



**Planning Commission
Wednesday, June 18, 2025
4:00 PM**

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

**You can watch the meeting live online on our website at tosv.com.
To join the meeting remotely please use the Teams Meeting information below:**

Microsoft Teams meeting: <https://teams.microsoft.com/>

Meeting ID: 240 118 256 801

Passcode: tVvbuE

Agenda

- 1. Roll Call**
- 2. Approval of Minutes**
 - 2.A. APPROVAL OF JUNE 4, 2025 MEETING MINUTES
- 3. Items for Discussion**
 - 3.A. WORKFORCE HOUSING CODE AMENDMENT DISCUSSION
 - 3.B. PROPOSED REVISIONS TO THE OUTDOOR LIGHTING CODE
 - 3.C. COMMUNITY DEVELOPMENT DIRECTOR UPDATES
- 4. Adjournment**

TOWN OF SNOWMASS VILLAGE

**PLANNING COMMISSION
MEETING MINUTES**

June 4, 2025

Members Present:

Matt Dube
Brian Marshack
Jim Gustafson
Stan Clauson
Jami McMannes
David Seglin
Doug Faurer

Staff Present:

Dave Sinneman
Brian McNellis
Ashleigh Huff

Members Absent: None

Others Present: None

Call to order: The meeting was called to order at 4:00 pm, and roll was called.
No Commissioners were absent.

Item 1: Approval of Meeting Minutes:

The minutes from the April 23, 2025, meeting were presented for approval. A date clarification change was requested by Commissioner Seglin. Commissioner Gustafson motioned to approve, seconded by Commissioner McMannes. Approved 7-0.

Item 2: Workforce Housing Proposed Code Revisions:

Brian McNellis, Senior Planner, introduced a proposal to amend the land use code to allow 100% workforce housing projects to go through a Special Review process rather than a more rigorous Planned Unit Development (PUD) process. The proposal is intended to revise the town's land use code to meet the requirements of Colorado Proposition 123, which requires local governments adopt an expedited development review process, defined as a 90-day review window from the submission of a complete application—for qualifying affordable housing projects by December 31, 2025. Compliance would make the town eligible for grants to support Workforce (affordable) housing

Commissioners generally supported the goal of increasing affordable housing but raised serious concerns about the implications of accelerating the review process to obtain grant funding. Commissioner Gustafson echoed this sentiment,

reiterating his support for affordable housing while cautioning against compromising review standards for limited financial gain. Commissioner Clauson emphasized the importance of maintaining a robust, thorough, and community-driven review process.

Commissioners discussed the possibility of including a mandatory pre-application or sketch plan phase as part of the definition of completeness, which would provide early feedback and potentially streamline later stages without compromising design quality or community engagement. This step could help avoid situations where applicants invest heavily in their proposals only to be rejected due to issues that could have been addressed earlier. Commissioners expressed concerns adopting an expedited process for workforce housing could divert staff time from other pending projects, creating an uneven or potentially inequitable prioritization system. It was noted, moving workforce housing into a different track might free up capacity for other PUD developments as well as expedite affordable housing.

Commissioners stressed the importance of quality over speed, with one summarizing the consensus as “Good is better than fast.” They expressed concern that the current proposal does not add substantive improvements to the town’s process or outcomes and could risk producing inferior developments. Ultimately, the Planning Commission directed staff to take time to further research how other municipalities are complying with Proposition 123, evaluate the potential implications of alternative processes, and return with a revised proposal that includes a required sketch or pre-application phase and ensures a comprehensive, high-quality review process.

Commissioner Gustafson moved that all proposed developments be subject to a thorough review process, including a sketch plan phase as part of the overall land use review procedure, and directed staff to incorporate this requirement into the forthcoming workforce housing code amendment. The motion was seconded by Vice Chair Marshak. Approved 7-0.

Commissioner Clauson inquired about the availability of having the Town Attorney present for the next discussion on this item. Dave Shinneman, Community Development Director, indicated that he would inquire with the town attorney about attending the next meeting.

Item 3: Community Development Director Updates:

- Divide Workforce Housing application is expected to come in soon
- Drawsite update
- Application from the Willows is forthcoming
- Lighting Code discussion will continue at the next meeting.
- Snowmass Mall Comprehensive Sign plan was submitted

91 Motion to adjourn by Commissioner McMannes, seconded by Commissioner
92 Clauson. All in favor. None opposed.
93
94 The meeting was adjourned at 5:07 p.m.

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.

