

AGENDA

TOWN OF SNOWMASS VILLAGE PLANNING COMMISSION

REGULAR MEETING

Wednesday, December 21, 2016

TIME: 4:00 p.m.

PLACE: Town Council Chambers
130 Kearns Road, Snowmass Village, CO.

ITEM NO. 1: Discussion and Consideration of Resolution 9, Series of 2016:
Sonnenblick Condominiums Combined Minor PUD Amendment
of SPA-1 Final PUD Plan and Rezoning to Multi-family

ITEM NO. 2: Discussion and Consideration of Resolution 10, Series of 2016:
Recommending Amendments to Chapter 16A, Land Use and
Development Code, "Administrative Mofidications

MISCELLANEOUS: Planning Commission Vision Statements for Comprehensive
Plan

ADJOURNMENT

MEMORANDUM

TO: Snowmass Village Planning Commission

FROM: Community Development Department
Chase Anderson, Planner

REPRESENTATIVES: Sonnenblick Condominium Association
Planner: Patrick Rawley
Condominium Association Co-President: Barnett Davis

SUBJECT: Sonneblick Condominiums: COMBINED MINOR PUD
AMENDMENT OF SPA-1 FINAL PUD PLAN AND
REZONING TO MULTI-FAMILY FOR SONNENBLICK
CONDOMINIUMS.

DATE: December 21, 2016 Meeting

I. PURPOSE:

The purpose of the meeting is to consider the Applicant's proposal for the addition of six (6) two car garages for Sonnenblick Condominiums. The Property is currently designated SPA-1. The Applicant submitted an application for an Amendment to the Official Zone District Map to designate the underlying zoning of the Property as Multi-family (MF) and to amend a SPA final plan by process of minor planned unit development amendment. Staff finds that the following core issues should be considered during the review and discussion:

- Snowmass Water and Sanitation District Sanitary Sewer Easement;
- Waiver of 25' required setback for West Fork of Brush Creek;
- Fall Lane fire and emergency access; and
- PUD guide development parameters, including setbacks

II. SUMMARY DESCRIPTION OF PROJECT.

The Sonnenblick Condominium Homeowner Association (the "Applicant") submits this application for Amendment to the Official Zoning Map of the Town of Snowmass Village and Minor Amendment Planned Unit Development in connection with a proposal to add six (6), two-car garages to be used by the condominium owners. The Sonnenblick Condominiums have significant parking issues and the provision of the additional parking will be a very meaningful improvement to the residents of the condominiums.

The subject site contains 20,103 SF (.462 ac) and is located at 60 Fall Lane, in the Town of Snowmass Village (the "Property"). The Property is currently zoned SPA-I. As part of this application, the zoning will be reclassified to Multi-family with additional development parameters outlined in a PUD guide. The original SPA- I zoning was a general zoning classification assigned to properties following the incorporation of the Town and, per code, are subject to the processing of a planned unit development for significant improvements. A draft PUD Guide has been submitted with this application which outlines the dimensional limitations of the Property in addition to the underlying zoning, proposed as

Multi-family. The PUD Guide follows the Multi-family (MF) zone district dimensional limitations and the Comprehensive Plan build out chart of 6 existing units and 7 future units.

This proposal will enhance the existing condominiums by providing six (6) two-car garages to the existing property. Five of the garages will be located on the northern portion of the site off of Fall Lane while one garage will be located on the southern portion of the site off of Gallun Lane. Currently, the condominium purchases parking passes for residents to park in the Town-owned numbered parking lots.

Site grading and retainage will be done in a manner that will not adversely affect the adjoining properties or service roads. Conversations have been pursued with the Snowmass Water and Sanitation District, the Snowmass-Wildcat Fire Protection District, and other applicable service and utility providers to ensure the proposed garages will not have a negative impact on any existing or proposed services provided by these entities.

III. BACKGROUND

- January 28, 1969 – Pitkin County accepted the Plat of West Village Unit F with plat note stating each road platted is an easement reserved to Snowmass.
- October 14, 1983 – The plat of Conference Center Subdivision, Lot 1, Filing 1, referenced in Book 15, Page 46 was recorded with notes dedicating real property subject to easements and encumbrances and the streets shown as Elbert Lane and Fall Lane to the use of the public forever.
- April 17, 1989 – Town Council Resolution No. 22, Series of 1989, was approved for a subdivision exemption for the purpose of allowing the condominiumization of the Sonnenblick Building (West Village Unit F).
- August 5, 1991 – Ordinance No. 15, Series of 1991, was approved for the addition of deck space and heated space. Heated space was added to the north and south end of the building. Decks were added to the east of the building, which are located within 25' of the existing stream location at that time.
- September 3, 1991 – Town Council Resolution No. 39, Series of 1991, was approved for permitting an amendment to the Sonnenblick Condominium Plat in association with the addition of deck and heated space.
- November 8, 2012 – An Administrative Modification was approved for interior floor area changes consisting of loft space with the condition that further development improvements shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development. The final plan developed during the November 8, 2012 administrative modification process will be amended according to Section 16A-5-390 Amendment of final PUD as a minor amendment.
- September 12, 2014 – A Subdivision Exemption Plat for Sonnenblick Condominiums in Book 108, Page 8 was recorded noting Quit Claim Deeds from Silvertree Propco, LLC to Sonnenblick Condominiums, Inc. Reception No. 589481 to accommodate lot line adjustments.

IV. SUMMARY ITEMS: CORE ISSUES

➤ **Snowmass Water and Sanitation letter of approval.**

A letter of approval with conditions dated November 15, 2016 (see Attachment 1) states that the Snowmass Water and Sanitation District has no objections to the proposed plans under the following conditions:

- a) Structural drawings must be approved by SWSD prior to issuance of building permit; and
- b) A use and liability agreement must be signed by Sonnenblick representatives prior to issuance of building permit.

Staff Comments / Recommendations: Staff has included these conditions in the draft resolution.

➤ **Waiver of 25' setback from West Fork of Brush Creek (Section 16A-4-30 Brush Creek Impact Area.)**

The Sonnenblick property is located within an Extremely Unstable zone (brown circle) as shown on the Brush Creek Impact Zones Map (Map 6.6 in the Comprehensive Plan-see Attachment 2), but not located within the narrower parameters of the Brush Creek Impact Zone (striped area on the same map) or in the Environmentally Sensitive Areas as shown on the Environmental Sensitivity Map (Map 6.12 in the Comprehensive Plan-see Attachment 3). The West Fork of Brush Creek stretches from the Interlude to the Tamarack and has been manipulated and culverted throughout various phases of development of West Village over time. Throughout the West Village, the West Fork of Brush Creek can be found within 25' of development. The portion of stream that runs through the Sonnenblick parcel is not associated with any riparian habitat or wetlands as evidenced by photos (see Attachment 4). At the closest point to the proposed garages, the stream is culverted to go under Fall Lane. Additional plant material is planned to be planted along the stream after completion of the proposed development.

Ordinance of note, No. 15, Series of 1991, was approved for the addition of deck space and heated space to the Sonnenblick. Decks were added to the east of the building, which are located within 25' of the existing stream, but were installed prior to adopted current standards in 1998 and 2000.

Staff Comments / Recommendations: Applicable policies regarding resource protection are outlined in Chapter 6 Environmental Resources of the Comprehensive Plan:

- Ensure that the development review process includes consideration of the community's environmental values and an understanding of potential impacts to environmental resources.
- Identify and protect significant public views and view corridors and enhance the visual quality of open space, national forest,

- wilderness, and agricultural lands of the Town, Brush Creek, Snowmass Creek, and Owl Creek Valleys.
- Protect riparian habitat and ensure that riparian vegetation and streambeds are maintained in a naturally functioning state.
 - Encourage new development to restore degraded reaches of the Brush Creek Watershed located within Town and adjacent to and/or within their projects.

A super majority vote of Town Council is required to allow the proposed development within the 25' development setback from the West Fork of Brush Creek on the Sonnenblick parcel. Because of 1) the lack of riparian or wetland habitat in the area; 2) existing development within the 25' setback on the property; 3) the proposed placement of the garages outside of the existing drainage easement along the West Fork of Brush Creek; and 4) the creek is currently culverted at the beginning point of the proposed development, Staff supports the waiver for the proposed garage along the north property line. Staff recommends maintaining an east side-yard setback in alignment with the eastern edge of the existing condominium improvements. The attached resolution is drafted with the Planning Commission recommending to Town Council that the request for waiver for portion of the site associated with the proposed development be approved.

➤ **Fall Lane Fire and Emergency Access**

A letter of approval with conditions and photos dated November 3, 2016 (see Attachment 5) states that the Snowmass Wildcat Fire District has no objection to the proposed plans with the following conditions:

- a) No storage of vehicles, additional parking, planting structures, or the like, are permitted to be located or stored, even temporarily, along the exterior of the proposed garages.
- b) The 24' wide access along Fall Lane remains clear and open at all times for fire and emergency vehicles.
- c) No additional structures, permanent or temporary, shall be permitted by the Town to be located between the proposed garages and the northerly property line of the parcel.

Staff Comments / Recommendations: Staff recommends the PUD guide be modified to state the conditions above (a-c), which will encumber the use and development of the portion of the property located between the proposed garages and the northerly property line of the parcel for fire and emergency access.

➤ **PUD Guide**

A PUD guide has been submitted with the application to identify the setbacks and other development parameters in addition to the underlying zoning of Multi-family. (see Attachment 6)

Staff Comments / Recommendations: Staff recommends the guide be modified to include the conditions requested by the Snowmass Wildcat Fire District. Further, Staff recommends that the east side yard setback, proposed to be 0', be modified to establish this setback at the easterly edge of the built structures.

V. APPLICABLE REGULATIONS

Municipal Code review criteria that regulates Minor PUD Amendments include Section 16A-5-390, Amendment of final PUD. These standards make reference to Section 16A-5-300(c), General Restrictions, and Section 16A-5-310, Review Standards, which also make reference to Article IV, Development Evaluation Standards. For an amendment to the Official Zoning District Map, the review criteria includes Section 16A-5-220 Amendment to Official Zone District Map and Section 16A-5-220(f) Review Standards for Rezoning of Lands Zoned Open Space or Conservation whenever applicable.

The burden of proof is upon the applicant to demonstrate to the decision makers that the review standards outlined below have been met.

Article V, Division 3, Planned Unit Development

Section 16A-5-390. Amendment of final PUD.

Section 16A-5-390(3). Review Standards. An application for a minor amendment to a final PUD shall comply with the following standards:

a. Consistent with original PUD. The proposed amendment shall be consistent with, or an enhancement of, the original PUD approval.

Staff Response: The Sonnenblick condominiums were built prior to Town incorporation and thus were given the general zoning designation of SPA-1 at the time of incorporation. Per Land Use Code Section 16A-3-40 Statements of Zone District Intent, SPA plans shall be reviewed pursuant to procedures and standards of Article V, Division 3, Planned Unit Development. The proposed amendment to the original development of the Sonnenblick condominiums enhances the original plan by providing two car garages for each of the six (6) units on the property. There are currently seven (7) surface parking spaces that underserve the owners. Per code, Multi-family zone districts are required to provide one space per bedroom. The Sonnenblick has 22 bedrooms. The applicant wishes to establish 12 on-site parking spaces under their PUD guide.

b. No substantially adverse impact. The proposed amendment shall not have a substantially adverse effect on the neighborhood surrounding the land where the amendment is proposed, or have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the subject property.

Staff Response: The proposed development would place architecturally-appropriate enclosed garages on the existing surface parking and would not have a substantially adverse impact on the neighborhood or the enjoyment of the land.

c. Not change character. *The proposed amendment shall not change the basic character of the PUD or surrounding areas.*

Staff Response: The proposed development would place one-story, architecturally appropriate garages on the property surrounded by adjacent multi-family use areas. Although square footage would increase by 2,600 square feet (as accessory buildings to the residential condominiums), the basic character of the PUD and surrounding areas would not be changed.

d. Comply with other applicable standards. *The proposed amendment shall comply with the other applicable standards of this Division 3, Planned Unit Development, including but not limited to:*

**Section 16A-5-300(c) General Restrictions, and
Section 16A-5-310, Review Standards.**

Section 16A-5-300(c). General Restrictions. *Although one (1) of the purposes of these PUD regulations is to provide flexibility in the land development process, this Section is intended to define the limits of that flexibility. The following restrictions shall apply to all PUDs:*

1. Minimum land area. *There shall be no minimum land area qualification in order to be eligible to apply for a PUD, provided that PUD approval shall not be granted solely to permit variations to develop a single lot, building or use.*

Staff Response: The Property contains 20,103 SF (.462 ac) of land area. The PUD approval is not requested to permit variations to develop a single lot, building or use and is rather to clarify and characterize development which has existed on the Property for many years, as well as the proposed garage improvements.

2. Location. *A PUD may be developed on any land located within the Town.*

Staff Response: The Property is located at 60 Fall Lane, Town of Snowmass Village, Colorado. A survey, based on the Subdivision Exemption Plat for Sonnenblick Condominiums re-plat of West Village Unit F, has been made a part of this application.

3. Uses. *The land uses permitted in a PUD shall be limited to those uses that are allowed, or are allowed by special review, in the underlying zone district.*

Staff Response: The Property is currently zoned SPA-1, a general zoning classification that was assigned to various properties following incorporation of the Town of Snowmass Village. As part of this application, the Applicant is proposing the rezoning of the Property to Multi-family as the underlying zoning, a zoning classification that is consistent with the long-standing existing use of the Property.

4. Maximum buildout. *The Comprehensive Plan contains an analysis of future buildout of single-family subdivisions and other developments within the Town limits. It identifies the maximum number of future lots/units and commercial/other space that may be developed within each subdivision, parcel or other*

development. The Unit Equivalency Chart, found in Table 5-4, defines what constitutes a unit by distinguishing between the various dwelling types and sizes and specifying an equivalency factor to be utilized to establish the number of existing units within a currently developed parcel and/or the future buildout units that will be generated by the proposed new development. The buildout analysis, for the purpose of determining maximum buildout, shall be conducted as follows:

(a) Undeveloped parcels. For undeveloped parcels containing no dwelling units, the Comprehensive Plan future buildout chart shall be used to establish the maximum number of future lots/units and commercial/other space that may be developed within the parcel, and the Unit Equivalency Chart shall be used to determine the number of future buildout units that are being proposed by the new development.

Staff Response: The Property currently is developed with six (6) dwelling units. This standard does not apply.

(b) Partially developed parcels. For partially developed parcels, each existing dwelling unit or residential lot shall first be counted as one (1) unit. The total number shall then be subtracted from the future buildout number specified within the Comprehensive Plan buildout chart to establish the available buildout unit amount. The Unit Equivalency Chart shall then be used to evaluate the existing development and to establish the existing buildout unit amount. The total of the available and existing unit/lot amounts shall then be considered as the future buildout unit amount used for determining maximum buildout, and the Unit Equivalency Chart shall be used to determine the number of future buildout units that are being proposed by the new development.

Staff Response: No new dwelling units are proposed with this application. This standard does not apply.

(c) Fully developed parcels. For parcels where the total number of the existing dwelling units, where each dwelling unit or residential lot is counted as one (1) unit, equals the future buildout number specified within the Comprehensive Plan buildout chart, the Unit Equivalency Chart shall be used to evaluate the existing development and to establish the existing buildout unit amount. The existing buildout unit amount shall then be considered as the future buildout unit amount for determining maximum buildout, and the Unit Equivalency Chart shall be used to determine the number of future buildout units that are being proposed by the new development.

Staff Response: The Property currently contains six (6) dwelling units. One additional

unit could be added to the site in the future per the current Comprehensive Plan Build Out Chart.

5. Dimensional limitations. Certain dimensional limitations applicable to the property may be varied within a PUD. The limitations that may be varied are those of the underlying zone district; or, for properties for which a PUD or other development plan has previously been approved, the limitations set by that approval. For any property designated PUD or SPA without an underlying zone district, the applicant shall submit an application for an amendment to the Official Zone District Map to designate the underlying zone district for the property. This application shall be submitted in conjunction with the preliminary PUD application and shall be used to rezone the property at the time of final PUD approval to a zone district containing dimensional limitations in order to establish the applicable dimensional limitations for the property.

Only the following dimensional limitations may be varied:

(a) *Maximum allowable height of any structure within the PUD;*

Staff Response: Maximum height of the PUD is requested to be established pursuant to the MF zone district maximum height of 38 feet for primary structures and 18 feet for accessory structures. Existing height of the primary structures is 29 feet from finished grade for Units 2-6 and 31 feet for Unit 1. The proposed garages, as accessory structures, will not exceed 18 feet. No height variation is being requested from underlying zoning. Existing heights of dwelling units and proposed heights of garages under 18' from finished grade are attached. (see attachment 6)

(b) *Minimum open space requirement for the PUD;*

Staff Response: Minimum open space requirements of the PUD will follow the proposed underlying MF zoning which requires 25% of the site to be open space. The Lot area is 20,103 SF (.462 ac). Following construction of the garages, the minimum open space requirement will be met. No variation is being requested from underlying zoning.

(c) *Maximum allowable floor area of the PUD;*

Staff Response: Maximum allowable floor area of the PUD will comply with maximum floor area as provided in the land use code for the MF zone district or 0.75:1. For the Property, which contains 20,103 SF of lot area, the maximum floor area is 15,077 SF. Currently, there exists 10,800 SF of floor area. The proposed garages are estimated to contain 3,000 SF. Total floor area, following construction of the proposed garages, will be 13,800, allowing 1,277 SF of available floor area for future expansions. No variation is being requested from underlying zoning.

(d) Minimum area of lots within the PUD; and

Staff Response: The area of the lot within the proposed PUD is 20,103 SF (.462 ac). Minimum lot area for the MF zone district is 3,000 SF. No variation is being requested from underlying zoning.

(e) Minimum setbacks for buildings within the PUD.

Staff Response: Minimum building setbacks are set by adopted subdivision plat or PUD plan. The proposed setbacks for buildings within the PUD are proposed as follows:

Front yard setback: 0'

Side yard setbacks: 0'

Rear yard setback: 0'

A west side-yard setback of 0' is acceptable by Staff, if all proposed construction meets fire code standards. Staff recommends maintaining an east side-yard setback in alignment with the eastern edge of the existing condominium improvements.

A dimensional limitation may be varied when the Town Council finds that the PUD achieves one (1) or more of the applicable purposes listed in Subsection (c)(6), Community Purposes for PUDs, that granting of the variation is necessary for that purpose to be achieved, and that the resulting development will be consistent with the provisions of Subsection (c)(7), Standards for Granting of Variations, and [Section 16A-5-310](#), Review Standards.

