



# TOWN OF SNOWMASS VILLAGE PUD APPLICATION

PLANNED UNIT DEVELOPMENT (PUD) REVIEW REQUIRES A PROCESS TO PERMIT VARIATIONS FROM THE STRICT APPLICATION OF CERTAIN STANDARDS OF THE TOWN'S ZONE DISTRICTS IN ORDER TO ALLOW FLEXIBILITY FOR LANDOWNERS. THE GOAL IS TO CREATIVELY PLAN FOR THE OVERALL DEVELOPMENT OF LAND AND THEREBY, TO ACHIEVE A MORE DESIRABLE ENVIRONMENT THAN WOULD BE POSSIBLE THROUGH THE STRICT APPLICATION OF THE MINIMUM STANDARDS OF THE TOWN'S DEVELOPMENT CODE. SPECIFICALLY, IT IS THE PRUPPOSE OF THE PUD DEVELOPMENT PROCESS TO: (1) ALLOW CREATIVITY, 2) ALLOW VARIATIONS, (3) MAXIMIZE CHOICE, (4) PRESERVE NATURAL FEATURES, (5) CREATE EFFICIENT LAND USE PATTERNS, (6) ENSURE PUBLIC INPUT, AND (7) INCREASE COMMUNITY VALUE.

PUD APPLICATION TYPE REQUESTED (Select One):

- SKETCH PLAN PURPOSE:** SECTION 16A-5-320 OF THE MUNICIPAL CODE.
- PRELIMINARY PLAN PURPOSE:** SECTION 16A-5-340 OF THE MUNICIPAL CODE.
- FINAL PLAN PURPOSE:** SECTION 16A-5-360 OF THE MUNICIPAL CODE

## GENERAL DATA REQUIREMENTS

Date: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Applicant (if different than owner): \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address/Location of Property: \_\_\_\_\_

Legal Description (Lot, Block, Subdivision, Filing): \_\_\_\_\_

\_\_\_\_\_

## EXISTING CONDITIONS INFORMATION

Present Zoning: \_\_\_\_\_ Approval Date/Ordinance (if known): \_\_\_\_\_

Lot Area (sq. ft.): \_\_\_\_\_ Building Setbacks (ft.): \_\_\_\_\_

Allowable Floor Area Ratio per Zoning: \_\_\_\_\_

Square Footage of All Areas Calculated as Floor Area by LUC: \_\_\_\_\_

Square Footage of Exempted Areas: \_\_\_\_\_

Existing Building Height: \_\_\_\_\_

# of Dwelling Units: \_\_\_\_\_ Commercial space: \_\_\_\_\_

# of Parking Spaces and/or Parking Space/Bedroom Ratio: \_\_\_\_\_

Percent Open Space: \_\_\_\_\_

## PROPOSAL DATA (Complete as proposed on development plan)

Zoning Proposed with PUD Overlay: \_\_\_\_\_

Proposed Lot Area (sq. ft.): \_\_\_\_\_ Proposed Building Setbacks: \_\_\_\_\_

Proposed Floor Area Ratio: \_\_\_\_\_

Proposed Total Square Footage of Improvements: \_\_\_\_\_

Proposed Square Footage of Exempted Areas:	
Proposed Building Height:	
Proposed # of Dwelling Units:	Commercial space:
Proposed # of Parking Spaces and/or Parking Space/Bedroom Ratio:	
Proposed Percent Open Space:	
Other Standards:	

**GENERAL DESCRIPTION OF PROPOSED PUD APPLICATION TYPE:**

**SUBMISSION DATA REQUIREMENTS**

- o FOR ALL MINOR AND MAJOR PUD PROCESSES, INCLUDING SKETCH, PRELIMINARY AND/OR FINAL PLANS:
  1. **Owner’s Permission.** If the applicant is not the owner of the land, or is a contract purchaser of the land, the applicant shall submit a letter signed by the owner consenting to the submission of the application. If the applicant is not the sole owner of the land, the applicant shall submit a letter signed by the other owners, or an association representing the owners, consenting to or joining in the development application.
  2. **Name, Address, Telephone Number and Power of Attorney.** The applicant's name, address and telephone number. If the applicant is to be represented by an agent, a letter signed by the applicant granting power of attorney to the agent shall be submitted, authorizing the agent to represent the applicant and stating the representative's name, address and phone number.
  3. **Disclosure of Ownership.** A certificate from a title insurance company or attorney licensed in the State which shall set forth the names of all owners of property included in the application and shall include a list of all mortgages, judgments, liens, contracts, easements or agreements of record that affect the property. At the Town's option, the holders or owners of such mortgages, judgments, liens, contracts, easements or agreements of record may be required to consent to the application before it is acted upon by the Town.
  4. **Vicinity Map.** An eight and one-half inch by eleven inch (8 1/2" x 11") vicinity map locating the subject parcel within the Town of Snowmass Village.
  5. **Other Maps.** All other maps required for the application shall be prepared at a scale of one inch equals one hundred feet (1" = 100') or larger, on sheets no larger than thirty inches by forty-two inches (30" x 42"), with an unencumbered margin of one and one-half inches (1.5")

on the left hand side of the sheet and one-half inch (0.5") around the other three (3) sides of the sheet. Sheets of twenty-four by thirty-six inches (24" x 36") are preferred. If it is necessary to place information on more than one (1) sheet, an index shall be included on the first sheet. Report-size versions of all maps, reduced to a sheet size of no greater than eleven inches by seventeen inches (11" x 17"), shall also be submitted.