- 88
89 3. Recommendation to Town Council - The Planning Commission hereby
90 recommends the Town Council approve the amendments to **Chapter 16A and**
91 **Chapter 17 of Article V** of the TOSV Municipal Code with the additions as set
92 forth in **Exhibit A**.
93
94 4. Severability. If any provision of this Resolution or application hereof to any
95 person or circumstance is held invalid, the invalidity shall not affect any other
96 provision or application of this Resolution which can be given effect without the
97 invalid provision or application, and, to this end, the provisions of this
98 Resolution are severable.
99

100 READ, APPROVED AND ADOPTED by the Planning Commission of the Town of
101 Snowmass Village, upon a motion by Planning Commission member _____,
102 the second of Planning Commission member _____, and upon a vote of
103 _____ in favor and _____ against, on this 4th day of June 2025. Absent
104 were _____.
105

106 **TOWN OF SNOWMASS VILLAGE**
107 **PLANNING COMMISSION**
108

109
110 _____
111 Matthew Dube, Chairperson

112 ATTEST:
113
114

115 _____
116 Ashleigh Huff, Planning Commission Secretary
117

118 APPROVED AS TO FORM:
119
120

121 _____
122 Jeff Conklin, Town Attorney
123

124 ATTACHMENTS:
125

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

ATTACHMENT B

Exhibit A

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			
Application Type	Days Prior to Hearing That Public Notice Must Be Given		
	Published	Mailed	Posted
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.

(c)

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 ~~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.

MEMORANDUM

TO: Town of Snowmass Village Planning Commission

FROM: David Shinneman – Community Development Director
Brian McNellis - Senior Planner
Community Development Department

SUBJECT: Public Hearing and Resolution No. 5 Series of 2025: Workforce Housing – Special Review Code Amendment

DATE: June 18, 2025

OVERVIEW: After a discussion at their April 14th public hearing, Town Council directed staff to begin drafting a code amendment to allow Restricted Housing (hereafter referred Workforce Housing) to be expeditiously reviewed as a Special Review use instead of a Planned Unit Development (PUD).

NOTE: The Planning Commission held a public meeting on June 4th to discuss the proposed amendments. The consensus was the changes could limit schematic review and early input on workforce housing projects. The Commission requested staff suggest procedural options for a "pre-sketch" process (allowing early input on workforce housing projects prior to formal land use submission) and to research how other Colorado jurisdictions are addressing the 90-day review limitation imposed by Proposition 123 for affordable housing applications.

After the Planning Commission meeting, the TOSV Administration requested the initial code amendment proposal be further considered and discussed again at the June 18th meeting with input and background information from the Housing Director and Town Manager. Due to this request, Community Development staff have not yet provided alternative options for the proposed Special Review process.

BACKGROUND: This public meeting is intended to continue a discussion with Planning Commission about the proposed amendment to the Land Use Code which would formally recognize "Workforce Housing" as an allowed use in any residential, commercial, mixed-use, or public zone - provided it receives 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.

Another key benefit of switching to the Special Review process is it would 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.

Finally, this proposal would also standardize the term "Workforce Housing" throughout the Land Use Code, aligning it with existing references to Affordable, Employee, and Restricted Housing, using the draft definition 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.

The proposed amendment would mostly entail modifications to **Table 3-1 in Section 16A-3-50** as well as **Chapter 17** of the Land Use Code as attached hereto (see Attachment B).

REQUIRED ACTION: Planning Commission should continue to discuss the proposed Code Amendment and when appropriate request staff to prepare a Resolution regarding their recommendation.

MUNICIPAL CODE STANDARDS: The Code provides the authority for the Planning Commission to initiate an amendment to the text of the Land Use and Development Code pursuant to Section 1-47 Amendments to the Code pursuant to the language below:

(a) Ordinances and parts of ordinances of a permanent and general nature, passed or adopted after the adoption of this Code, may be passed or adopted either in the form of amendments to the Code adopted with or without specific reference to the Code. However, in either case, all such ordinances and parts of ordinances shall be deemed amendments to the Code, and all of the substantive, permanent and general parts of said ordinances and changes made thereby in the Code shall be inserted and made in the Code as provided in Section 1-50 hereof.

COMPREHENSIVE PLAN: 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 will help meet the 2025 Town Council Goal to: "Identify and Provide More Affordable Housing."

STAFF RECOMMENDATION: Town Staff recommend the Planning Commission hear from the Town Manager and Housing Director and continue the discussion and development of a Resolution to make a recommendation to the Town Council.