Staff Response: Because no more dwelling units are proposed at this time, Staff finds code Subsection (c)(6) *Community Purposes for PUDs* or Subsection (c)(7) *Standards for granting variations* to not be applicable in this case. Should the applicant pursue further development at a later date resulting in the request for variation of dimensional limitation or the addition of dwelling units, the proposed development shall be reviewed pursuant to code Subsection (c)(6) *Community Purposes for PUDs* or Subsection (c)(7) *Standards for granting variations*. This application makes no request to vary from dimensional limitations set forth by the Multi-family zone district. Furthermore, the applicant is improving the parking situation on the site.

6. *Community Purposes for PUDs.*

Staff Response: Not applicable.

7. *Standards for granting variations.*

Staff Response: Not applicable.

8. Parking. *The number of parking spaces in the PUD shall be that required for the underlying zone district, unless a reduction in that requirement is granted, pursuant to [Section 16A-4-310\(c\)](#), Reduction of Required Parking.*

Staff Response: The condominium existed prior to the enactment of the current development code (September 2, 1998). Therefore, the condominium is not allowed to reduce the minimum number of existing parking spaces. The proposed development does not reduce the number of parking spaces, but actually increases the number of parking spaces provided onsite by five spaces. The proposed six, two-car garages will provide 12 spaces as opposed to the seven currently provided. Residents currently utilize the public parking lots through the purchase of parking passes for the Town-owned numbered lots. This arrangement limits the amount of parking that is available for visitors and other residents of the town. The Multi-family zone district requires 1 parking space per bedroom. Although the Sonnenblick would be required to provide 22 spaces if it were new construction, the addition of five new spaces is a substantial improvement over existing conditions and is supported by Staff.

9. Road standards. *A PUD may be permitted to deviate from the Town's road standards, to enable the development to achieve greater efficiency of infrastructure design and installation through clustered or compact forms of development or to achieve greater sensitivity to environmental features.*

Staff Response: The proposed development does not contemplate any modification to or deviation from the Town's road standards. A 24' clear zone will be maintained between the proposed garages and the existing buildings on the north side of Fall Lane. The Snowmass Wildcat Fire District has signed off on the proposed design conditional that 24' remains clear at all times. The Sonnenblick owners must agree to maintain the clear zone free from temporarily parked cars and/or other material. Signage indicating that no parking is allowed in this area will be required.

10. Adequate public facilities. *A final plan shall not be approved unless the Town Council determines that public facilities will be adequate to support and service the area of the proposed development or that needed public facilities and services will be made available concurrently to offset the potential impacts of such development. Public facilities and services to be examined will include, but not be limited to: storm drainage, roads and their maintenance, public transportation service and facilities, pedestrian circulation, sewerage and sanitary facilities, water availability and serviceability, solid waste disposal, fire and emergency medical services and electrical service.*

Staff Response: Public facilities, including but not limited to storm drainage, roads, public transportation services and facilities, pedestrian circulation, sewerage and sanitary facilities, water availability, solid waste disposal, fire, and emergency medical services, and electric services currently exist that adequately serve the Property. In the event any public facility is impacted by the construction of the proposed garages, the public facility will be repaired/upgraded by the Applicant as needed.

Section 16A-5-310. Review Standards. *In addition to demonstrating compliance with the provisions of Section 16A-5-300(c), General Restrictions, and with all other applicable provisions of the Code, a proposed PUD shall also comply with the following review standards:*

1. Consistency with Comprehensive Plan. The PUD shall be consistent with the intent of the Town's Comprehensive Plan.

Staff Response: The proposed garages are specifically consistent with the key objectives in the Comprehensive Plan Chapter Seven, Built Environment under Comprehensively Planned Areas. The Multifamily-Residential CPA key objectives include encouraging revitalization and reinvestment in properties including general upkeep and maintenance, remodels, and minor redevelopment-oriented commercial uses and facilitating the improvement and/or addition of amenities including meeting spaces, fitness and/or spa facilities, lobbies, outdoor gathering spaces, pools and/or hot tubs, landscaped areas, and fire pit and/or barbeques

The proposed garages will enhance existing development, ensuring the long-term viability of the condominium which in turn will help preserve the open, natural, and rural character of the Brush Creek and Owl Creek Valleys by keeping new development from encroaching on green field properties. The continued viability of the condominium will also ensure a vital, distinctive Town Core. By providing additional onsite parking for the residents of the condominium, the existing Town-owned surface parking will be available for visitors and residents of the town rather than being occupied by the residents of the condominium.

2. Preservation of community character. The development proposed for the PUD shall be consistent with the standards of [Section 16A-4-340](#), Building Design Guidelines to Preserve Community Character, shall be compatible with, or an enhancement of, the character of existing land uses in the area and shall not adversely affect the future development of the surrounding area.

Staff Response: The proposed garages will be consistent with the standards of Section 16A-4-340, Building Design Guidelines by specifically addressing the individual building design guidelines. Sec. 16A-4-340(c) states:

Section 16A-5-340. Building Design Guidelines to Preserve Community Character.

(c) Building Design Guidelines.

(1) Site integration. Building design shall be influenced by, and shall respond to, the natural features and mountain setting that surround the property. Structures shall be designed so they do not overwhelm the surrounding mountain environment.

(a) Minimize modification. Developments should be planned to minimize the extent to which it is necessary to modify the natural

terrain and natural watercourses. Where earthmoving techniques are necessary, man-made forms should be soft and natural in appearance. Natural water features should be preserved and enhanced.

(b)Indigenous details. Indigenous details and landscape accents, such as streams, boulders, trees and wildflowers, should be used to connect the development to natural conditions.

(c)Complement natural landforms. New buildings should be designed to complement natural landforms, by setting them into the slope, or by reflecting the angles and shapes found in the natural landscape. Building massing should be broken up or stepped along a slope, to conform to the shape, aspect and scale of the natural terrain.

(d)Signs. Interpretive information and signs should be used to draw attention to nature and mountain ecology.

(e)Grade. Awkward changes of grade in public spaces should be avoided. Natural grade changes should be used to separate and define activity areas. The needs of disabled persons should be considered in the layout of uses and in circulation patterns, as circulation on sloping terrain can be an obstacle to the disabled.

(2)Scale and mass. Buildings shall be designed to ensure that they are not perceived as being monumental in scale.

(a)Relation to scale of surrounding buildings. The height and mass of new buildings should be related to the prevailing scale, form and proportion of surrounding buildings, to avoid overwhelming or dominating the existing character of the area.

(b)Design articulation. Groups of buildings should be located to avoid creating a "wall" or "row" effect. Individual buildings should incorporate offsets or projections that relieve the visual effect of a single long wall, help to articulate individual units or groups of units and give the appearance the building is made up of a collection of smaller structures. Buildings should be sited so their longest frontages are not on their most visible sides.

(c)Human scale. People spaces should respect human scale. The design should include articulated building and roof configurations; staggered roof lines; sloping roof forms with overhangs; setbacks of upper stories; variations in grade level, floor plane and wall textures; spatial enclosure; and the use of design elements that break up the volume of space.

(d)Screen mechanical equipment. The roofs of structures containing nonresidential or multi-family uses should be designed to screen heating, ventilation and mechanical equipment from view from neighboring properties and public rights-of-way.

(3)Building materials. Buildings shall be designed with natural materials and details that are indigenous to Colorado and that are nonreflective.

(a) Authenticity. Materials should be predominantly authentic in their appearance, with natural textures and weathering.

(b) Materials. The indigenous materials of the surrounding mountains should be conveyed by integrating heavy timbers, natural siding materials and rock into the building design.

(4) Climate/solar orientation. Buildings should be located to maximize their exposure to winter sun and natural light, and for protection from wind and temperature extremes. The sizing, height and placement of windows should take advantage of the sun's seasonal track and the intensity of solar radiation that is found in the area.

(5) Views. Buildings should be oriented to take advantage of views and preserve important sight lines, overlooks and landmarks as viewed from public roadways and other public spaces, and as viewed from neighboring developments. Buildings shall be located to comply with the provisions of [Section 16A-4-50\(f\)](#), Ridgeline Protection Areas.

Staff Response: The garages will be successfully integrated to the site by utilizing areas of the site that are readily accessible and easily used for parking. The garages have been designed to minimize, to the greatest extent possible, modifications to the natural terrain. No natural watercourses will be impacted. To the extent that earthmoving techniques are necessary, the man-made forms will be soft and natural. Any disturbed areas will be revegetated with appropriate plant material to limit site erosion.

The design of the garages utilizes character elements found in the existing building. The scale of the garages will not overwhelm or dominate the character of the surrounding area. The garages feature interesting design details with strong horizontal elements that breakup the massing of the structures and roof forms provide an attractive human scale to the garages.

Building materials utilized in the proposed garages will be similar to the building materials used in the existing building. The use of heavy timbers and garage doors that resemble barn doors lend a rural/rustic character which is prevalent in the town.

3. Creative approach. The development proposed for the PUD represents a creative approach to the development and use of land and related physical facilities to produce better developments and to provide amenities for residents of the PUD and the public in general.

Staff Response: The location and creative design of the garages allows for the most efficient use of the limited space available. The enclosed parking will be very welcomed by the residents of the condominium and the Town-owned parking spaces which are currently used by the residents of the condominium will be made available to visitors and other residents of the town.

4. Landscaping. Proposed landscaping for the PUD shall provide sufficient buffering of uses from one another (both within the PUD and between the PUD and surrounding lands) to minimize noise, glare and other adverse impacts, shall create attractive streetscapes and parking areas and shall be consistent with the character of the Town.

Staff Response: Due to site constraints, additional landscaping will be minimal. Additional trees are proposed between the Property and the lodge use to the East. A landscape plan will be submitted and approved by planning staff prior to issuance of building permit. The enclosure of the garages will ensure that noise, headlight glare, and other adverse impacts of parking cars in such close proximity to other residential uses will enhance the character of the surrounding area.

5. Comply with development evaluation standards. The PUD shall comply with all applicable provisions of Article IV of this Development Code, Development Evaluation Standards.

Staff Response: The proposed garages will comply with all applicable provisions of Article IV of the Development Code.

Article IV, Development Evaluation Standards.

Section 16A-4-30. - Brush Creek Impact Area.

(e) Standards. Development subject to the provisions of this Section shall comply with the following standards:

(1) Setback. Development shall not take place within the stream channel and shall not alter the channel of Brush Creek or its capacity, except as expressly permitted herein. Development shall be set back a minimum of twenty-five (25) feet, measured horizontally from the outer edge of any riparian or wetland areas that are subject to the provisions of this [Section 16A-4-30](#), Brush Creek Impact Area. Development shall also comply with the provisions of [Section 16A-4-40](#), Floodplain and Wetland Areas, with regard to the location of development in relation to one-hundred-year floodplains and jurisdictional wetlands, including establishment of a larger setback, if necessary, to ensure compliance with federal and local regulations.

Staff Response: The existing condominium building has been located next to the subject waterway for many years. The applicant is requesting an exception for the garage development within 25' of the outer edge of the riparian area under sub-section (d.) The property is not located in a floodplain.

a. Exception for water-dependent structures. Recreation access sites, irrigation devices, water diversion facilities, erosion control devices and similar water-dependent structures may be permitted

within this setback, provided any other applicable federal, state and local permits have been obtained, and the installation will comply with all other applicable standards of this Section.

Staff Response: No water dependent structures are proposed as a part of this application. This standard does not apply.

b. Exception for other necessary structures. Underground utilities, roads, trails, bridges and similar facilities may be permitted within this setback when the applicant demonstrates that: (1) it is necessary and appropriate to locate the structures outside of the setback; (2) any other applicable federal, state and local permits have been obtained; and (3) the installation will comply with all other applicable standards of this Section, including submission of a plan for restoration of disturbed areas, pursuant to Subsection (e)(2)b, Restoration Plan.

Staff Response: The existing condominium building has been located next to the subject waterway for many years. The existing conditions do not allow for a minimum 25' setback. No additional development is proposed with this application that will impact the waterway nor modify this existing condition.

c. Exception for stream restoration. Where the natural channel has previously been altered, efforts may be undertaken to restore the channel to its natural state or to enhance aquatic conditions within the stream. Where such efforts are permitted, provision shall be made for the following:

Staff Response: The construction of the proposed garages will not impact the subject waterway. Therefore, no stream restoration is required nor planned.

d. Exception for other types of development. The Town Council may authorize other types of development not listed above to occur within the setback area if at least four (4) out of five (5) of the members of the Town Council approve an ordinance, identifying the reasons why the development is unable to avoid the setback area.

Staff Response: The existing development is currently located within the 25' setback area. No development is proposed with this application that will be placed closer to the waterway than the existing development. The applicant is seeking a waiver from Town Council to allow development within the 25' of the waterway. Based on the comments provided in Core Issues section of this report, staff recommends that Planning Commission allow the language recommending the Town Council to waive the 25' setback to remain in the draft resolution. To be clear, the waiver would only apply to the proposed garage and not the length of the West Fork of Brush Creek.

(2) Vegetation removal. Development subject to the provisions of this Section shall avoid or minimize the removal or loss of vegetation characteristic of the riparian area, paying particular attention to soil-binding stream bank vegetation. Vegetation removal necessary for control of noxious weeds, as defined by the Colorado Cooperative Extension Service, shall be permitted.

a. Erosion control. If vegetation is removed, or if soil is otherwise subject to erosion, then best management practices for the control of erosion shall be instituted during construction to protect water quality. Engineered stream bank stabilization practices, such as exposed rip-rap, shall be avoided wherever possible, and shall be limited to locations where more natural techniques cannot practically be utilized.

Staff Response: To the extent that vegetation is to be removed adjacent to the waterway to accommodate the proposed garages, the area of disturbance will be revegetated to prevent erosion. Best management practices will also be employed, as applicable, during construction to prevent impacting the waterway.

b. Restoration plan. A restoration plan shall be prepared for the site, ensuring that vegetation which is removed is replaced on-site within the next growing season.

1. Type of vegetation. Replacement vegetation shall be limited to native species that are typically found in riparian habitat and wetlands. Replacement vegetation shall be equivalent in type, quality and function to that removed because of development.

Staff Response: No vegetation is anticipated to be removed adjacent to the subject waterway. The applicant, in conjunction with the neighboring property to the east, proposes the addition of 5 to 15 trees adjacent to the area of the waterway to provide screening between the two properties. Tree species are yet to be determined, but all selected tree species will be native, selected on the basis of their appropriateness given the growing parameters, growing characteristics, and location of installation. The submittal of a landscape plan will be a requirement for building permit.

2. Amount of vegetation. Vegetation should be replaced at a ratio of one to one (1:1), measured in terms of foliage mass and tree caliper size, giving consideration to expected vegetation growth. A lesser replacement ratio may be approved if vegetation was removed for the express purpose of permitting greater visibility of, or greater access to, the creek.

Staff Response: No vegetation is anticipated to be removed adjacent to the subject waterway. Vegetation will be replaced on a one to one basis, as necessary.

3. Guarantee. The Town may require the applicant to guarantee performance of the restoration plan by providing security of not less than one hundred percent (100%) of the cost of the replacement vegetation.

Staff Response: If required by the Town, the Applicant will coordinate with staff to provide appropriate guarantees to cover the cost of replacement of vegetation.

(3)Pollutants. Development shall not introduce organic or inorganic pollutants into Brush Creek. Herbicides may be used for noxious weed control when nonchemical methods will not be practical or effective. Hazardous materials associated with any use in the Brush Creek Impact Area shall be stored and used in compliance with applicable state and federal hazardous materials regulations. Measures shall be designed and implemented to contain fuel storage areas, to prevent spilled fuels, lubricants or other hazardous materials from entering the creek during the construction or operation of any use, and to control parking lot runoff from entering the creek.

Staff Response: The Applicant will not, to the best of their ability, introduce organic or inorganic pollutants into the waterway. Use of herbicides will be utilized judiciously and only when necessary. Hazardous materials will be stored and used in compliance with applicable regulations. To the extent they exist on the Property, fuel storage area will be designed and utilized in a manner to prevent spills, both during construction and during normal residential use. Parking runoff will be diverted from entering the subject waterway.

(4)Water cycle. Development shall not interfere with the water cycle that supports any riparian habitat or wetlands on the property. Water shall not be diverted from the site, and no development activities shall be undertaken that would lower the water table, or would cause the temperature of water in the creek to increase beyond the tolerance levels of trout and other aquatic habitat.

Staff Response: The Applicant will not interfere, to the best of their abilities, with the water cycle. No plans are contemplated that will divert water from the site. No activities are planned that would lower the water table nor cause the temperature of water in the waterway to increase beyond the tolerance levels of trout and other aquatic habitat.

Section 16A-4-40, Floodplain and Wetland Areas,

Staff Response: Staff finds that the proposed development does not encroach into an identified floodplain or wetland area.

6. Suitability for development. The property proposed for the PUD shall be suitable for development, considering its topography, environmental features and any natural or man-made hazards that affect its development potential.

Staff Response: The location of the proposed garages is suitable for the construction of garages. The garages will be immediately accessed off of existing roads. No environmental features or natural or man-made hazards will be impacted by the proposed development.

7. Spatial pattern shall be efficient. The PUD shall be located to avoid creating spatial patterns that cause inefficiencies in the delivery of public services, or that require duplication or premature extension of public facilities.

(a) Roads. Any new road developed to serve the PUD shall be continuous and in alignment with existing platted streets to which the street is to be connected. Where appropriate, new streets shall be planned so that they can create an interconnected Town road network, with provision for adequate road and utility easements. Where cul-de-sacs are used in the development, the applicant is encouraged to provide a trail or similar pedestrian link between them.

Staff Response: New road development is not required and the proposed garages will be easily accessed from existing roads.

(b) Water and sewer lines. Any water or sewer line extension necessary to serve the PUD shall be consistent with the Snowmass Water and Sanitation District's service plan and the Town's Comprehensive Plan.

Staff Response: Water and sewer line expansion will not be required.

8. Phasing. If the PUD is to be developed in phases, then each phase shall contain the required streets, utilities, landscaping and other public facilities or improvements that are necessary and desirable for residents of the project. If the PUD incorporates any amenities for the benefit of the Town, such as trail connections, these shall be constructed within the first phase of the project, or, if this is not possible, then as early in the project as is reasonable. The pace and phasing shall be evaluated with regard to construction impacts along with possible interruption of construction as it would affect the community as a whole.

Staff Response: Phasing is not anticipated to be required for this modest level of development.

9. Construction interruptions. The development application shall provide a reasonable restoration and/or remediation contingency plan to mitigate impacts resulting from any potential extended interruption of construction

affecting the community as a whole. Surety or security may be necessary to ensure implementation of the plan.

Staff Response: Construction interruptions are not anticipated. In the unlikely event of interruption, the Applicant will outline reasonable restoration and/or remediation contingency plans as part of the building permit submission or as required by the town.

Article V, Division 2, Procedures for Review of Particular Applications

Section 16A-5-220 Amendment to Official Zone District Map.

(e) Review Standards. An application for an amendment to the Official Zone District Map shall comply with the following standards and, whenever applicable, shall also comply with the standards of [Section 16A-5-220\(f\)](#), Review Standards for Rezoning of Lands Zoned Open Space or Conservation.

