or disincentivizing converting STRs to LTRs, recent experience throughout the mountain resorts does measurably change the landscape. Cash incentives are expensive, ongoing and time-limited, and do not create permanent housing options. Higher fees do not appear to lead to conversions to LTRs, although they can be a source of revenue for housing. Vacancy taxes have not been successful to date.

The proposed 2026 Budget includes funding for a linkage study that will explore the viability of an impact fee for short-term rentals. That report will look to enumerate the actual fiscal impact of STRs on our community and shift the cost of the increased demand to the STR, rather than spreading it across all taxpayers. It is recommended that, in the interim, the Council clarify its goal(s) concerning STRs, namely is the goal to reduce the number of STRs by converting them to LTRs or is the goal to increase the

revenue available for housing? These objectives are related in some ways, but there are very different approaches to achieving them.

It is recommended that the license renewal date change to a single date annually and that the code language be updated to be able to also hold the advertising platform accountable to remove illegal ads.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

The Council's 2025 Goal Statement includes a goal to "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."

ATTACHMENTS:

Attachment A: 2024 STR Occupied Nights Report

Attachment B: Model STR Ordinance for Platform Responsibility

January 2024-December 2024

Sum of [72314]Occupied Nights in Period[0]	Column Labels		
Row Labels	STR Permit Type 3	STR Permit Type 4	Grand Total
02/2024	3,031	795	3,826
03/2024	4,145	571	4,716
04/2024	4,904	614	5,518
05/2024	1,404	116	1,520
06/2024	313	13	326
07/2024	1,709	289	1,998
08/2024	3,176	421	3,597
09/2024	2,374	337	2,711
10/2024	1,992	182	2,174
11/2024	1,187	171	1,358
12/2024	550	101	651
01/2025	3,392	619	4,011
Grand Total	28,177	4,229	32,406

***date used in Pivot table is DUE date, see below table for PERIOD date

January 2024	3,826
February 2024	4,716
March 2024	5,518
April 2024	1,520
May 2024	326
June 2024	1,998
July 2024	3,597
August 2024	2,711
September 2024	2,174
October 2024	1,358
November 2024	651
December 2024	4,011
Total	32,406

Vacation Rental Service Mandatory Field and Takedown:

All vacation rental services that display short-term rental listings for properties in (county) shall require that each owner or owner's agent using the vacation rental service include a license number in any listing for a short-term rental on the vacation rental service. A vacation rental service shall remove any listing for a short-term rental from the platform after notification by (county) that the license number associated with a short-term rental listing is invalid, expired, or has been revoked, or that the county has a prohibition on short-term rentals that applies to the listing. The notification must include the listing URL and any other identifying information available to the county and include the reason for removal. The platform shall remove the listing within seven days of receiving the notification from the county.

Definitions:

"Vacation rental service" means a person that operates a website or any other digital platform that provides a means through which an owner or owner's agent may offer a lodging unit, or portion thereof, for short-term rentals, and from which the person financially benefits.

Effective Date:

This ordinance shall take effect in 30 days, and be in force for Vacation Rental Services 120 days after enactment.

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

September 15, 2025

AGENDA ITEM:

Construction Impact Map Demonstration

PRESENTED BY:

Josh Zeeb, GIS and Project Manager
Anne Martens, Public Works Director
Mike Methany, Chief Building Official

BACKGROUND:

As part of improving information regarding projects and construction activities in the Village, staff has been working to map items such as Right-of-Way Permits, Building Department Permits, and Capital Improvement Projects. The GIS staff has been working behind the scenes to improve the connections between various software and the GIS system, automating the mapping of project elements ensuring the on-going sustainability and real-time, constantly upto date nature of this map.

One of the hurdles to this project identified was an issued of inconsistent addressing the Village. To solve this issue and improve this process, there has been extensive work to correct and verify addresses within the Village, as well as with the assessors' department and GIS in the County. Dealing with this element of the project also assisted several other projects that the team has undertaken.

This map, available on the Town website identifies the physical location of current permits. It identifies the significance project impacts of the projects and begins to identify impacts on traffic and other issues related to construction fatigue.

Due to our CIP planning process, Staff is able to identify when significant Town construction projects will occur. At this time, we do not have an ability to predict future private development such as the Center or further improvements on the ski hill.