Attachments:

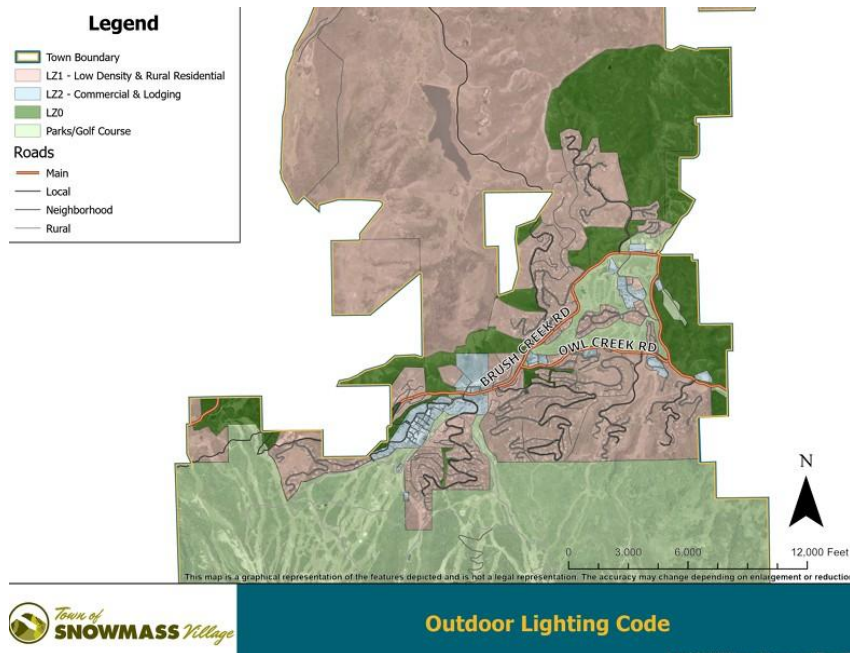
- A. Draft Resolution No. 5 of 2025
- B. Proposed Code Amendments
- C. Housing Department email 04/7/2025

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:



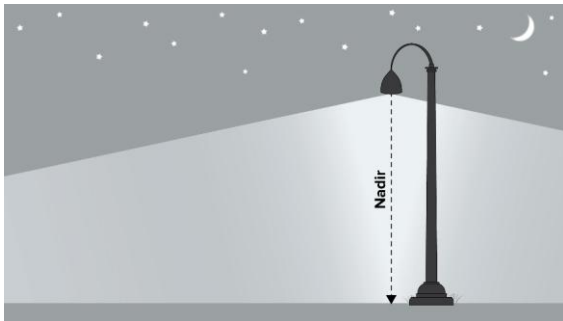
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- (1) **AFG:** Above Finished Grade
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 - a. RP-2: Outdoor Lighting for Retail (Illuminance)
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- (6) **Fully Shielded:** An installed *Luminaire* that 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.

- (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 commercial zone districts between 11pm and 6am. Residential zone districts and all other areas will use 10pm until 6am. For businesses and events with operating hours later than 11pm, 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 façade lighting is prohibited.*
- (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 brighter 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*.