(1) Consistent with Comprehensive Plan. The proposed amendment shall be consistent with the Town of Snowmass Village Comprehensive Plan.

Staff Response: The proposed garages are specifically consistent with the key objectives in the Comprehensive Plan Chapter Seven, Built Environment under Comprehensively Planned Areas. The Multifamily-Residential CPA key objectives include encouraging revitalization and reinvestment in properties including general upkeep and maintenance, remodels, and minor redevelopment-oriented commercial uses and facilitating the improvement and/or addition of amenities including meeting spaces, fitness and/or spa facilities, lobbies, outdoor gathering spaces, pools and/or hot tubs, landscaped areas, and fire pit and/or barbeques

The proposed garages will enhance existing development, ensuring the long-term viability of the condominium which in turn will help preserve the open, natural, and rural character of the Brush Creek and Owl Creek Valleys by keeping new development from encroaching on green field properties. The continued viability of the condominium will also ensure a vital, distinctive Town Core. By providing additional onsite parking for the residents of the condominium, the existing Town-owned surface parking will be available for visitors and residents of the town rather than being occupied by the residents of the condominium.

(2) Consistent with purpose of zone district. The proposed amendment shall be consistent with the purpose of the zone district to which the property will be designated.

Staff Response: The development of garage space also proposed as a part of this application is a consistent use in the MF zone district.

(3) Compatibility with surrounding zone districts and uses. The development permitted by the proposed amendment shall be compatible with surrounding

zone districts, land uses and neighborhood character and shall result in a logical and orderly development pattern within the overall community.

Staff Response: The rezoning of the Property is to clarify the existing use and to correct a general zoning classification that was assigned to the Property following incorporation of the town. The land use of neighboring properties is also multi-family residential. The development of garage space proposed as a part of this application is a consistent use in the MF zone district. The garages will support the logical and orderly development patterns within the overall community.

(4)Necessary circumstances. The applicant shall demonstrate that the following circumstances exist:

a.Error. There has been a technical error in the boundaries shown on the Official Zone District Map; or

Staff Response: To the best of our knowledge, no error has been made to the boundaries shown on the zone district map.

b.Changed conditions. There have been changed conditions affecting the subject parcel and the surrounding neighborhood that justify the proposed amendment; and

Staff Response: The proposed amendment to rezone the Property to MF is in direct response to changed conditions. The existing zoning of SPA-1 was assigned to the Property following incorporation of the town. The Applicant wishes to designate the Property MF with PUD overlay to more accurately describe the type of residential activity that characterizes the Property. In addition, the land use regulations require SPA-1 zoned property to be rezoned using the PUD process.

c. Community need. The proposed amendment addresses and helps to resolve a community need that is documented in or is consistent with the intent of the Comprehensive Plan.

Staff Response: The rezoning will more accurately describe and direct the type of residential activity that is pursued on the Property.

Section 16A-5-220(f), Review Standards for Rezoning of Lands Zoned Open Space or Conservation.

(f)Review Standards for Rezoning of Lands Zoned Open Space or Conservation. Certain lands have previously been zoned Open Space or Conservation within Snowmass Village by the Town, with the approval of the property owner at the time of the zoning. The preservation of these parcels in their open and natural character has been determined to be in the best interest of the public welfare. There are, however, certain circumstances where a change of zoning may be desirable in order to facilitate a development that is

in the public interest. Any amendment to the Official Zone District Map that would change the zoning of any land designated Open Space or Conservation to any other zone district category established in Article III, Zone Districts, of this Development Code shall only be permitted when the application complies with the following standards:

Staff Response: The Property has not been nor is it currently zoned Open Space or Conservation. This standard does not apply.

VI. RECOMMENDATION:

Staff recommends approval of the Combined Minor PUD Amendment and Rezoning to Multi-family the Sonnenblick Condominium property to allow for the addition of six new 2-car garages subject to conditions as set forth in draft Planning Commission Resolution No. 9, Series of 2016, (see Attachment 7).

ATTACHMENTS

1. Snowmass Water and Sanitation District letter dated November 15, 2016;
2. Brush Creek Impact Zones Map;
3. Environmental Sensitivity Map;
4. Photos of West Fork of Brush Creek;
5. Snowmass-Wildcat Fire District letter dated November 3, 2016;
6. PUD guide with architecture and site plans of proposed development;
7. Draft Planning Commission Resolution No. 9, Series of 2016

Attachment 1

Patrick Rawley

From: Chris Lehrman <ChrisL@sgm-inc.com>
Sent: Tuesday, 15 November, 2016 2:34 PM
To: Patrick Rawley; Kit Hamby
Cc: Chase Anderson; Barnett Davis; jeffrey@hancoxgroup.com; Mark Hamilton
Subject: RE: Sonnenblick

Patrick and Barnett,

SWSD staff cleaned the manhole and measured 7 feet deep from rim to invert.

We should be good as far as the project. I don't think we will have to deepen the foundation. I will want to review the structural drawings before SWSD will approve construction within their easement. There will also have to be an agreement drafted up by the District's attorney Mark Hamilton for construction within the easement.

Thank you,

Chris Lehrman, PE
Project Manager

Celebrating



118 W. 6th St., Suite 200
Glenwood Springs, CO 81601
970.384.9043 / 970.379.9780 cell
www.sgm-inc.com



2015 Colorado Companies to Watch WINNER!



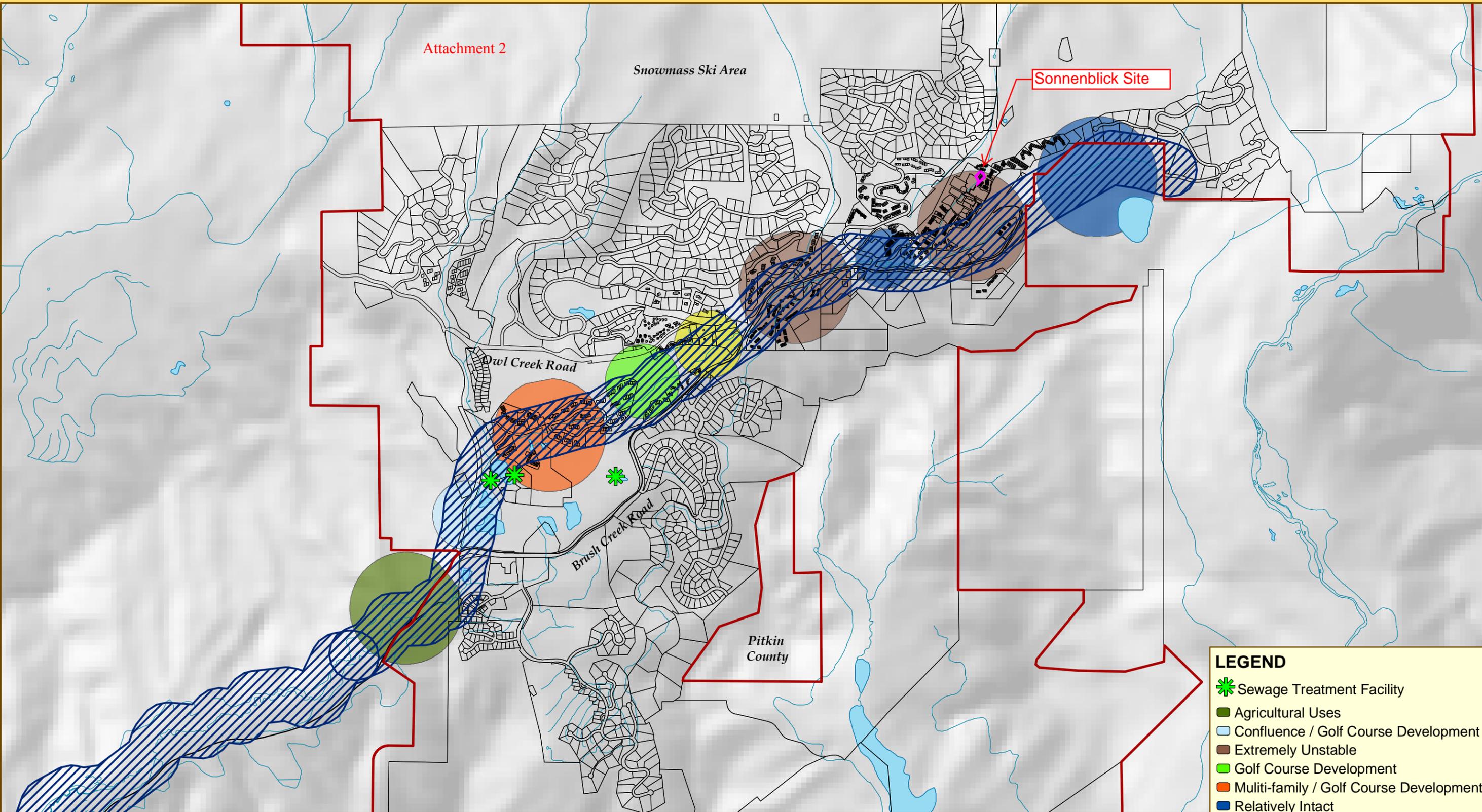
From: Patrick Rawley [mailto:patrick@scaplanning.com]
Sent: Monday, November 14, 2016 2:19 PM
To: Chris Lehrman; Kit Hamby
Cc: Chase Anderson; Barnett Davis; jeffrey@hancoxgroup.com
Subject: RE: Sonnenblick

Let's set our meeting at the site for **11 am** to give you time to take care of anything following your meeting and to allow you to get up to the site. Can you give me a text 20 minutes or so before the end of the meeting to allow me time to get up to Snowmass from Aspen? My cell is 970-306-5669.

See you tomorrow.

Patrick

From: Chris Lehrman [mailto:ChrisL@sgm-inc.com]
Sent: Monday, 14 November, 2016 11:17 AM
To: Patrick Rawley <patrick@scaplanning.com>; Kit Hamby <KHamby@swsd.org>
Cc: Chase Anderson <CAnderson@tosv.com>; Barnett Davis <barnettdavisii@gmail.com>; jeffrey@hancoxgroup.com
Subject: RE: Sonnenblick



Attachment 2

Snowmass Ski Area

Sonnenblick Site

Owl Creek Road

Brush Creek Road

Pitkin County

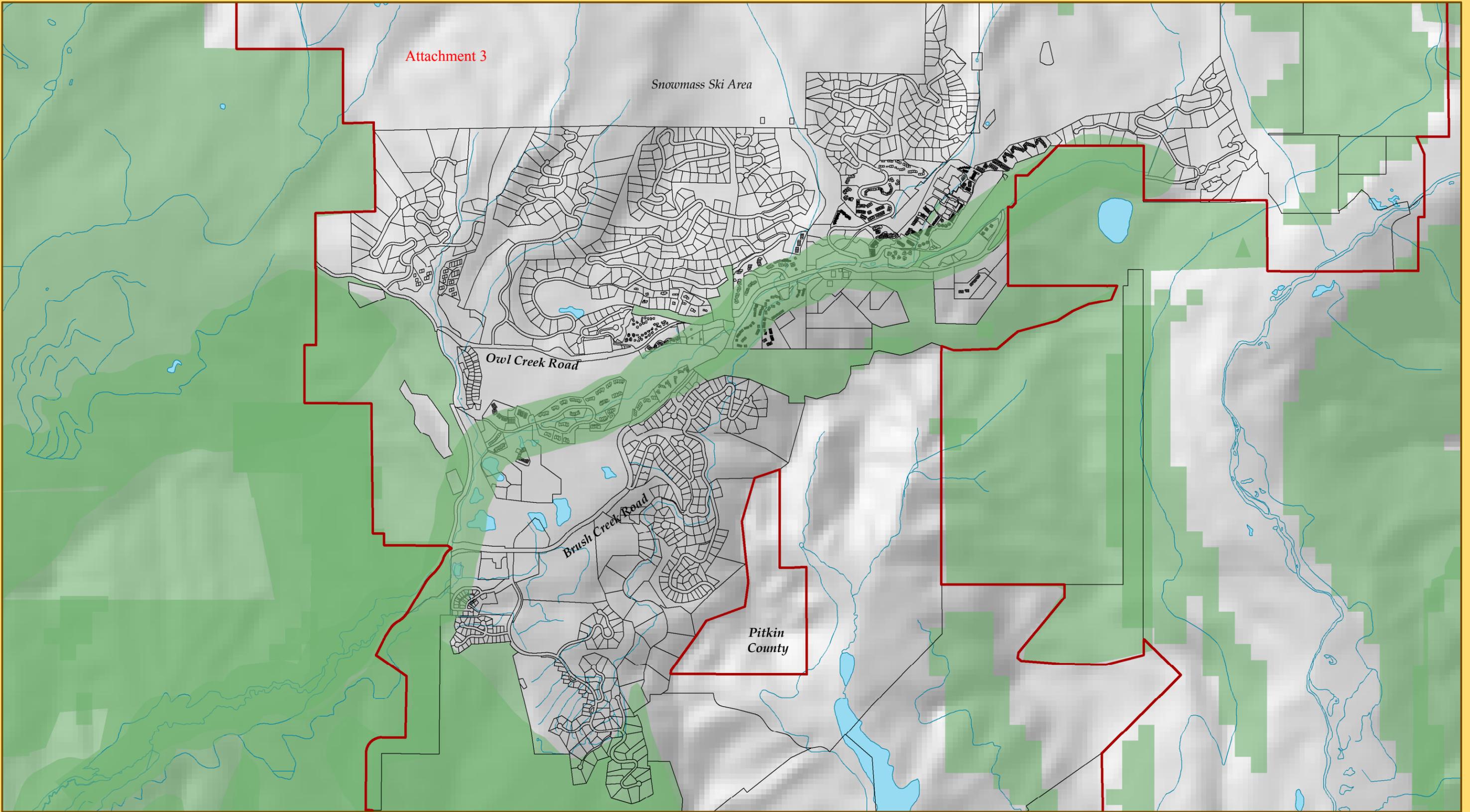
- LEGEND**
- Sewage Treatment Facility
 - Agricultural Uses
 - Confluence / Golf Course Development
 - Extremely Unstable
 - Golf Course Development
 - Multi-family / Golf Course Development
 - Relatively Intact
 - Yarrow Park
 - TOSV Village Limits
 - Parcels
 - Brush Creek Impact Zone
 - Streams
 - Lakes



COMPREHENSIVE PLAN
Map 6.6: Brush Creek Impact Zones
 TOWN OF SNOWMASS VILLAGE

Planning Department
 130 Kears Road
 P.O. Box 5010
 Snowmass Village, CO 81615
 (970) 923-5524

The information provided by the City of Aspen, Pitkin County is believed to be accurate and reliable, but can not be explicitly guaranteed. This information is for planning purposes only and not intended for construction purposes.



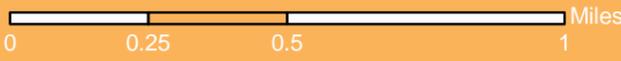
Attachment 3

Snowmass Ski Area

Owl Creek Road

Brush Creek Road

Pitkin County



COMPREHENSIVE PLAN
Map 6.13: Environmental Sensitivity
 TOWN OF SNOWMASS VILLAGE

Planning Department
 130 Kears Road
 P.O. Box 5010
 Snowmass Village, CO 81615
 (970) 923-5524



The information provided by the City of Aspen, Pitkin County is believed to be accurate and reliable, but can not be explicitly guaranteed. This information is for planning purposes only and not intended for construction purposes.

LEGEND

- TOSV Village Limits
- Environmentally Sensitive Area
- Streams
- Lakes





Patrick Rawley

From: John Mele <JMele@swfpd.com>
Sent: Thursday, 3 November, 2016 1:38 PM
To: Chase Anderson
Cc: Patrick Rawley; Julie Ann Woods; Anne Martens; khamby@sbsd.org; John Dresser
Subject: RE: Sonnenblick

Chase,

Thank you for the information provided in this email. It was very helpful in the determination of our approval.

We believe the project can move forward with one notation. We maintain that no storage of vehicles, additional parking, flower planters, or the like, be permitted to be stored, even temporarily, along the exterior of these garages that would extend into the 24' emergency access that is shown to exist within your pictures attached to this email.

Signage indicating that no parking is permitted with "Fire Lane" signs may be one such inclusion. Since this appears to be private property the only real means of enforcement may be as a condition to the permit to build and occupy.

It is our understanding that all such storage will be confined to be within the newly built garage/storage units for Sonnenblick. If this not the case please advise.

Sincerely,

John T. Mele

From: Chase Anderson [mailto:CAnderson@tosv.com]
Sent: Wednesday, November 02, 2016 4:31 PM
To: John Mele <JMele@swfpd.com>
Cc: Patrick Rawley <patrick@scaplanning.com>; Julie Ann Woods <JWoods@tosv.com>; Anne Martens <AMartens@tosv.com>; khamby@sbsd.org; John Dresser <JDresser@tosv.com>
Subject: Sonnenblick

Hi John,

Welcome back!

I wanted to update you on the progress with the Sonnenblick project.

A couple of things have transpired since our last visit:

1) We were able to trace the chronological order of the Fall Lane dedication to the Town. Attached are three Plats illustrating and noting that Fall Lane is the ROW and that the northerly edge of the Sonnenblick property is the limit of the ROW.

2) The surveyor has painted and pinned the property corners and the proposed building corners shown in the attached plans.

3)Patrick Rawley, the planner for the applicant, and I measured the clearance between proposed building corners and existing conditions on Fall Lane and found 24' clear at the eastern and western pinch points as illustrated in the attached photos. Please take the time to visit the site before the snow.

Based on these findings, we want to ensure that the proposed clearance alleviates your concerns for fire and emergency access to properties along Fall Lane. If more clearance is needed for turning radius of equipment, etc., please let me know.

Thank you,



**Chase Anderson PLA, CNU-A, APA
Planner, Community Development**

Town of Snowmass Village

P.O. Box 5010

130 Kearns Road

Snowmass Village, CO 81615-5010

T: 970-923-5524 ext 633

F: 970-923-1861

canderson@tosv.com

www.tosv.com

Attachment 6

PUD Guidelines Sonnenblick Condominium Association

To preserve the intent of the Sonnenblick Condominium Association (the "Association"), prevent any future impairment of the common interest community, and prohibit the construction of improvements inconsistent therewith, the following PUD Guidelines shall govern all units in the Sonnenblick Condominium Association (hereinafter the "PUD"). These provisions shall run with the land and be binding upon all persons having or acquiring any right, title or interest in any unit, appurtenant open space or common element described in the Sonnenblick Association Declarations (hereinafter, the "Declaration"). These guidelines shall be attached to and made a part of the Declaration and shall be subject to the terms and conditions thereto.

GUIDELINES FOR SONNENBLICK ASSOCIATION UNITS:

The following guidelines shall apply to all units located at 60 Fall Lane, Snowmass Village, CO 81615.

1. Architectural Intent: All units shall comply with the current design of the building and the general design criteria in the Declaration to insure architectural harmony.
2. Garages: Garages or carports, detached or otherwise, shall be permitted subject to design deemed consistent by a majority of members of the Association (in accordance with the Declarations and By-Laws) and design deemed consistent with the existing building design by such members.