Attached to this memo is a static map that illustrates the mapping available through the Town's website. Staff will be available to demonstrate the mapping and discuss the project.

FINANCIAL IMPACT:

This project has been part of internal services.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

The Council set the specific goal to Create and maintain a master schedule of all proposed major public and private construction projects and ensure consistent communication with the public. This is the first step in this effort

COUNCIL OPTIONS:

This agenda item is for information only. No action is required, but feedback is welcome.

STAFF RECOMMENDATION:

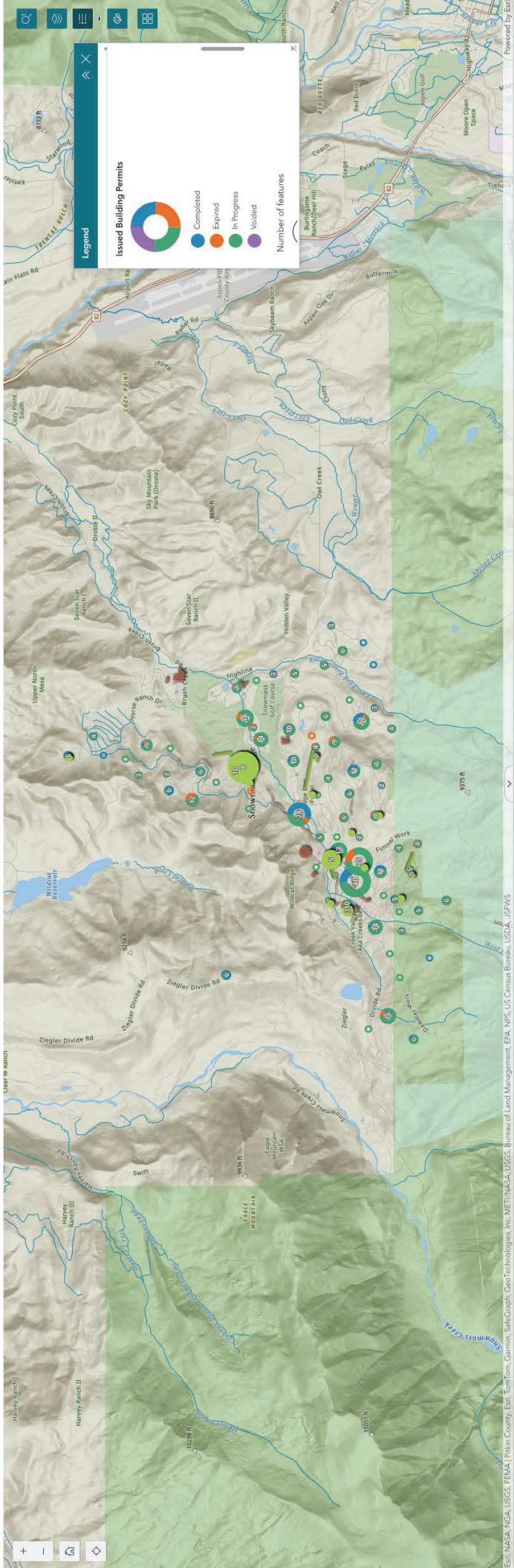
ATTACHMENTS:

- A. Attachment A Permits Map Preview



Capital Improvement Projects & Issued Permits

[More Information About Capital Improvement Projects](#)
[More Information About Building Permits](#)



Projects Missing From Map

☒ Permits With No Matching Address
☐ CIP's With No Location

Permit Table					Permit	
Permit Number	Property Address	Permit Issuance Date	Permit Status	Description of Work	Permit	Status
SMWBP-24-00628M	7641 Snowmass Creek...	12/30/2024, 12:00 AM	In Progress	? 3 T Fan coil units w	Permit	Status
SMWBP-23-00110P	425 Wood Run Road, ...	5/5/2025, 12:00 AM	In Progress	Remodel of mens an	Permit	Status
SMWBP-25-00169	003.0 W Snowmass Su...	5/9/2025, 12:00 AM	In Progress	BB-477-711-520Con	Permit	Status
SMWBP-25-00140	001.9 E Snowmass Su...	5/12/2025, 12:00 AM	In Progress	BB-979-558-403Con	Permit	Status

Total: 12 Selection: 1

Filters & Building Permit Types Pie Chart