Town of Snowmass Village, CO

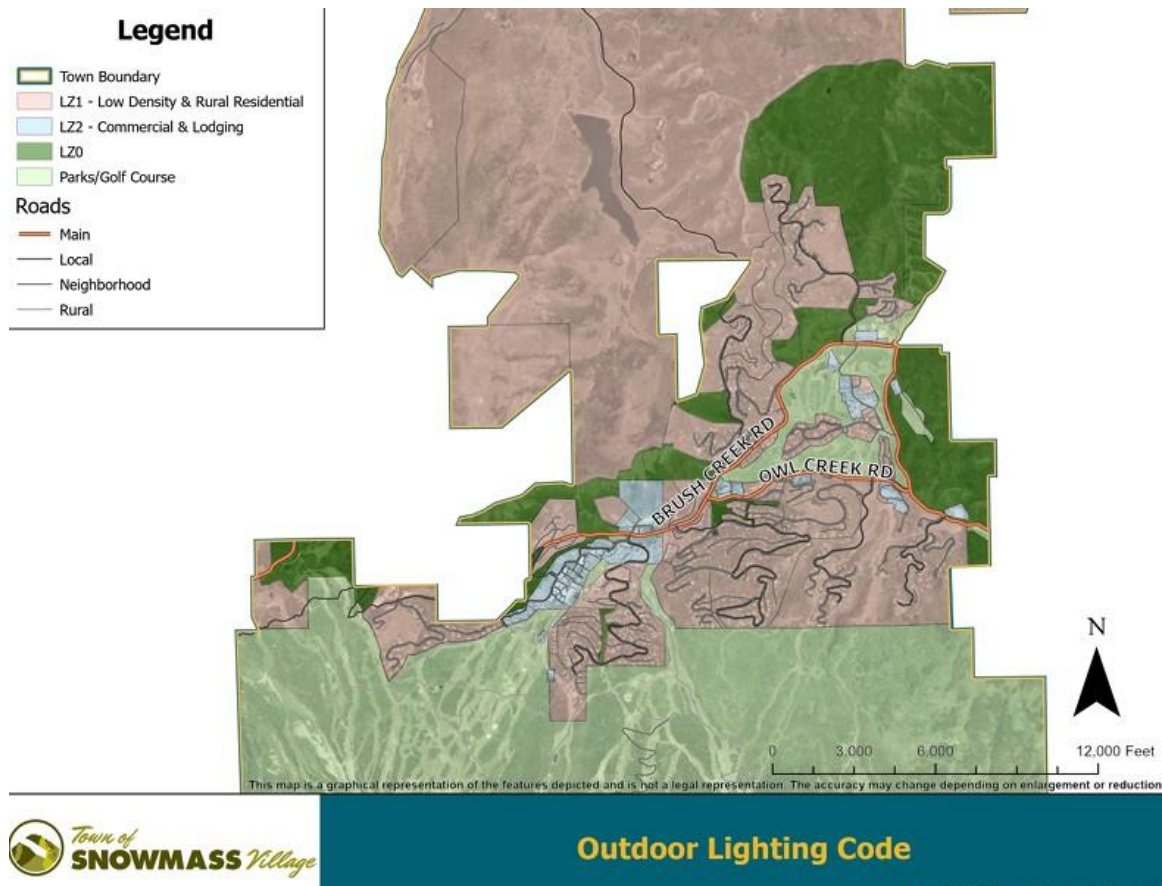
Municipal Code; Chapter 16A, Article IV, Division 6 – Lighting Standards

Draft: June 12, 2025 v0.10

Sec. 16A-4-600. – Purpose.

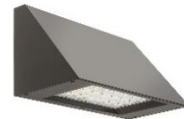
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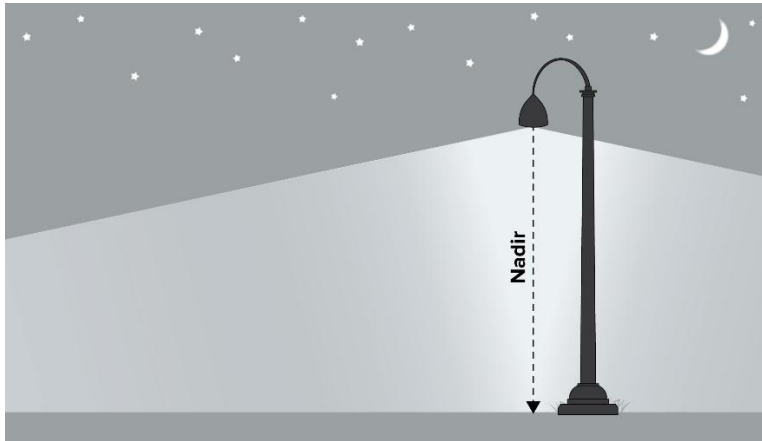
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 - c. All remaining installations of non-conforming *Luminaires* can be used and maintained until they are replaced.

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

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 façade lighting is prohibited.
- (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.

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.
- (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:

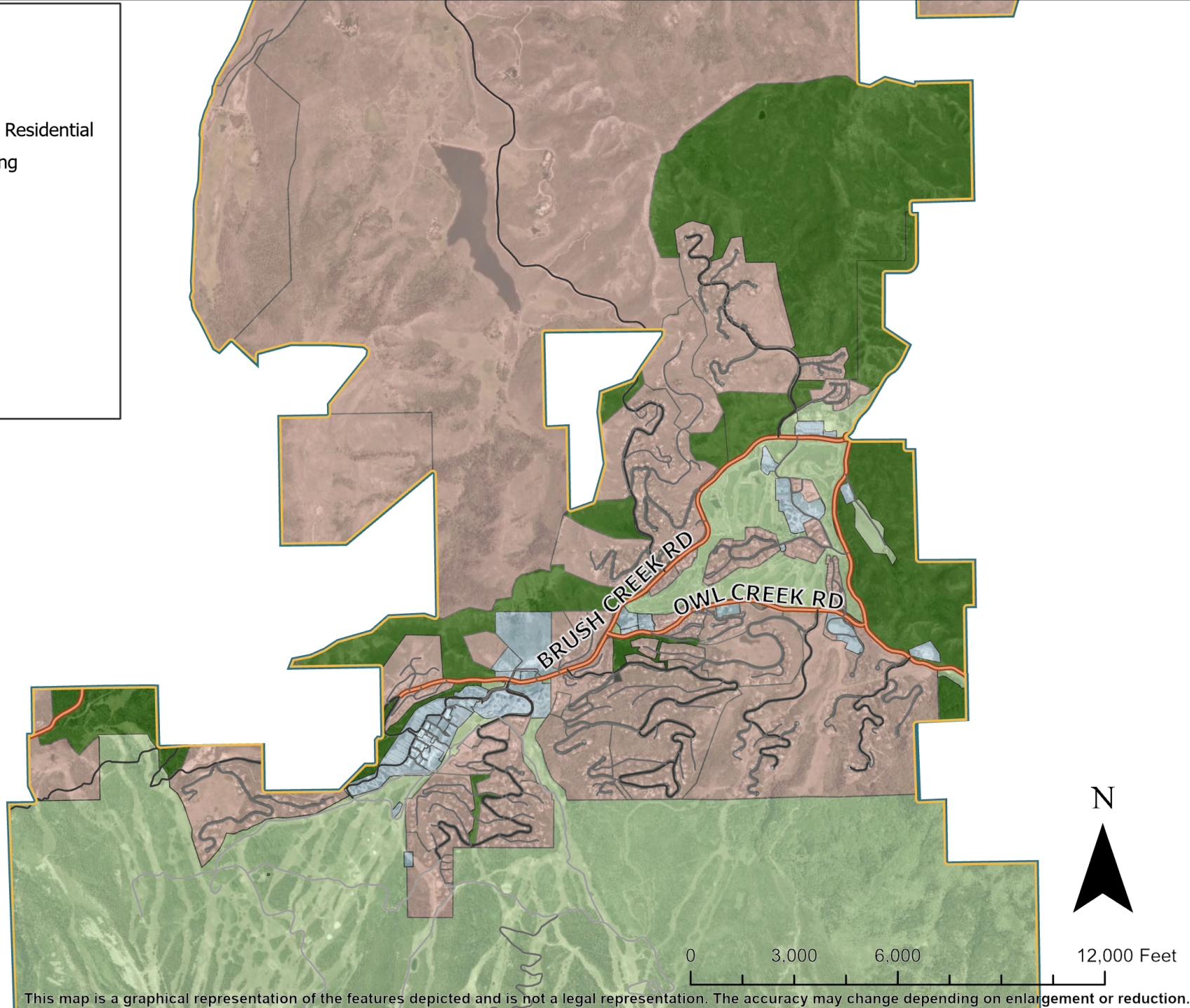
- (1) *Seasonal* lighting shall not interfere with the safe movement of motor vehicles or create dangerous glare conditions on adjacent roadways or properties.
- (2) *Seasonal* lighting shall be maintained in an attractive condition and not constitute a dangerous situation or fire hazard.
- (3) *Seasonal*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

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**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.

READ, APPROVED AND ADOPTED by the Planning Commission of the Town of Snowmass Village, upon a motion by Planning Commission member _____, the second of Planning Commission member _____, and upon a vote of _____ in favor and _____ against, on this 21st day of May 2025. Absent were Commission members _____.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

Matthew Dube, Chairperson

ATTEST:

Ashleigh Huff, Planning Commission Secretary

APPROVED AS TO FORM:

Jeff Conklin, Town Attorney

ATTACHMENTS:

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

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:

DRAFT

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING: Wednesday, June 18, 2025

AGENDA ITEM: Proposed Revisions to the Outdoor Lighting Code

PRESENTED BY:

Sara Nester – Code Compliance Manager

Dave Shinneman – Community Development Director

Mike Metheny – Chief Building Official

BACKGROUND:

The Town Council has requested the Community Development Department revise the Outdoor Lighting Code (Lighting Code). 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 are now being brought to the Planning Commission for review and recommendation to the Town Council as required by the Municipal Code.

The Planning Commission made suggestions for changes to the Lighting Code at the May 21 meeting. Town staff have made the requested changes which are shown in red italics.

FINANCIAL IMPACT:

There will be an ongoing financial commitment to implement and enforce the Lighting Code. The financial impact would vary based upon the level of enforcement.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

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

STAFF RECOMMENDATION:

Approve Resolution 3 regarding the Town's Outdoor Lighting Code.

ATTACHMENTS:

1. Proposed Snowmass Village Outdoor Lighting Code – Redlined
2. Proposed Snowmass Village Outdoor Lighting Code – Clean Copy
3. Snowmass Village Lighting Zone Map Draft - Updated
4. Snowmass PC - Res - 3 -2025 - Lighting Code