GUIDELINES GENERALLY APPLICABLE:

The following guidelines shall apply to all units and common elements:

1. All open space shall be landscaped substantially in accordance with the wishes of a majority of members of the Association, provided that the location of trees and other elements shall be subject to legally binding restrictions imposed by public utility companies by easements or otherwise.
2. Common open space as designated by the Declaration shall remain accessible to all members of the Association and the families, tenants, guests and invitees thereof.
3. Fencing: fencing shall be allowable subject to a vote of a majority of members in accordance with the Declarations and By-Laws.
4. Signage shall be allowable subject to a vote of a majority of members in accordance with the Declarations and By-Laws.

5. Zoning: The zoning of the Association shall contain the same requirements and limitations as set forth in the Town of Snowmass Village zoning for multi-family housing.

DRAFT

EXHIBIT A
Sonnenblick Condominiums
Planned Unit Development
Dimensional Limitations

Existing Floor Area:	13,800 SF
Bedrooms:	22
Maximum Building Height:	29-31 feet (excluding fireplaces) for multi-family units
Maximum Accessory Building Height:	18 feet
Parking:	12 spaces in Garage Units 1-6
Setbacks:	Front: 0 feet (for garage) Rear: 0 feet (for garage) Side (west): 0 feet (for garage) Side (east): sanitary sewer easement (for garage)

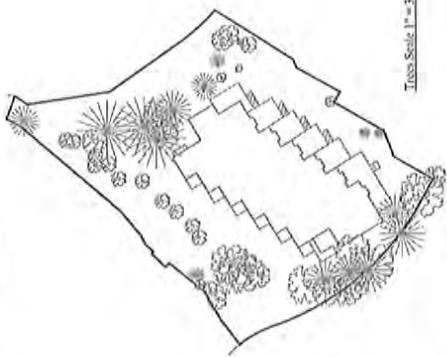


Veisiter Map 1" = 500'

Improvement Survey Plat with Topography

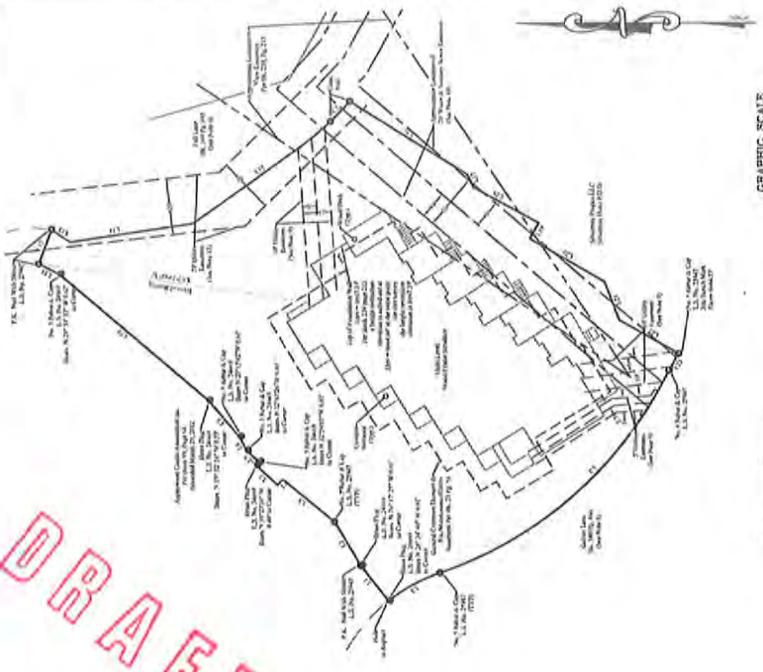
The Subdivision Exemption Plat for Sonnenblich Condominiums Recorded September 12, 2014 at Book 108, Page 8 Town of Snowmass, County Of Pitkin, State Of Colorado

TREE	TREE CHART			TREE	TREE CHART		
	TYPE	TRUNK DIA.	DBP DIA.		TRUNK DIA.	DBP DIA.	DBP DIA.
1	Aspen	12"	18"	1	Aspen	12"	18"
2	Aspen	12"	18"	2	Aspen	12"	18"
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49	Aspen	12"	18"	49	Aspen	12"	18"
50	Aspen	12"	18"	50	Aspen	12"	18"



Topo Scale 1" = 50'

DRAFT



GRAPHIC SCALE
1 inch = 50 feet

Boundary and Easements

Improvements, Topography

1. The improvements shown on this plat were surveyed and located by the Surveyor on or about the date of recording of this plat. The improvements shown on this plat are as shown on the attached drawings and are subject to the following conditions:

1.1. The improvements shown on this plat are subject to the following conditions:

1.1.1. The improvements shown on this plat are subject to the following conditions:

1.1.2. The improvements shown on this plat are subject to the following conditions:

1.1.3. The improvements shown on this plat are subject to the following conditions:

1.1.4. The improvements shown on this plat are subject to the following conditions:

1.1.5. The improvements shown on this plat are subject to the following conditions:

1.1.6. The improvements shown on this plat are subject to the following conditions:

1.1.7. The improvements shown on this plat are subject to the following conditions:

1.1.8. The improvements shown on this plat are subject to the following conditions:

1.1.9. The improvements shown on this plat are subject to the following conditions:

1.1.10. The improvements shown on this plat are subject to the following conditions:

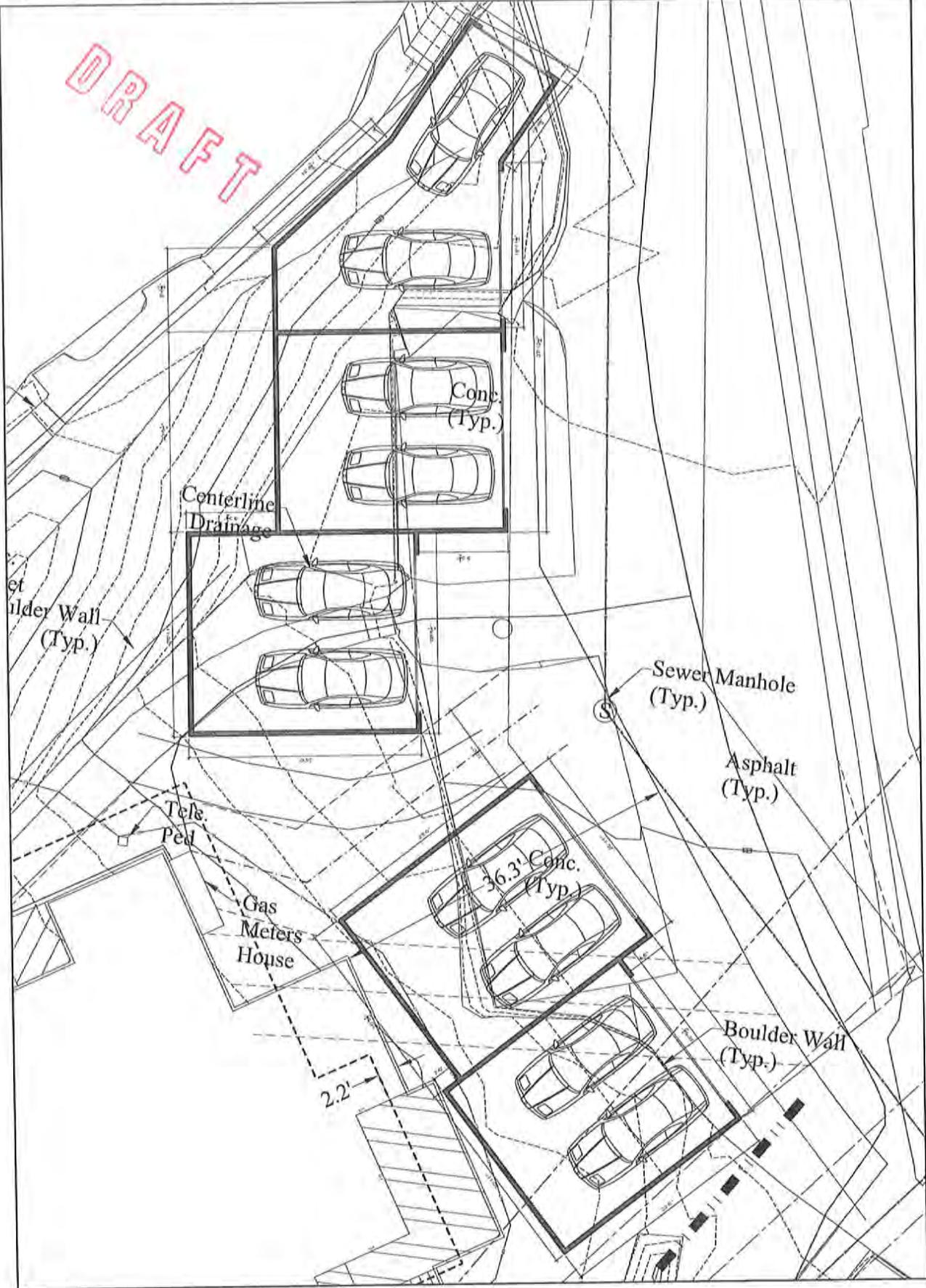
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
1.1	N 89° 15' 00" W	100.00	1.1	N 89° 15' 00" W	100.00	1.1	N 89° 15' 00" W	100.00
1.2	N 89° 15' 00" W	100.00	1.2	N 89° 15' 00" W	100.00	1.2	N 89° 15' 00" W	100.00
1.3	N 89° 15' 00" W	100.00	1.3	N 89° 15' 00" W	100.00	1.3	N 89° 15' 00" W	100.00
1.4	N 89° 15' 00" W	100.00	1.4	N 89° 15' 00" W	100.00	1.4	N 89° 15' 00" W	100.00
1.5	N 89° 15' 00" W	100.00	1.5	N 89° 15' 00" W	100.00	1.5	N 89° 15' 00" W	100.00
1.6	N 89° 15' 00" W	100.00	1.6	N 89° 15' 00" W	100.00	1.6	N 89° 15' 00" W	100.00
1.7	N 89° 15' 00" W	100.00	1.7	N 89° 15' 00" W	100.00	1.7	N 89° 15' 00" W	100.00
1.8	N 89° 15' 00" W	100.00	1.8	N 89° 15' 00" W	100.00	1.8	N 89° 15' 00" W	100.00
1.9	N 89° 15' 00" W	100.00	1.9	N 89° 15' 00" W	100.00	1.9	N 89° 15' 00" W	100.00
1.10	N 89° 15' 00" W	100.00	1.10	N 89° 15' 00" W	100.00	1.10	N 89° 15' 00" W	100.00

Drake Consulting, Inc.
Land Surveying
Phone: 970.965.1389
Fax: 970.266.1000
www.DrakeConsulting.CO

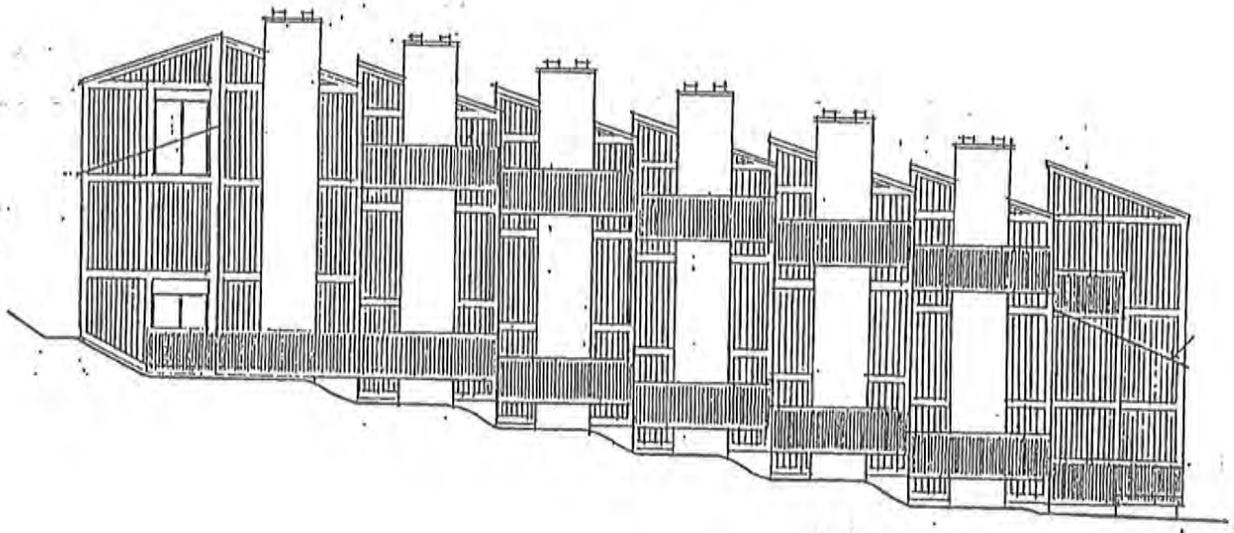
Sothenbild, C. Co. Associates,
Sothenbild & Co.
Improvement Survey Plat with
Topography
Snowmass Village, Colorado

Project No. 14007
Date: July 24, 2014
Sheet: 1 of 1

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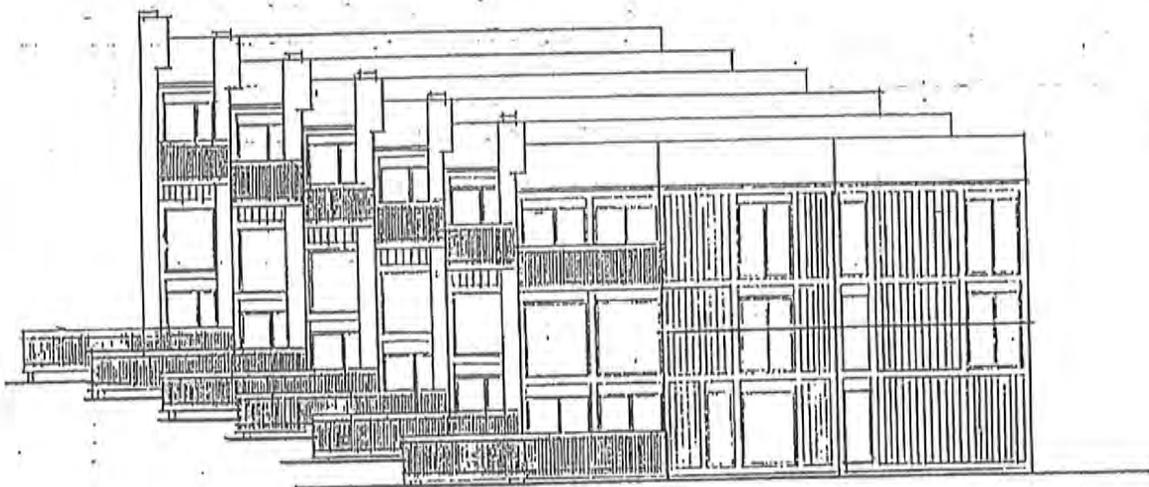


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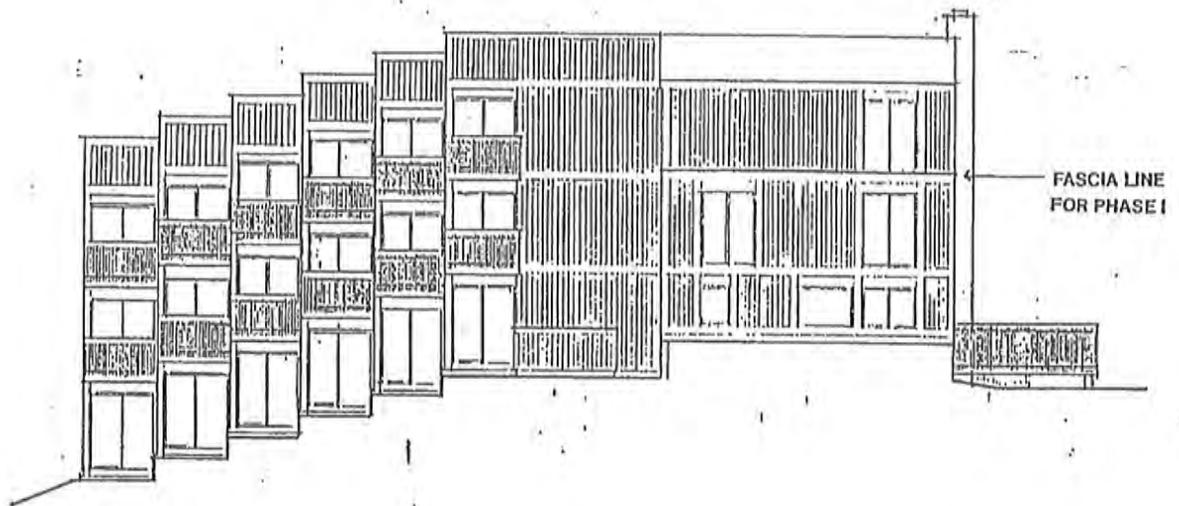
SOUTH ELEVATION

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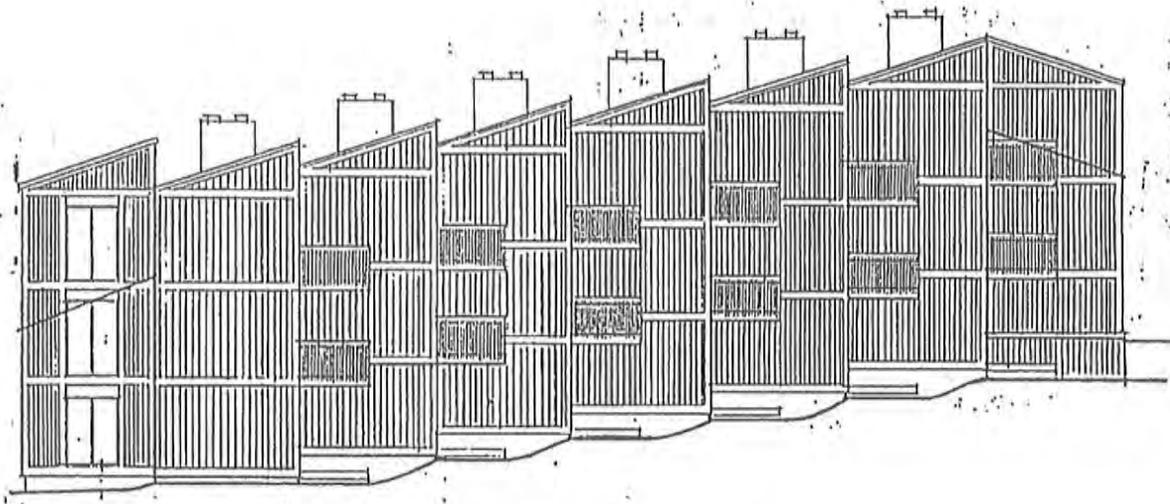
EAST ELEVATION

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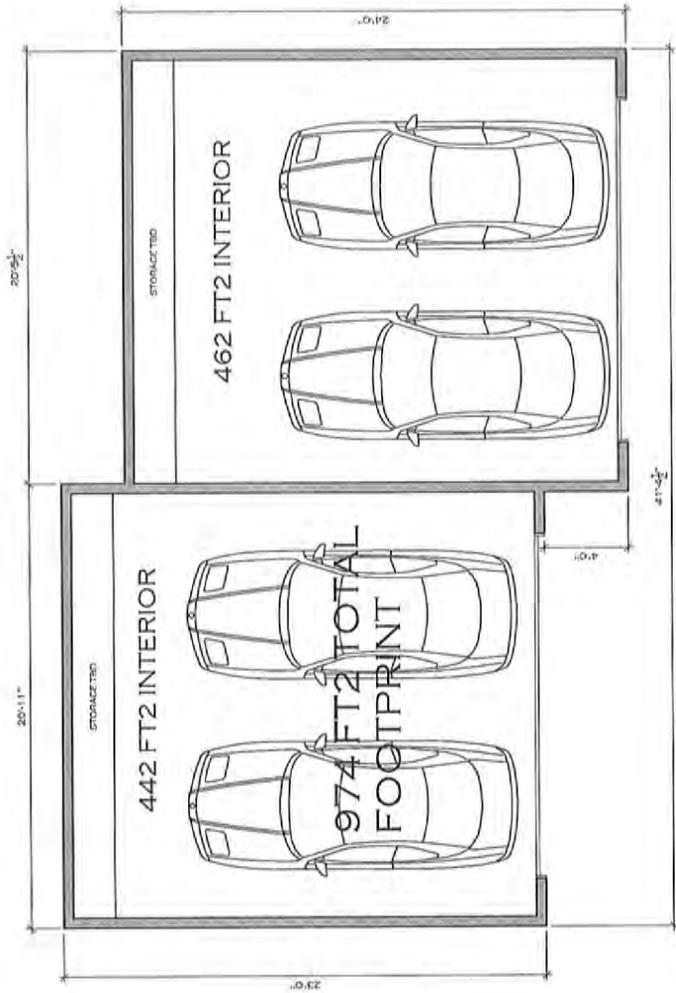


WEST ELEVATION

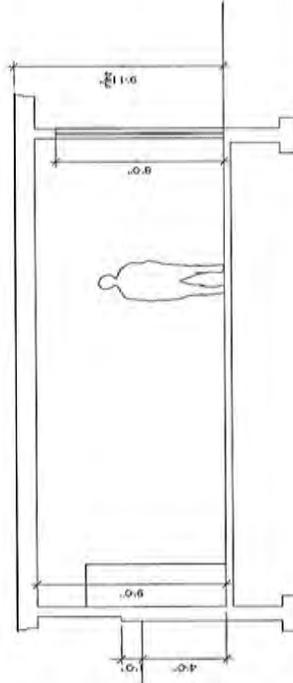
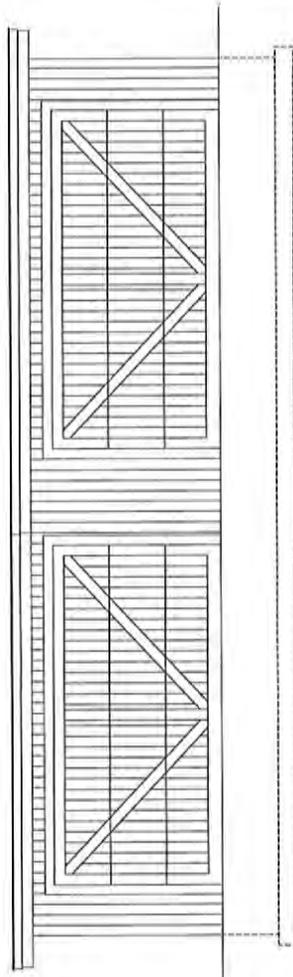
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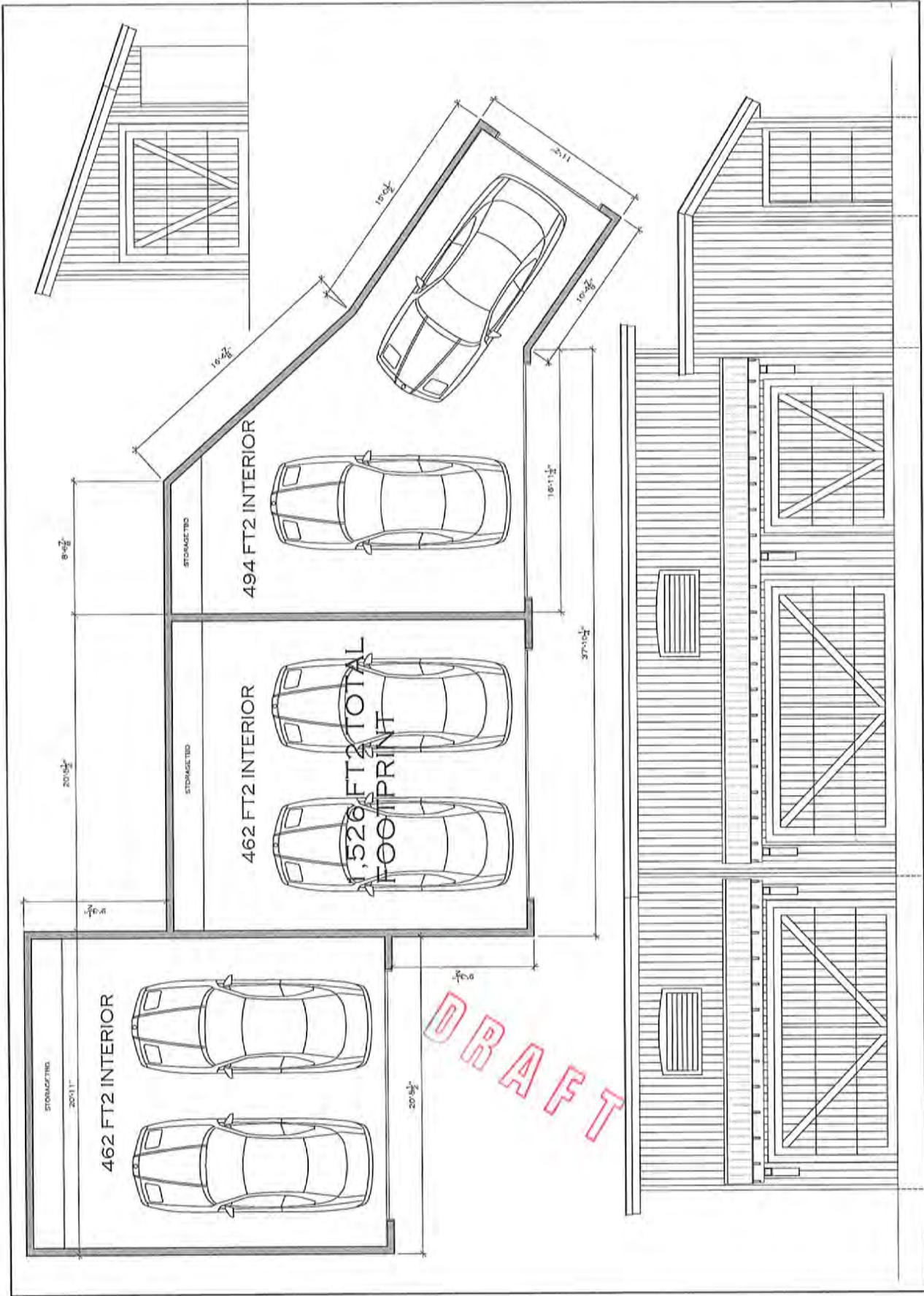


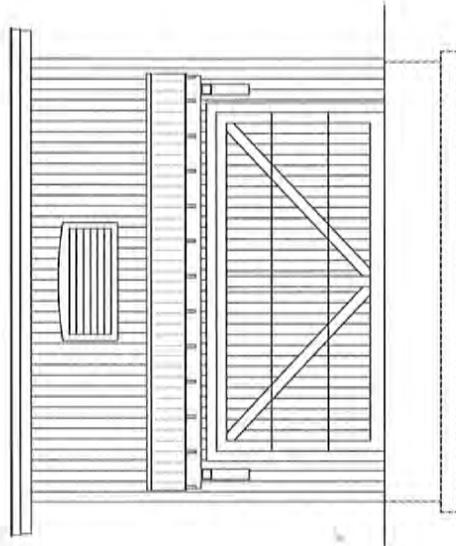
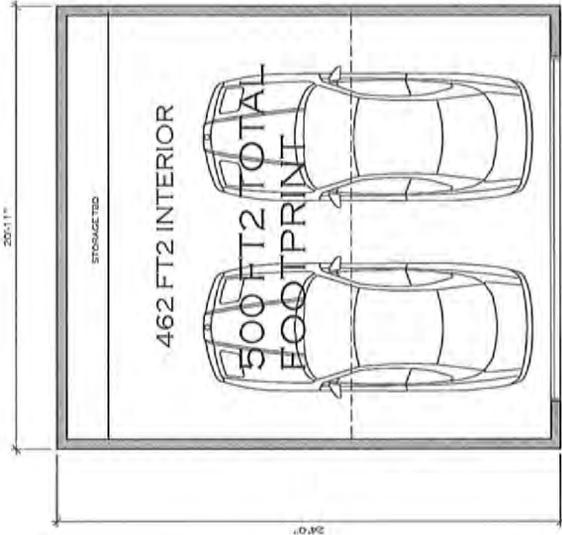
NORTH ELEVATION



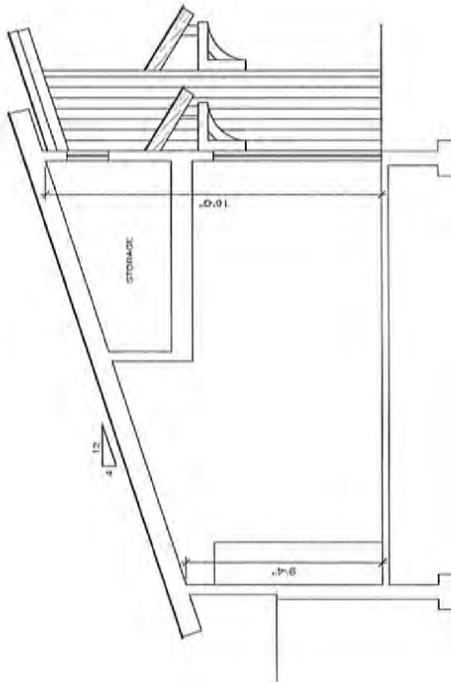
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**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION No. 9
SERIES OF 2016**

**A RESOLUTION PROVIDING RECOMMENDATIONS TO THE TOWN COUNCIL
REGARDING THE COMBINED MINOR PLANNED UNIT DEVELOPMENT (PUD)
AMENDMENT AND REZONING APPLICATIONS TO ALLOW FOR THE ADDITION OF
GARAGES TO THE SONNENBLICK CONDOMINIUM PROPERTY.**

WHEREAS, on January 28, 1969, Pitkin County accepted the Plat of West Village Unit F dedicating each road platted as an easement reserved to Snowmass; and

WHEREAS, on October 14, 1983, Pitkin County recorded the plat of Conference Center Subdivision, Lot 1, Filing 1, referenced in Book 15, Page 46 dedicating real property subject to easements and encumbrances and the streets shown as Elbert Lane and Fall Lane to the use of the public forever; and

WHEREAS, on April 17, 1989, Snowmass Village Town Council Resolution No. 22, Series of 1989, was approved for a subdivision exemption for the purpose of allowing the condominiumization of the Sonnenblick Building (West Village Unit F); and

WHEREAS, on August 5, 1991, Snowmass Village Ordinance No. 15, Series of 1991, was approved for the addition of deck space and heated space. Heated space was added to the north and south end of the building. Decks were added to the east of the building, which are located within 25' of the West Fork of Brush Creek; and

WHEREAS, on September 3, 1991, Snowmass Village Town Council Resolution No. 39, Series of 1991, was approved for permitting an amendment to the Sonnenblick Condominium Plat in association with the addition of deck and heated space; and

WHEREAS, on November 8, 2012, an Administrative Modification was approved for interior floor area changes consisting of loft space with the condition that further development improvements shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development; and

WHEREAS, on September 12, 2014, Pitkin County recorded a Subdivision Exemption Plat for Sonnenblick Condominiums in Book 108, Page 8 noting Quit Claim Deed from Silvertree Propco, LLC to Sonnenblick Condominiums, Inc. Reception No. 589481; and

WHEREAS, the Minor PUD Amendment and Rezoning applications were processed in accordance with 16A-5-390, Amendment of Final PUD, and 16A-5-220, Amendment to Official Zoning District Map of the Municipal Code; and

WHEREAS, the Planning Commission has reviewed the noted application and considered the recommendations of Town Staff on December 21, 2016.

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

52 **Section One: General Findings.** The Planning Commission generally finds that:

53
54 **Miscellaneous Findings –**

- 55
- 56 1) As a condition of the November 8, 2012 administrative modification process, the
57 proposed garage improvements will be processed according to Section 16A-5-390
58 Amendment of final PUD as a minor amendment.
59
 - 60 2) The Applicant submitted the applications for the Minor PUD Amendment and
61 Rezoning in accordance with the provisions of the Municipal Code.
62
 - 63 3) The initial and updated applications provided the “Minimum Contents” required
64 pursuant to Sections 16A-5-220 and 230, and included written and graphic
65 materials in sufficient detail to deem the applications complete for review.
66
 - 67 4) The Planned Unit Development Guide determines development parameters of the
68 property supplementing and superseding, if applicable, the development
69 parameters of the underlying zoning ‘Multi-family’. (see Exhibit A).
70
 - 71 5) Minor architectural adjustments to roof pitch of the garages may be reviewed and
72 approved by Staff administratively during time of Building Permit application zoning
73 review, provided no snow or water is directed towards neighboring properties or
74 garage doors.
75
 - 76 6) The Snowmass Wildcat Fire District (SWFD), has provided written confirmation of
77 an approval of the conceptual plans for the Sonnenblick Condominium garages as
78 further described in their letter dated November 3, 2016, (see Exhibit B), which
79 provides acceptable authorization to build based on certain conditions set forth.
80
 - 81 7) The Snowmass Water and Sanitation District (SWSD), has provided written
82 confirmation of an approval of the conceptual plans for the Sonnenblick
83 Condominium garages as further described in their letter dated November 15,
84 2016, (see Exhibit C), which provides acceptable authorization to build based on
85 certain conditions set forth.
86
 - 87 8) Allowing for the proposed development within 25’ setback of the West Fork of
88 Brush Creek is not inconsistent with the review standards of the Land Use Code
89 Section 16A-4-30 Brush Creek Impact Area or Section 16A-4-0 Floodplain and
90 Wetland Areas, the Comprehensive Plan or the associated Environmental
91 Sensitivity Map and Brush Creek Impact Zones Map, upon waiver of this
92 requirement by the Town Council.
93

94
95 **Section Two: Action.** Pursuant to the findings stated in Section One of this resolution,
96 the Planning Commission recommends that the Town Council waive development setback
97 of 25’ from West Fork of Brush Creek and approve the combined minor planned unit
98 development (PUD) amendment and rezoning applications for the addition of garages to
99 the Sonnenblick Condominiums property subject to satisfactorily implementing the

100 conditions in Section Three of this resolution.

101

102 **Section Three: Conditions.** The Planning Commission makes the following
103 recommendations for consideration by Town Council as conditions for the approval of the
104 applications:

105

106 **General recommendations –**

107

108 1) That the eastern side yard setback for the property be changed from 0' to being at the
109 edge of the existing condominium improvements.

110

111 **Prior to issuance of a building permit -**

112

113 1) With the submittal of the building construction plans, and prior to the issuance of a
114 permit, the applicant should provide:

115

116 a) a detailed Construction Management Plan that demonstrates compliance with
117 Ordinance No. 12, Series of 2007, standards and regulations for construction
118 management within the Town and adequately addresses the issue of
119 construction interruption to the satisfaction of the Building Official; and

120

121 b) A detailed landscape plan will be submitted and approved administratively by
122 Planning Staff; and

123

124 c) demonstration of:
125 i) refuse containers or enclosures to be Wildlife Resistant Dumpster
126 Enclosures pursuant to the Section 7-34 of the Municipal Code; and
127 ii) containers to be maintained in accordance with Section 7-153 of the
128 Municipal Code; and
129 iii) construction site refuse to be handled as described in Section 7-156; and
130 iv) knowledge that feeding of wildlife is prohibited.

131

132 d) a signed letter from Snowmass Water and Sanitation District approving the
133 structural plans of the garages; and

134

135 e) a signed agreement between Sonnenblick representatives and the Snowmass
136 Water and Sanitation District allowing construction within an easement.

137

138 **During construction -**

139

140 2) If needed, extended construction work hours may be requested from the Community
141 Development Director in order to meet phasing schedule and completion date of fall
142 2017.

143

144 **Post construction -**

145

146 3) Prior to issuance of a final Certificate of Completion, the applicant should:

147

- 148 a) substantially re-vegetate all disturbed areas; and
149 b) install signage indicating that no storage of vehicles, additional parking, planting
150 structures, or the like, are permitted to be located or stored, even temporarily,
151 along the exterior of the proposed garages.
152
153 4) The applicant will put in action an enforcement plan that prevents the portion of the
154 24' wide access along Fall Lane located inside the boundary of the Sonnenblick
155 property from being obstructed and will remain clear and open at all times for fire
156 and emergency vehicles.
157
158 5) The applicant acknowledges that no additional permanent or temporary structures
159 shall be allowed or permitted by the Town to be located between the proposed
160 garages and the northerly property line of the parcel.
161
162 6) The applicant will submit a condominium map amendment for administrative
163 consideration locating the as-built improvements and detailing the general
164 common elements and limited commons elements on the property.
165
166

167 **Section Four: Severability.** If any provision of this Resolution or application hereof to
168 any person or circumstance is held invalid, the invalidity shall not affect any other
169 provision or application of this Resolution which can be given effect without the invalid
170 provision or application, and, to this end, the provisions of this Resolution are severable.
171

172 **INTRODUCED, READ, AND APPROVED** by the Planning Commission of the
173 Town of Snowmass Village on December 21, 2016 upon a motion by Planning
174 Commission Member _____, the second of Planning Commission Member
175 _____, and upon a vote of ___ in favor and ___ against. Planning Commission
176 Members _____ and _____ were absent.
177

178 TOWN OF SNOWMASS VILLAGE
179 Planning Commission
180

181 By: _____
182 Jamie Knowlton, Chairman
183

184 ATTEST:
185
186
187

188 _____
189 Cindy Ford, Planning Commission Secretary
190

190 **Exhibits by Reference:**

- 191 ➤ Exhibit A - PUD Guide
192 ➤ Exhibit B – Authorization Letter from Snowmass Wildcat Fire District received
193 November 3, 2016
194 ➤ Exhibit C – Authorization Letter from Snowmass Water and Sanitation District
195 received November 15, 2016

MEMORANDUM

TO: Snowmass Village Planning Commission

THROUGH: Julie Ann Woods, Director
Community Development Department

FROM: Chase Anderson, Planner
Community Development Department

DATE: December 21, 2016 meeting

SUBJECT: **Planning Commission Resolution No. 10; Series of 2016.**
A Resolution Recommending Amendments to Chapter 16A, Land Use and Development Code, Section 16A-5-250 "Administrative Modifications" of the Snowmass Village Municipal Code to Correct Incongruities in Codification resulting from the adoption of Ordinance No. 4, Series of 2013 and Ordinance No. 6, Series of 2015.

I. PURPOSE

Pursuant to the procedures outlined in land use and development code Section 16A-5-210 *Amendments to text of Development Code* and the review standards set forth therein, the Planning Commission is being asked to consider final language amendments to the land use and development code Section 16A-5-250 *Administrative Modification* set forth in the attached Resolution No. 10; Series of 2016 as presented by Staff.

II. SUMMARY DESCRIPTION AND BACKGROUND

Town Council Ordinance No. 4; Series of 2013 was adopted September 9, 2013 to amend the text of the land use and development code affecting Code sections 1) Definitions; 2) Dimensional Limitations and Floor Area Measurement; 3) Public Noticing; and 4) Administrative Modification Processing.

Town Council Ordinance No. 6; Series of 2015 was adopted July 20, 2015 to amend the text of the land use and development code affecting Code sections 1) Definitions; 2) Temporary Use; 3) Construction in Required Setbacks; 4) Public Noticing; and 5) Administrative Modifications.

The two sequential codifications produced incongruities of text in the Administrative Modification section. Resolution No. 10; Series of 2016 is put forth to correct the incongruities between the two Ordinances and result in a properly organized and indexed Municipal Code.

III. APPLICABLE REGULATIONS

Municipal Code review criteria that regulates Amendments to text of Development Code include Section 16A-5-210 Amendments to text of Development Code.

Article V, Division 2, Procedures for Review of Particular Application

Section 16A-5-210. Amendments to text of Development Code.

Section 16A-5-210(c). Procedure. The following procedures shall apply to an application for an amendment to the text of the Development Code. These procedures are illustrated in Figure 5-2, Text or Map Amendment Procedures.

(1)Pre-application conference. Attendance at a pre-application conference is optional, but recommended, prior to submission of an application for an amendment to the text of this Development Code.

A pre-application conference was held with Planning Staff and with the Town Attorney. It was determined that an amendment to the text of the Land Use and Development Code was needed to correct incongruities between the two Ordinances that resulted in conflicting codification.

(2)Submission of application. The applicant shall submit an application to the Planning Director that contains those materials specified in Section 16A-5-210 (d), Submission Contents.

This report serves as application for the amendment to text and includes precise wording of the proposed amendment as shown in Exhibit A of the attached draft Planning Commission Resolution 10, Series of 2016.

(3)Staff review. Staff review of the application shall be accomplished, as specified in Section 16A-5-210, Staff Review of Application.

Staff finds this report to be complete.

(4)Planning Commission review. A complete copy of the application shall be forwarded to the Planning Commission, together with a copy of the staff review. The Planning Commission shall review the application, considering the standards of Section 16A-5-210 (e), Review Standards, and shall make its recommendations to the Town Council.

Section 16A-5-210 (e), Review Standards are addressed herein.

(5)Town Council first reading. The Planning Commission's recommendations shall be forwarded to the Town Council at a regular meeting, together with a complete copy of the application and a copy of the staff's review. The Town Council shall consider all relevant

materials and shall adopt an ordinance on first reading amending the Development Code as recommended or with modifications, or shall adopt a resolution denying the application, citing specific reasons therefore.

Upon recommendations of this Planning Commission, Planning Staff will prepare an Ordinance for Town Council consideration.

(6)Public hearing. Prior to second reading of such ordinance, the Town Council shall hold a public hearing. Public notice of the hearing shall be given by publication of notice, pursuant to Section 16A-5-60 (b), Manner and Timing of Notice. The Town Council shall consider the application, any relevant support materials, the staff report, the Planning Commission's recommendation and the public testimony given at the public hearing. Following closure of the public hearing, the Town Council shall adopt the ordinance, adopt the ordinance with modifications or deny the ordinance, considering the standards in Section 16A-5-210 (e), Review Standards. If the Council shall make modifications to the ordinance prior to adoption it may, but need not, remand the application to the Planning Commission for further recommendations.

Upon recommendations of Town Council, Planning Staff will prepare public hearing notices as outlined in Section 16A-5-60. Notice of Public Hearings.

Section 16A-5-210(e).Review Standards. An application for an amendment to the text of the Development Code shall comply with the following standards:

(1)Consistent with purposes. The proposed amendment shall be consistent with the purposes of this Development Code.

This Development Code has been promulgated by the Town of Snowmass Village, Colorado, as a codification of all the ordinances of the Town of Snowmass Village of a general and permanent nature through Ordinance No. 4, Series of 1994 for the purpose of providing an up-to-date code of ordinances, properly organized and indexed, in published form for the use of the citizens and officials of the Town. The purpose of this proposed Resolution 10, Series of 2016 is to properly organize and index the code of ordinances and is consistent with the purpose of this Development Code.

(2)Not conflict with other provisions. The proposed amendment shall not conflict with any other applicable provisions of this Development Code.

This proposed Resolution 10, Series of 2016 does not conflict with any other applicable provisions of the Development Code and specifically serves to correct conflicts in codification.

(3) Consistent with Comprehensive Plan. The proposed amendment shall be consistent with the Town of Snowmass Village Comprehensive Plan.

This proposed amendment is consistent with the Comprehensive Plan.

(4) Public health, safety and welfare. The proposed amendment shall preserve the public health, safety, general welfare and environment and contribute to the orderly development of the Town

This proposed amendment contributes to the orderly development of the Town.

IV. RECOMMENDATIONS

Staff recommends approval of the amendment to text of development code for the correction of incongruities of codification in Section 16A-5-250 *Administrative Modification*; subject to conditions as set forth in draft Planning Commission Resolution No. 10; Series of 2016 as presented by Staff.

V. ATTACHMENTS

Attachment 1: Town Council Ordinance No. 4; Series of 2013 amended language
Attachment 2: Town Council Ordinance No. 6, Series of 2015 amended language
Attachment 3: Planning Commission Resolution No. 10; Series of 2016 amended language
Attachment 4: Planning Commission Resolution No. 10; Series of 2016.

ATTACHMENT 1
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 04-2013

NOTE: new language is presented in *italics*, removed language is presented in ~~strikethroughs~~, unchanged language is in normal font, and all figures are new

1 Sec. 16A-5-250. Administrative modifications.

2 (a) Purpose. This Section sets forth the procedures and standards for obtaining an
3 administrative modification. An administrative modification is a staff-level *or Planning*
4 *Commission* review procedure that allows minor changes to be made to certain dimensional
5 limitations or other design features in order to address technical constraints or unanticipated
6 circumstances that arise prior to or during final design and actual construction. *Activities that*
7 *shall not be considered administrative include changes to the overall character of the project,*
8 *changes that substantially increase trip generation or the demand for public facilities and*
9 *changes that are inconsistent with a condition or a representation of the project's original*
10 *approval, or that require granting a further variation from that granted in the original*
11 *approval.*

12 An administrative modification shall only be granted for the following types of activities:

13 (1) Setback. The intrusion of a building or an above-grade structure into a required setback
14 by one (1) foot or less for new construction.

15 (2) Floor area. An increase in the maximum allowable floor area of a structure by no more
16 than two percent (2%) or fifty (50) square feet, whichever is less.

17 (3) Building height. An increase in a building's height by one (1) foot or less.

18 (4) Parking space size. A decrease in the size of a required parking space by one (1) foot or
19 less.

20 (5) Crawl space or attic space. A crawl space or attic space that is greater than five and one-
21 half (5½) feet at any point when rational construction methods will not allow compliance with
22 the maximum height of five and one-half (5½) feet, provided that the Planning Director may
23 impose reasonable conditions to limit or restrict the use of said space.

24 (6) On-grade or below-grade structures. The projection of an on-grade or below-grade
25 structure into a required setback in a manner that exceeds the limitations established in Section
26 16A-3-200(b)(2), Structures On or Below Finished Grade. The Planning Director may impose
27 reasonable conditions to ensure that such structures will not hinder road maintenance and snow
28 plowing operations and will have minimal visual impacts, and to ensure that the owner
29 indemnifies the Town against any damage that may occur to said structures.

30 (7) Building outside of established envelope. An intrusion into a required setback, where a
31 building or portion thereof was previously constructed outside of the established building
32 envelope for the lot.

33 (8) Adjustment to building envelope. Adjustment of a building envelope to correct an
34 existing condition or to allow it to better conform to the standards of this Development Code,
35 such as by allowing less vegetation to be removed from the site, helping to lessen impacts from
36 drainage or site grading or permitting better access to the site to be provided.

ATTACHMENT 1
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 04-2013

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37 (9) Administrative amendments. An administrative amendment to any other design
38 feature of an approved PUD, subdivision or building lot, or an administrative amendment to
39 the uses approved for a PUD. ~~Activities that shall not be considered administrative include~~
40 ~~changes to the overall character of the project, changes that substantially increase trip~~
41 ~~generation or the demand for public facilities and changes that are inconsistent with a~~
42 ~~condition or a representation of the project's original approval, or that require granting a~~
43 ~~further variation from that granted in the original approval.~~

44 (10) Interim SPA (SPA-1 and SPA-2) authorization. Improvements to existing
45 development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially
46 Planned Area zone districts that have not been reviewed pursuant to the procedures and
47 standards of Article V, Division 3, Planned Unit Development, provided: a) the
48 improvements are necessary for the maintenance and repair or remodeling of an existing
49 building; b) there will be no change in type of use except as may be accessory to or customary
50 in connection with the existing principal use(s) of the building; c) the total square footage of
51 the floor space of the building is not increased by more than ten percent (10%) or five
52 hundred (500) square feet, whichever is less, except in the case of Governmental Specially
53 Planned Areas it shall be ten percent (10%) of the building floor space; d) the proposed
54 improvements will be consistent with Section 16A-4-340, Building Design Guidelines to
55 Preserve Community Character; and e) all future development improvements within the
56 property *proposed after an initial administrative modification approved by means of a)*
57 *through d) above* shall be reviewed pursuant to the procedures and standards of Article V,
58 Division 3, Planned Unit Development. The Planning Director ~~shall~~ *may* require the
59 preparation of an interim site development and land use plan and may impose reasonable
60 conditions to ensure that such structures will not change the basic character of existing
61 buildings or surrounding areas or have a substantially adverse impact upon surrounding
62 properties.

63 (11) Site disturbance outside building envelope. Earth berms located outside the building
64 envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a, Earth
65 Berm Outside Building Envelope. The Planning Director may impose reasonable conditions
66 to ensure that such berm will be located and designed to reasonably fit the site and to
67 minimize the visual impact upon surrounding property owners.

68 (b) Procedure. The following procedures shall apply to an application for an administrative
69 modification. These procedures are illustrated in Figure 5-8, Administrative Modification
70 Application Procedures.

71 (1) Pre-application conference. Attendance at a pre-application conference is optional prior
72 to submission of an administrative modification application.

73 (2) Submission of application. The applicant shall submit an application to the Planning
74 Director that contains the ~~following~~ *materials specified in Subsection (c), Application Contents.*

75 ~~a. Minimum contents. The minimum contents for any application, as specified in Section~~
76 ~~16A-5-40(b), Minimum Contents.~~

ATTACHMENT 1
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 04-2013

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77 ~~b. Site plan. A site plan of the subject property, showing existing improvements and~~
78 ~~proposed development features that are relevant to the review of the proposed administrative~~
79 ~~modification. As necessary, the applicant shall also submit such other written or graphic~~
80 ~~information as is necessary to describe the proposed modification, such as a sketch of those~~
81 ~~elements of the proposed structure for which an administrative modification is requested.~~

82 ~~e. Improvement survey. An improvement survey, showing the location and dimensions of~~
83 ~~all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and~~
84 ~~private utilities and other significant features within the property or proximate to the project~~
85 ~~area shall be required as may be determined necessary by the Planning Director to ensure~~
86 ~~adequate review of the application.~~

87 ~~d. Other information. The Planning Director may request the applicant to submit such~~
88 ~~other information as is necessary to evaluate the impacts of the administrative modification~~
89 ~~application. Examples of the information that may be requested are elevations of proposed~~
90 ~~new or remodeled structures, analysis of the traffic impacts of the proposed use or evaluation~~
91 ~~of the environmental or fiscal impacts of the proposed use.~~

92 ~~e. List of adjacent owners. Applicants proposing to adjust a building envelope, extend~~
93 ~~an on grade or below grade structure into a required setback, obtain interim SPA (SPA 1~~
94 ~~and SPA 2) authorization or to amend a use in an approved PUD shall submit a list of all~~
95 ~~owners of property that is located within three hundred (300) feet of the subject property.~~
96 ~~The list of persons shall be compiled pursuant to Section 16A-5-60(b)(2)a, Source of List.~~

97 ~~(3) Staff review and notice. Staff review of the application shall be accomplished as~~
98 ~~specified in Section 16A-5-50, Staff Review of Application. For an application proposing to~~
99 ~~adjust a building envelope, extend an on grade or below grade structure into a required~~
100 ~~setback, obtain interim SPA (SPA 1 and SPA 2) authorization or to amend a use in an~~
101 ~~approved PUD, the applicant shall provide notice by United States mail postage prepaid to all~~
102 ~~owners of property that is located within three hundred (300) feet of the subject property. The~~
103 ~~notice that is mailed shall contain sufficient graphic and written material to fully describe the~~
104 ~~administrative modification proposal and state that the Planning Director will take action on~~
105 ~~the application within fifteen (15) days after the date of the mailing.~~

106 ~~(3) Process Determination. Within ten (10) days after the pre-application meeting or after~~
107 ~~the application is deemed complete, the Planning Director shall decide if the application can~~
108 ~~be processed administratively or if it must be forwarded to the Planning Commission as the~~
109 ~~decision-maker.~~

110 ~~(4) Action by Planning Director. Following the notice period, the Planning Director shall~~
111 ~~either refer the application to the Planning Commission for final determination or issue a written~~
112 ~~decision notice approving, approving with conditions or denying the application, based on the~~
113 ~~following standards:~~

114 ~~a. Unforeseen circumstances. The proposed modification shall be the result of~~
115 ~~circumstances that could not have been reasonably anticipated by the applicant prior to or~~

ATTACHMENT 1
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 04-2013

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116 ~~during the original approval process; and~~

117 ~~b. Insubstantial impacts. Any adverse impacts on surrounding properties from the~~
118 ~~proposed modification shall be insubstantial.~~

119 (4) *Administrative staff review. Staff review of the application shall be accomplished, as*
120 *specified in Section 16A-5-50, Staff Review of Application. For applications being processed*
121 *by the Planning Director, no public notice shall be required. Notice of the issuance of the*
122 *Planning Director's approved administrative modification, including copy of the record of*
123 *decision, shall be provided to the Planning Commission.*

124 *a. Action by Planning Director. The Planning Director shall approve, approve with*
125 *conditions or deny the application, considering the relevant materials and testimony and*
126 *the standards in Subsection (d), Review Standards. If, during the staff review any issues*
127 *arise that cannot be resolved to the satisfaction of the Planning Director or the applicant,*
128 *then the staff shall refer the application within thirty (30) days to the Planning*
129 *Commission pursuant to Subsection (5) Action by Decision-Making Body.*

130 *b. Public notice that an application for an administrative modification has been*
131 *referred to the Planning Commission shall be given pursuant to Section 16A-5-60(b),*
132 *Manner and Timing of Notice.*

133 (5) *Action by decision-making body. The following procedure shall apply to an application*
134 *for administrative modification if, due to its scale or potential impacts upon surrounding*
135 *properties or due to the nature and intensity of the proposed activity or use, it is determined by*
136 *the Planning Director to warrant referral to the Planning Commission for final determination.*
137 *This procedure shall apply regardless of whether the Planning Director refers the application*
138 *prior to after a formal staff review.*

139 *a. Staff review. Staff review of the application shall be accomplished, as specified in*
140 *Section 16A-5-50, Staff Review of Application.*

141 *b. Planning Commission review. A complete copy of the application shall be forwarded*
142 *to the Planning Commission, together with a copy of the staff review, which shall approve,*
143 *approve with conditions or deny the application, based on the standards in Subsection (d),*
144 *Review Standards.*

145 ~~(5) Referral to Planning Commission. If, during the staff review or during the public~~
146 ~~hearing, any issues arise that cannot be resolved to the satisfaction of the staff or the applicant,~~
147 ~~then the staff shall refer the application to the Planning Commission, which shall approve,~~
148 ~~approve with conditions or deny the application, based on the standards in Section 16A-5-~~
149 ~~250(b)(4) above. Public notice that an application for administrative modification has been~~
150 ~~referred to the Planning Commission shall be given by publication, mailing and posting of~~
151 ~~notice, pursuant to Section 16A-5-60(b), Manner and Timing of Notice.~~

152 (6) Appeal. A decision by the Planning Director *or Planning Commission* on an

ATTACHMENT 1
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 04-2013

NOTE: new language is presented in italics, removed language is presented in strikethroughs, unchanged language is in normal font, and all figures are new

153 administrative modification may be appealed, pursuant to Section 16A-5-80, Appeals. The
154 appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section
155 16A-5-80(d), Procedure.

156 (7) Recording of decision. If the Planning Director or Planning Commission approves the
157 administrative modification, the applicant shall, within thirty (30) days of the date of said
158 approval, cause the written decision notice *or resolution, with applicable exhibits*, to be recorded
159 in the records of the County Clerk and Recorder.

160 ~~(7) Recording of interim site development and land use plan. Within ninety (90) days of~~
161 ~~the date of approval of the administrative modification, the applicant shall, if required by their~~
162 ~~approval, submit two (2) Mylar copies, suitable for recording, of the interim site development~~
163 ~~and land use plan to the Planning Director, together with any other documents that are to be~~
164 ~~recorded. The Planning Director shall review the documents to ensure they comply with the~~
165 ~~terms and conditions of approval, shall obtain signatures for all of the applicable certificates~~
166 ~~on the interim plan and shall return the documents to the applicant. The applicant shall~~
167 ~~thereafter cause the documents to be recorded in the records of the County Clerk and~~
168 ~~Recorder, at the applicant's expense.~~

169 (c) *Application Contents. An administrative modification application shall contain the*
170 *following:*

171 (1) *Minimum contents. The minimum contents for any application, as specified in Section*
172 *16A-5-40(b), Minimum Contents.*

173 (2) *Improvements survey. If deemed necessary in the discretion of the Planning Director,*
174 *Aan improvements survey, showing the location and dimensions of all existing structures, streets,*
175 *alleys, easements, drainage areas, irrigation ditches, public and private utilities and other*
176 *significant features within the property.*

177 (3) *Site plan. A site plan of the subject property, showing existing improvements and*
178 *proposed development features that are relevant to the review of the proposed administrative*
179 *modification. As necessary, the applicant shall also submit such other written or graphic*
180 *information as is necessary to describe the proposed modification, such as a sketch of those*
181 *elements of the proposed structure for which an administrative modification is requested.*

182 (4) *Other information. The Planning Director may request the applicant to submit such*
183 *other information as is necessary to evaluate the impacts of the application. Examples of the*
184 *information that may be requested are elevations of proposed structures, analysis of the traffic*
185 *impacts of the proposed use or evaluation of the environmental impacts of the proposed use.*

186
187 (d) *Review Standards. An application for an administrative modification shall comply with the*
188 *following standards:*

189 a. *Unforeseen circumstances. The proposed modification shall be the result of*

ATTACHMENT 1
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 04-2013

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190 *circumstances that could not have been reasonably anticipated by the applicant prior to or*
191 *during the original approval process; and*

192 *b. Insubstantial impacts. Any adverse impacts on surrounding properties from the*
193 *proposed modification shall be insubstantial.*

194

ATTACHMENT 2
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 06-2015

NOTE: new language is presented in *italics*, removed language is presented in ~~strikethroughs~~, unchanged language is in normal font, and all figures are new

Sec. 16A-5-250. Administrative modifications.

(a) Purpose. This Section sets forth the procedures and standards for obtaining an administrative modification. An administrative modification is a staff-level review procedure that allows minor changes to be made to certain dimensional limitations or other design features in order to address technical constraints or unanticipated circumstances that arise prior to or during final design and actual construction. An administrative modification shall only be granted for the following types of activities:

(1) Setback. The intrusion of a building or an above-grade structure into a required setback by one (1) foot or less for new construction *in a manner that exceeds the limitations established in Section 16A-3-200(b), Construction in Required Setbacks.*

(2) Floor area. An increase in the maximum allowable floor area of a structure by no more than two percent (2%) or fifty (50) square feet, whichever is less.

(3) Building height. An increase in a building's height by one (1) foot or less.

(4) Parking space size. A decrease in the size of a required parking space by one (1) foot or less.

(5) Crawl space or attic space. A crawl space or attic space that is greater than five and one-half (5½) feet at any point when rational construction methods will not allow compliance with the maximum height of five and one-half (5½) feet, provided that the Planning Director may impose reasonable conditions to limit or restrict the use of said space.

(6) On-grade or below-grade structures. The projection of an on-grade or below-grade structure into a required setback in a manner that exceeds the limitations established in Section 16A-3-200(b)(2), Structures On or Below Finished Grade. The Planning Director may impose reasonable conditions to ensure that such structures will not hinder road maintenance and snow plowing operations and will have minimal visual impacts, and to ensure that the owner indemnifies the Town against any damage that may occur to said structures.

(7) Building outside of established envelope. An ~~intrusion~~ *encroachment outside of building envelope into a required setback*, where a building or portion thereof was previously constructed ~~outside of the established building envelope for the lot.~~

(8) Adjustment to building envelope. Adjustment of a building envelope to correct an existing condition or to allow it to better conform to the standards of this Development Code, such as by allowing less vegetation to be removed from the site, helping to lessen impacts from drainage or site grading or permitting better access to the site to be provided.

(9) Administrative amendments. An administrative amendment to any other design feature of an approved PUD, subdivision or building lot, or an administrative amendment to the uses approved for a PUD. Activities that shall not be considered administrative

ATTACHMENT 2
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 06-2015

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include changes to the overall character of the project, changes that substantially increase trip generation or the demand for public facilities and changes that are inconsistent with a condition or a representation of the project's original approval, or that require granting a further variation from that granted in the original approval.

(10) Interim SPA (SPA-1 and SPA-2) authorization. Improvements to existing development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially Planned Area zone districts that have not been reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development, provided: a) the improvements are necessary for the maintenance and repair or remodeling of an existing building; b) there will be no change in type of use except as may be accessory to or customary in connection with the existing principal use(s) of the building; c) the total square footage of the floor space of the building is not increased by more than ten percent (10%) or five hundred (500) square feet, whichever is less, except in the case of Governmental Specially Planned Areas it shall be ten percent (10%) of the building floor space; d) the proposed improvements will be consistent with Section 16A-4-340, Building Design Guidelines to Preserve Community Character; and e) all future development improvements within the property shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development. The Planning Director shall require the preparation of an interim site development and land use plan and may impose reasonable conditions to ensure that such structures will not change the basic character of existing buildings or surrounding areas or have a substantially adverse impact upon surrounding properties.

(11) Site disturbance outside building envelope. Earth berms located outside the building envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a, Earth Berm Outside Building Envelope. The Planning Director may impose reasonable conditions to ensure that such berm will be located and designed to reasonably fit the site and to minimize the visual impact upon surrounding property owners.

(b) Procedure. The following procedures shall apply to an application for an administrative modification. These procedures are illustrated in Figure 5-8, Administrative Modification Application Procedures.

(1) Pre-application conference. Attendance at a pre-application conference is optional prior to submission of an administrative modification application.

(2) Submission of application. The applicant shall submit an application to the Planning Director that contains the following materials:

a. Minimum contents. The minimum contents for any application, as specified in Section 16A-5-40(b), Minimum Contents.

b. Site plan. A site plan of the subject property, showing existing improvements and proposed development features that are relevant to the review of the proposed administrative modification. As necessary, the applicant shall also submit such other

ATTACHMENT 2
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 06-2015

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written or graphic information as is necessary to describe the proposed modification, such as a sketch of those elements of the proposed structure for which an administrative modification is requested.

c. Improvement survey. An improvement survey, showing the location and dimensions of all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and private utilities and other significant features within the property or proximate to the project area shall be required as may be determined necessary by the Planning Director to ensure adequate review of the application.

d. Other information. The Planning Director may request the applicant to submit such other information as is necessary to evaluate the impacts of the administrative modification application. Examples of the information that may be requested are elevations of proposed new or remodeled structures, analysis of the traffic impacts of the proposed use or evaluation of the environmental or fiscal impacts of the proposed use.

e. List of adjacent owners. Applicants proposing to adjust a building envelope, extend an on-grade or below-grade structure into a required setback, obtain interim SPA (SPA-1 and SPA-2) authorization or to amend a use in an approved PUD shall submit a list of all owners of property that is located within three hundred (300) feet of the subject property. The list of persons shall be compiled pursuant to Section 16A-5-60(b)(2)a, Source of List.

(3) Staff review and notice. Staff review of the application shall be accomplished as specified in Section 16A-5-50, Staff Review of Application. For an application proposing to adjust a building envelope, extend an on-grade or below-grade structure into a required setback, obtain interim SPA (SPA-1 and SPA-2) authorization or to amend a use in an approved PUD, the applicant shall provide notice by United States mail postage prepaid to all owners of property that is located within three hundred (300) feet of the subject property. The notice that is mailed shall contain sufficient graphic and written material to fully describe the administrative modification proposal and state that the Planning Director will take action on the application within fifteen (15) days after the date of the mailing.

(4) Action by Planning Director. Following the notice period, the Planning Director shall either refer the application to the Planning Commission for final determination or issue a written decision notice approving, approving with conditions or denying the application, based on the following standards:

a. Unforeseen circumstances. The proposed modification shall be the result of circumstances that could not have been reasonably anticipated by the applicant prior to or during the original approval process; and

b. Insubstantial impacts. Any adverse impacts on surrounding properties from the proposed modification shall be insubstantial.

ATTACHMENT 2
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 06-2015

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(5) Referral to Planning Commission. If, during the staff review or during the public hearing, any issues arise that cannot be resolved to the satisfaction of the staff or the applicant, then the staff shall refer the application to the Planning Commission, which shall approve, approve with conditions or deny the application, based on the standards in Section 16A-5-250(b)(4) above. Public notice that an application for administrative modification has been referred to the Planning Commission shall be given by publication, mailing and posting of notice, pursuant to Section 16A-5-60(b), Manner and Timing of Notice.

(6) Appeal. A decision by the Planning Director on an administrative modification may be appealed, pursuant to Section 16A-5-80, Appeals. The appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section 16A-5-80(d), Procedure.

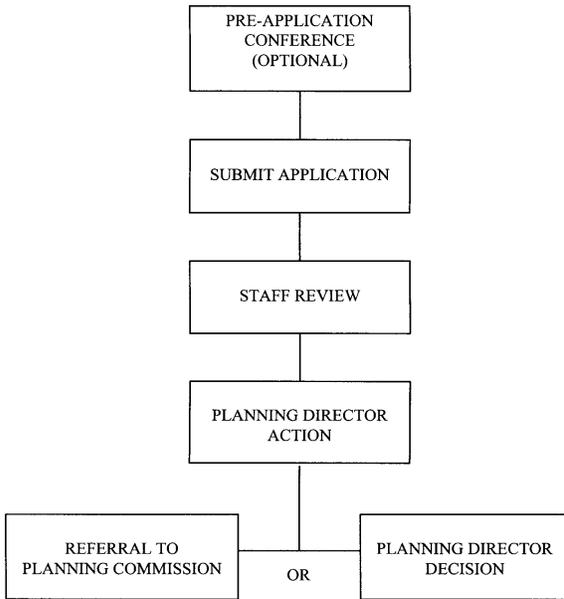
(7) Recording of decision. If the Planning Director or Planning Commission approves the administrative modification, the applicant shall, within thirty (30) days of the date of said approval, cause the written decision notice to be recorded in the records of the County Clerk and Recorder.

(8) Recording of interim site development and land use plan. Within ninety (90) days of the date of approval of the administrative modification, the applicant shall, if required by their approval, submit two (2) Mylar copies, suitable for recording, of the interim site development and land use plan to the Planning Director, together with any other documents that are to be recorded. The Planning Director shall review the documents to ensure they comply with the terms and conditions of approval, shall obtain signatures for all of the applicable certificates on the interim plan and shall return the documents to the applicant. The applicant shall thereafter cause the documents to be recorded in the records of the County Clerk and Recorder, at the applicant's expense.

ATTACHMENT 2
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 06-2015

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**FIGURE 5-8
ADMINISTRATIVE MODIFICATION
APPLICATION PROCEDURES**



(Ord. 4-1998 §1; Ord. 1-1999 §1; Ord. 10-1999 §1; Ord. 15-2000 §1; Ord. 32-2004 §A-7)

ATTACHMENT 3
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 10-2016

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1 **Sec. 16A-5-250. Administrative modifications.**

2 (a) Purpose. This Section sets forth the procedures and standards for obtaining an
3 administrative modification. An administrative modification is a staff-level *or Planning*
4 *Commission* review procedure that allows minor changes to be made to certain dimensional
5 limitations or other design features in order to address technical constraints or unanticipated
6 circumstances that arise prior to or during final design and actual construction. *Activities that*
7 *shall not be considered administrative include changes to the overall character of the project,*
8 *changes that substantially increase trip generation or the demand for public facilities and*
9 *changes that are inconsistent with a condition or a representation of the project's original*
10 *approval, or that require granting a further variation from that granted in the original*
11 *approval.*

12 An administrative modification shall only be granted for the following types of activities:

13 (1) Setback. The intrusion of a building or an above-grade structure into a required setback
14 by one (1) foot or less for new construction in a manner that exceeds the limitations established
15 in Section 16A-3-200(b), Construction in Required Setbacks.

16 (2) Floor area. An increase in the maximum allowable floor area of a structure by no more
17 than two percent (2%) or fifty (50) square feet, whichever is less.

18 (3) Building height. An increase in a building's height by one (1) foot or less.

19 (4) Parking space size. A decrease in the size of a required parking space by one (1) foot or
20 less.

21 (5) Crawl space or attic space. A crawl space or attic space that is greater than five and one-
22 half (5½) feet at any point when rational construction methods will not allow compliance with
23 the maximum height of five and one-half (5½) feet, provided that the Planning Director may
24 impose reasonable conditions to limit or restrict the use of said space.

25 (6) On-grade or below-grade structures. The projection of an on-grade or below-grade
26 structure into a required setback in a manner that exceeds the limitations established in Section
27 16A-3-200(b)(2), Structures On or Below Finished Grade. The Planning Director may impose
28 reasonable conditions to ensure that such structures will not hinder road maintenance and snow
29 plowing operations and will have minimal visual impacts, and to ensure that the owner
30 indemnifies the Town against any damage that may occur to said structures.

31 (7) Building outside of established envelope. An encroachment outside of building envelope,
32 where a building or portion thereof was previously constructed.

33 (8) Adjustment to building envelope. Adjustment of a building envelope to correct an
34 existing condition or to allow it to better conform to the standards of this Development Code,
35 such as by allowing less vegetation to be removed from the site, helping to lessen impacts from
36 drainage or site grading or permitting better access to the site to be provided.

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37 (9) Administrative amendments. An administrative amendment to any other design
38 feature of an approved PUD, subdivision or building lot, or an administrative amendment to
39 the uses approved for a PUD. ~~Activities that shall not be considered administrative include~~
40 ~~changes to the overall character of the project, changes that substantially increase trip~~
41 ~~generation or the demand for public facilities and changes that are inconsistent with a~~
42 ~~condition or a representation of the project's original approval, or that require granting a~~
43 ~~further variation from that granted in the original approval.~~

44 (10) Interim SPA (SPA-1 and SPA-2) authorization. Improvements to existing
45 development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially
46 Planned Area zone districts that have not been reviewed pursuant to the procedures and
47 standards of Article V, Division 3, Planned Unit Development, provided: a) the
48 improvements are necessary for the maintenance and repair or remodeling of an existing
49 building; b) there will be no change in type of use except as may be accessory to or customary
50 in connection with the existing principal use(s) of the building; c) the total square footage of
51 the floor space of the building is not increased by more than ten percent (10%) or five
52 hundred (500) square feet, whichever is less, except in the case of Governmental Specially
53 Planned Areas it shall be ten percent (10%) of the building floor space; d) the proposed
54 improvements will be consistent with Section 16A-4-340, Building Design Guidelines to
55 Preserve Community Character; and e) all future development improvements within the
56 property *proposed after an initial administrative modification approved by means of a)*
57 *through d) above* shall be reviewed pursuant to the procedures and standards of Article V,
58 Division 3, Planned Unit Development. The Planning Director ~~shall~~ *may* require the
59 preparation of an interim site development and land use plan and may impose reasonable
60 conditions to ensure that such structures will not change the basic character of existing
61 buildings or surrounding areas or have a substantially adverse impact upon surrounding
62 properties.

63 (11) Site disturbance outside building envelope. Earth berms located outside the building
64 envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a, Earth
65 Berm Outside Building Envelope. The Planning Director may impose reasonable conditions
66 to ensure that such berm will be located and designed to reasonably fit the site and to
67 minimize the visual impact upon surrounding property owners.

68 (b) Procedure. The following procedures shall apply to an application for an administrative
69 modification. These procedures are illustrated in Figure 5-8, Administrative Modification
70 Application Procedures.

71 (1) Pre-application conference. Attendance at a pre-application conference is optional prior
72 to submission of an administrative modification application.

73 (2) Submission of application. The applicant shall submit an application to the Planning
74 Director that contains the ~~following~~ *materials specified in Subsection (c), Application Contents.*

75 a. ~~Minimum contents. The minimum contents for any application, as specified in Section~~

ATTACHMENT 3
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 10-2016

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76 ~~16A-5-40(b), Minimum Contents.~~

77 ~~b. Site plan. A site plan of the subject property, showing existing improvements and~~
78 ~~proposed development features that are relevant to the review of the proposed administrative~~
79 ~~modification. As necessary, the applicant shall also submit such other written or graphic~~
80 ~~information as is necessary to describe the proposed modification, such as a sketch of those~~
81 ~~elements of the proposed structure for which an administrative modification is requested.~~

82 ~~c. Improvement survey. An improvement survey, showing the location and dimensions of~~
83 ~~all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and~~
84 ~~private utilities and other significant features within the property or proximate to the project~~
85 ~~area shall be required as may be determined necessary by the Planning Director to ensure~~
86 ~~adequate review of the application.~~

87 ~~d. Other information. The Planning Director may request the applicant to submit such~~
88 ~~other information as is necessary to evaluate the impacts of the administrative modification~~
89 ~~application. Examples of the information that may be requested are elevations of proposed~~
90 ~~new or remodeled structures, analysis of the traffic impacts of the proposed use or evaluation~~
91 ~~of the environmental or fiscal impacts of the proposed use.~~

92 ~~e. List of adjacent owners. Applicants proposing to adjust a building envelope, extend~~
93 ~~an on grade or below grade structure into a required setback, obtain interim SPA (SPA 1~~
94 ~~and SPA 2) authorization or to amend a use in an approved PUD shall submit a list of all~~
95 ~~owners of property that is located within three hundred (300) feet of the subject property.~~
96 ~~The list of persons shall be compiled pursuant to Section 16A-5-60(b)(2)a, Source of List.~~

97 ~~(3) Staff review and notice. Staff review of the application shall be accomplished as~~
98 ~~specified in Section 16A-5-50, Staff Review of Application. For an application proposing to~~
99 ~~adjust a building envelope, extend an on grade or below grade structure into a required~~
100 ~~setback, obtain interim SPA (SPA 1 and SPA 2) authorization or to amend a use in an~~
101 ~~approved PUD, the applicant shall provide notice by United States mail postage prepaid to all~~
102 ~~owners of property that is located within three hundred (300) feet of the subject property. The~~
103 ~~notice that is mailed shall contain sufficient graphic and written material to fully describe the~~
104 ~~administrative modification proposal and state that the Planning Director will take action on~~
105 ~~the application within fifteen (15) days after the date of the mailing.~~

106 ~~(3) Process Determination. Within ten (10) days after the pre-application meeting or after~~
107 ~~the application is deemed complete, the Planning Director shall decide if the application can~~
108 ~~be processed administratively or if it must be forwarded to the Planning Commission as the~~
109 ~~decision-maker.~~

110 ~~(4) Action by Planning Director. Following the notice period, the Planning Director shall~~
111 ~~either refer the application to the Planning Commission for final determination or issue a written~~
112 ~~decision notice approving, approving with conditions or denying the application, based on the~~
113 ~~following standards:~~

ATTACHMENT 3
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 10-2016

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114 a. ~~Unforeseen circumstances. The proposed modification shall be the result of~~
115 ~~circumstances that could not have been reasonably anticipated by the applicant prior to or~~
116 ~~during the original approval process; and~~

117 b. ~~Insubstantial impacts. Any adverse impacts on surrounding properties from the~~
118 ~~proposed modification shall be insubstantial.~~

119 (4) *Administrative staff review. Staff review of the application shall be accomplished, as*
120 *specified in Section 16A-5-50, Staff Review of Application. For applications being processed*
121 *by the Planning Director, no public notice shall be required. Notice of the issuance of the*
122 *Planning Director's approved administrative modification, including copy of the record of*
123 *decision, shall be provided to the Planning Commission.*

124 a. *Action by Planning Director. The Planning Director shall approve, approve with*
125 *conditions or deny the application, considering the relevant materials and testimony and*
126 *the standards in Subsection (d), Review Standards. If, during the staff review any issues*
127 *arise that cannot be resolved to the satisfaction of the Planning Director or the applicant,*
128 *then the staff shall refer the application within thirty (30) days to the Planning*
129 *Commission pursuant to Subsection (5) Action by Decision-Making Body.*

130 b. *Public notice that an application for an administrative modification has been*
131 *referred to the Planning Commission shall be given pursuant to Section 16A-5-60(b),*
132 *Manner and Timing of Notice.*

133 (5) *Action by decision-making body. The following procedure shall apply to an application*
134 *for administrative modification if, due to its scale or potential impacts upon surrounding*
135 *properties or due to the nature and intensity of the proposed activity or use, it is determined by*
136 *the Planning Director to warrant referral to the Planning Commission for final determination.*
137 *This procedure shall apply regardless of whether the Planning Director refers the application*
138 *prior to after a formal staff review.*

139 a. *Staff review. Staff review of the application shall be accomplished, as specified in*
140 *Section 16A-5-50, Staff Review of Application.*

141 b. *Planning Commission review. A complete copy of the application shall be forwarded*
142 *to the Planning Commission, together with a copy of the staff review, which shall approve,*
143 *approve with conditions or deny the application, based on the standards in Subsection (d),*
144 *Review Standards.*

145 (5) ~~Referral to Planning Commission. If, during the staff review or during the public~~
146 ~~hearing, any issues arise that cannot be resolved to the satisfaction of the staff or the applicant,~~
147 ~~then the staff shall refer the application to the Planning Commission, which shall approve,~~
148 ~~approve with conditions or deny the application, based on the standards in Section 16A-5-~~
149 ~~250(b)(4) above. Public notice that an application for administrative modification has been~~
150 ~~referred to the Planning Commission shall be given by publication, mailing and posting of~~
151 ~~notice, pursuant to Section 16A-5-60(b), Manner and Timing of Notice.~~

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152 (6) Appeal. A decision by the Planning Director *or Planning Commission* on an
153 administrative modification may be appealed, pursuant to Section 16A-5-80, Appeals. The
154 appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section
155 16A-5-80(d), Procedure.

156 (7) Recording of decision. If the Planning Director or Planning Commission approves the
157 administrative modification, the applicant shall, within thirty (30) days of the date of said
158 approval, cause the written decision notice *or resolution, with applicable exhibits*, to be recorded
159 in the records of the County Clerk and Recorder.

160 ~~(7) Recording of interim site development and land use plan. Within ninety (90) days of~~
161 ~~the date of approval of the administrative modification, the applicant shall, if required by their~~
162 ~~approval, submit two (2) Mylar copies, suitable for recording, of the interim site development~~
163 ~~and land use plan to the Planning Director, together with any other documents that are to be~~
164 ~~recorded. The Planning Director shall review the documents to ensure they comply with the~~
165 ~~terms and conditions of approval, shall obtain signatures for all of the applicable certificates~~
166 ~~on the interim plan and shall return the documents to the applicant. The applicant shall~~
167 ~~thereafter cause the documents to be recorded in the records of the County Clerk and~~
168 ~~Recorder, at the applicant's expense.~~

169 (c) *Application Contents.* An administrative modification application shall contain the
170 following:

171 (1) *Minimum contents.* The minimum contents for any application, as specified in Section
172 16A-5-40(b), *Minimum Contents*.

173 (2) *Improvements survey.* If deemed necessary in the discretion of the Planning Director,
174 *Aan improvements survey, showing the location and dimensions of all existing structures, streets,*
175 *alleys, easements, drainage areas, irrigation ditches, public and private utilities and other*
176 *significant features within the property.*

177 (3) *Site plan.* A site plan of the subject property, showing existing improvements and
178 proposed development features that are relevant to the review of the proposed administrative
179 modification. As necessary, the applicant shall also submit such other written or graphic
180 information as is necessary to describe the proposed modification, such as a sketch of those
181 elements of the proposed structure for which an administrative modification is requested.

182 (4) *Other information.* The Planning Director may request the applicant to submit such
183 other information as is necessary to evaluate the impacts of the application. Examples of the
184 information that may be requested are elevations of proposed structures, analysis of the traffic
185 impacts of the proposed use or evaluation of the environmental impacts of the proposed use.

186
187 (d) *Review Standards.* An application for an administrative modification shall comply with the
188 following standards:

ATTACHMENT 3
SNOWMASS VILLAGE TOWN COUNCIL ORDINANCE 10-2016

NOTE: new language is presented in *italics*, removed language is presented in ~~strikethroughs~~, unchanged language is in normal font, and all figures are new

189 *a. Unforeseen circumstances. The proposed modification shall be the result of*
190 *circumstances that could not have been reasonably anticipated by the applicant prior to or*
191 *during the original approval process; and*

192 *b. Insubstantial impacts. Any adverse impacts on surrounding properties from the*
193 *proposed modification shall be insubstantial.*

194

TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION
RESOLUTION NO. 10
SERIES OF 2016

A RESOLUTION RECOMMENDING AMENDMENTS TO CHAPTER 16A, LAND USE AND DEVELOPMENT CODE, SECTION 16A-5-250 “ADMINISTRATIVE MODIFICATIONS” OF THE SNOWMASS VILLAGE MUNICIPAL CODE TO CORRECT INCONGRUITIES IN CODIFICATION RESULTING FROM THE ADOPTION OF ORDINANCE NO. 4, SERIES OF 2013 AND ORDINANCE NO. 6, SERIES OF 2015.

WHEREAS, the Town Council approved Ordinance No. 1, Series of 2010 on February 22, 2010, thereby adopting the 2010 Town of Snowmass Village Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, Chapter 10, Actions and Implementation, of the Comprehensive Plan summarized the actions and implementations intended to implement goals and policies found in the individual Comprehensive Plan chapters; and

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

WHEREAS, staff has proposed additional amendments to Chapter 16A of the Municipal Code for consideration at this time; and

WHEREAS, the amendments contained in this Resolution are being processed under the provisions of Section 16A-5-210 *Amendments to text of Development Code* of the Municipal Code; and

WHEREAS, Town Council Ordinance No. 4; Series of 2013 was adopted September 9, 2013 to amend the text of the land use and development code affecting 1) Definitions; 2) Dimensional Limitations and Floor Area Measurement; 3) Public Noticing; and 4) Administrative Modification Processing.

WHEREAS, Town Council Ordinance No. 6; Series of 2015 was adopted July 20, 2015 to amend the text of the land use and development code affecting 1) Definitions; 2) Temporary Use; 3) Construction in Required Setbacks; 4) Public Noticing; and 5) Administrative Modifications.

WHEREAS, this resolution recommends that Town Council correct the incongruities in sequential codification of the previously referenced Ordinances as further described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission has determined that the amendments and revisions to the Municipal Code as hereinafter set forth are necessary for the public health, safety and welfare.

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

Section One: Findings. Based upon the information provided and the testimony given during the meetings, the Planning Commission finds as follows:

- 56 1. The procedural requirements set forth in Section 16A-5-210 *Amendments to*
57 *text of the Development Code* of the Municipal Code have been satisfied.
58
59 2. The proposed amendments comply with the applicable review standards
60 specified within Section 16A-5-210(e) of the Municipal Code.
61

62 **Section Two: Comments, Concerns and Recommendations to the Town Council.**

63 The Planning Commission recommends that the Town Council adopt the amendments to
64 Chapter 16A of the Municipal Code, described in Exhibits A, subject to consideration of the
65 following recommendations and comments:
66

- 67 1. Recommend approval of Exhibit A with reference to Section 16A-5-520
68 '*Administrative modifications*' for correction of codification incongruities.
69

70 **INTRODUCED, READ, AND APPROVED** by the Planning Commission of the
71 Town of Snowmass Village on December 21, 2016, upon a motion by Commission
72 Member _____, the second of Commission Member _____, and
73 upon a vote of ___ in favor and _____ against.

74
75
76 TOWN OF SNOWMASS VILLAGE
77 PLANNING COMMISSION
78
79

80 _____
81 Jamie Knowlton, Chair

82 ATTEST:

83
84 _____
85
86 Cindy Ford, Planning Commission Secretary
87
88
89

90 **Attachments:**

91 Exhibit "A" – Section 16A-5-250. Administrative Modifications.
92

Notes on Comprehensive Plan

T. Fridstein

11-16-2016

1. **VISION: “A beautiful, natural village of interesting people that contains a world-class resort”**
2. We have 4 populations
 - a. Resort visitors
 - b. Part-time Residents
 - c. Full-time Residents – non working
 - d. Full-time Residents -working
3. We need a “Main Street”. A perceived physical center for our community
4. Encourage, foster, protect and proclaim our beautiful, natural, rustic environment. Protect our open spaces.
5. Encourage non-car transportation
6. Provide safe and scenic walking and bike trails along all major roads:
 - a. Brush Creek Road
 - b. Owl Creek Road
 - c. Highline Road
7. Improve pedestrian connection (Skittles) between Base Village and Mall
8. Consider pedestrian connection between Base Village or Mall and Snowmass Center
9. Long-term: Provide gondola connection between top of Elk Camp Gondola to base of Buttermilk (with increased parking capacity) and to base of Aspen gondola to:
 - a. Decrease vehicular use, decreasing traffic congestion and pollution. Intercept Aspen and Snowmass traffic at the Buttermilk lot.
 - b. Increase importance of Snowmass commercial venues
 - c. Create a unique mountain experience for residents and visitors
10. Increase amount of quality affordable housing, allowing increased height and density in carefully selected areas to:
 - a. Provide year-round customers for SMV commercial venues
 - b. Balance the lack of vitality in SMV due to the multitude of partially occupied residences
 - c. Encourage a year-round community
11. Have a viable commercial center with services for locals as well as destination dining, shopping and event venues, but not in competition with Aspen.
12. In summary: Transition from a resort community to a full time village that capitalizes on its natural beauty, access to Aspen and an intelligent, compassionate and interesting population.

Doug Faurer

- A completed Base Village.
- Snowmass Mall with ground level , commercial/retail, food & beverage with second and third floor residential w/ mix of employee housing (auto-free employee housing). Don't know how to handle parking mitigation for residential.
- Employee housing in Draw site above Town Hall – auto free.
- Aerial connection between Snowmass Shopping Center and Base Village.
- Mid-level density residential, free market and employee housing located behind Snowmass Shopping Center.
- Blinking light, pedestrian crossing signs at Roundabout, Snowmass Mountain Condos/Faraway Road, Sinclair Road/Brush Creek, Owl Creek/Brush Creek, Meadow Rd/Brush Creek and Snowmass Club Drive/Brush Creek.
- Mid mountain activity center – winter usage similar to ULR Night, expand activities to include zip lines, fishing, etc. Borrow ideas from other resorts and make this BIG!!
- Explore relocating LRSH & Firehouse.
- Explore what development can occur on Conoco site with service station remaining in current location.
- Improved connectivity between Base Village and new Mall.
- Snowmass remains a bedroom community to Aspen. Activities unique to Snowmass: mid mountain activity camp, Thursday concerts, Wednesday Rodeo, reputation for hosting outdoor events such as Tough Mudder, Ragnar and mountain biking competitions.

- Jim Gustafson

1. Sense of Community
2. Retain “Village Character” & Scale
3. Retain & enhance mountain, western & rural character.
4. Address a sense of scale that is appropriate to function but related to humans.
5. Density confined to a few appropriate commercial nodes and a high level of vitality including critical mass with enough food and beverage offerings; lights/signs/street vendors; perhaps larger scale and maybe some more units.
6. Low density in areas that are not the commercial nodes –
 - i. Rural, “quiet” character of residential neighborhoods with minimal signage & light, no street improvements such as curb & gutter, streetside-sidewalks, etc.
 - ii. Entryway – Rural Western flavor with Rodeo Area, ice skating pond and multi-purpose function space.
7. Old Mall – Renovation and reinvigoration. Need commercial node to support existing Upper west Village Condos if possible to improve connectivity to Base Village.
8. Encourage redevelopment of older lodging complexes. Need more than “lip service” to help accomplish this.
9. Some good Performing Arts & Entertainment options.
10. Good transportation w/strategies for residents while minimizing car needs for visitors.
11. Reinvigorate the “pure” conference business, not just a conference hotel.

Jim Anathan

Do to my absence from the last few Comprehensive Plan meetings and not being versed in the outcome of those meetings, my focus on a Base Village development scenario may run contrary to the Comprehensive Plan's CPA'S. Nevertheless, here are some of my thoughts.

A Long Term Horizon

Base Village

The superordinate goal for the future of Snowmass resides in the development of a critical mass...a center of gravity where people go to shop, eat, be entertained and congregate. It would be an area of the community that brings together the bits and pieces currently existing within the three nodes. The center of this development would be between the Base Village and the Mall. It would require significant expenditures in grading, landscaping and mountain accessibility coupled with a relocation of existing businesses and a re-merchandising of the tenant mix in the Base Village. Retail and service facilities in the Mall would be relocated. Through the integration of architecture and landscape the core then becomes a real village, not a suburb... charming and unique.

The ambience of this development would be legislated and architecturally controlled around a common theme. The development would center around functionality incorporated common elements. New guidelines in terms of architecture would be implemented for periodically required exterior renovation of condos.

The existing Base Village would be redesigned/reconfigured. Residential lobbies would be converted to retail, entertainment or food. The Treehouse would, by necessity, be relocated to an easily accessible visual location but no longer reside at the epicenter of the central core. The hub of an efficient enclosed people mover would be installed between the existing Mall, Base Village and Town Center.

Transportation

Continual-loop people movers along with driverless on-call vehicles would be the prime methods of transportation to the central core. To a large extent, the stress on parking would be eliminated; current parking areas would be converted to better long term use, including residential.

Trails

Our trail systems would be second to none and would service all. Walking trails would be classified in terms difficulty, running from green (easiest) to black. Landscaping and maintenance of the walking trail systems would be extraordinary in terms of plantings and ambience. Appropriately placed art would enhance the experience.

Landscaping

The entrance to Snowmass Village along Brush Creek would be designed to be visually outstanding in terms of plantings and maintenance. The open vistas, however, would continue to dominate the landscape. The rodeo lot would be hidden behind visually appealing plantings of trees, mountain grass and wildflowers. Once entering Brush Creek beyond the rodeo, people would be wowed by the pristine nature of the roadside beds.

Governance

Irrespective of their primary residence, second-homeowners would be eligible to participate in elections, ballot issues (non-financial) and town governance.

Teri Hooper

Planning commission vision 10-20-50 years by Teri Hooper

I have watched SV change over the last 25 years of living here. I remember coming to visit since it first opened. Some of it has been controversial but mostly positive growth. The beauty still remains but growth is necessary.

Time for the town to move forward. Modernize but still keep a village feel. The younger generation will not come if we do not upscale.

Keep quaintness – but positive growth. This will involve change. New growth.

An inviting entrance that welcomes guests.

We need a central gathering place – I feel this is primary for daily events and/or special events. Maybe the theatre could serve as multi use near the town center. With a connection to base village by an interesting walking path or aerial connection.

Safety of pedestrians is imperative especially if we move toward less vehicle traffic in the core.

A new mall is necessary – would like to keep the small town , small independent store feel. But upgrade and a feel of “new” and fresh and revived. Signage will help along with types of stores.

We need to work toward reasons for tourist to come to Snowmass not just an Aspen overflow.

More theatre would be great – Outside possibly- Amphitheatre?? Or option of outside/ inside. Something unique and special. Music, Theatre, Art, Dance

Of course a skating rink ☺ and possibly an alpine slide as attractions

Need to keep a pre school – I like the idea of a new better location.

Indoor tennis seems popular

Field house much needed in the upper valley - maybe we are the place for it?

I completely agree with Julie Ann’s point of a way to bring our next generation back. (our children and grandchildren) Employee housing would be key. Is there a way to creatively find better land use to incorporate this? Within the new mall?

Jamie Knowlton

My dream for Snowmass Village begins at the intersection of Hwy. 82 & Brush Creek Road, where visually the mountains beacon and the undeveloped valley floor promises adventure and fun. The stream surrounded by fields will only show bike/pedestrian/equestrian paths. A two lane road and a form of light rail which brings visitors from the Transit Center at the intercept lot that links Snowmass Village to Aspen and Glenwood Springs will preserve the natural entrance to the valley and village. The first glimpse of what awaits visitors and residents is the activity filled Entrance with the Rec Center built out to cater to all citizens and tourists, expanded playing field, a Rodeo lot that doubles as a full size ice rink in the winter and an amphitheater setting to accommodate summer and winter concerts and events. The Discovery Center will be a place of discovery for all ages, but mostly for children. The Center will also house a movie theater. Locally serving restaurants and eateries will cater to local families. The gas station with electric charging stations neatly tucked in the area.

The next stop on the light rail will be the Snowmass Center. The light rail will wind its way up more undeveloped open space with mountains and sky the only calling card. Local traffic is allowed on the roads and all citizens will be driving electric vehicles. The statement by the community will be as careful stewards of our environment: We live and practice a sustainable life style which is unique and different. The community itself draws visitors to sustain it because they practice and live a life that is different and enviable. Our community will be a leader in living in harmony with our environment.

The Center will be an extension and bridge between the resort of Base Camp and the community commercial and administrative neighborhood framed by Alpine Bank barn and Town Hall. The Center will be scraped and replaced with architectural, multi-use structures that marry the ranch style with the more modern sensibility of Town Hall. Live/work studios and art studios will meld with the post office and grocery store. Mini parks will be interspersed for more places for people to meet. The center will become the Town Center, commercially viable, a meeting place for visitors and residents alike.

The Town Center will be linked to Base Village with bridges. The light rail station will take over where the gas station now sits and provide a new hub for transportation. All transportation would be electric and connect the community in a spider web of connectivity.

Base Village will be the resort neighborhood that integrates with the Town Center. Art galleries and restaurants in Town Center and Base Village will complement each other, giving the feeling of a vibrant, unique community with many different offerings connected by bridges. A small performing arts center will be located near Town Center and will be a place for special events and smaller community events. The Mall will be repurposed into a local residential neighborhood with neighborhood serving amenities, which will further increase the density that will further support the commercial spaces in Town Center and Base Village.

The Mall will include a mix of lodging and resident-occupied units intended for residents who make the live and work in Snowmass Village. All units slope side will be managed under one umbrella tourist organization for visitors. Short term rental units will be built over the numbered parking lots and parking limited to permit ted electric vehicles which will mitigate for the need for additional parking.