6. **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 variance application.
7. **Base Fee.** The application shall be accompanied by the applicable base fee from the Building and Planning Department's fee schedule. The applicant shall reimburse the Town for such amounts in excess of the base fee as determined by the Planning Director. The reimbursement to the Town by the applicant shall be due and payable within fifteen (15) days of the date of billing.
8. **Other Information.** The applicant shall submit such other written or graphic information as is necessary to describe and evaluate the proposed PUD application, as follows:
  - o FOR SKETCH PLANS:
    - **Review and Intent Issues.** Section 16A-5-320(b) of the Municipal Code.
    - **Review Procedure.** Section 16A-5-320(c) of the Municipal Code.
    - **Location Map.** Section 16A-5-320(c)(2)b. A scale map showing the location and size of the site, and existing land uses, zone districts and major roads within 300 feet of the site. The name, location and boundaries of any subdivisions that are part of the larger tract shall also be shown.
    - **Statement of objectives.** Section 16A-5-320(c)(2)c. A written statement of the proposed development. This shall include a statement of the objectives to be achieved by the PUD and a conceptual description of any proposed variations from the standards of the underlying zone district that are being requested.
    - **Sketch plan.** Section 16A-5-320(c)(2)d. A sketch development plan, which shall include the following (reference Code for the specific information needed):
      - **General information.**
      - **Site characteristics.**
      - **Utilities.**
      - **Proposed land use.**
      - **Landscaping.**
    - **Simple sketches.** Reference Section 16A-5-320(c)(2)e for the information desired.
    - **Summary.** Section 16A-5-320(c)(2)f. A sketch plan summary containing the following (reference Code for the specific information needed):
      - **Type.**
      - **Size.**
      - **Floor area.**
      - **Population.**
      - **Market.**
      - **Open space.**

- **Height.**
- **Employees.**
- **Water supply and sewage disposal.**
- **Access and easements.**
- **Parking, circulation and transit.**
- **Timetable.**

○ FOR PRELIMINARY PLANS:

- **Review and Intent Issues, including applicant response to sketch plan issues and concerns.** Section 16A-5-340(b) of the Municipal Code.
- **Review Procedure.** Section 16A-5-340(c) of the Municipal Code.
- **Preliminary development plan.** Section 16A-5-340(c)(2)b. A preliminary development plan, which shall include the following (reference Code for the specific information needed):
  - **General information.**
  - **Proposed development.**
  - **Surrounding structures.**
  - **Chart, including a) dimensions, b) dwelling units, c) size of commercial space, d) floor area, e) parking, f) open space, g) restricted housing**
- **Comparison to sketch plan.** Reference Section 16A-5-340(c)(2)c for the information needed.
- **Listing of proposed variations.** Section 16A-5-340(c)(2)d.
- **Architectural plans, including 1) Elevations, 2) Floor Plans, 3) Block model, or computer generated images if acceptable, 4) Color and materials.** Reference Section 16A-5-340(c)(2)e for the specific information needed.
- **Landscape plan.** Reference Section 16A-5-340(c)(2)f.
- **Fiscal impact report.** Reference Section 16A-5-340(c)(2)g.
- **Solid waste disposal plan.** Reference Section 16A-5-340(c)(2)h
- **Energy conservation plan.** Reference Section 16A-5-340(c)(2)i.
- **Development in proximity to ski lift.** Reference Section 16A-5-340(c)(2)j.
- **Open space map.** Reference Section 16A-5-340(c)(2)k.
- **Homeowner's or condominium association documents, including 1) Articles of incorporation, 2) Bylaws, 3) Master deed, and 4) Covenants.** Reference Section 16A-5-340(c)(2)l for specific information needed.
- **Water supply and sewage disposal.** Reference Section 16A-5-340(c)(2)m for specific information needed.
- **Clearing, grading and drainage plans, including 1) Limits of clearing, and 2) Grading plan.** Reference Section 16A-5-340(c)(2)n for specific information required.
- **Transportation impact analysis, including 1) Daily traffic counts, 2) Trip generation rates, 3) Existing conditions, 4) Anticipated ridership, 5) Trip generation and design hour volumes, 6) Trip distribution, 7) Trip**

assignments, 8) Existing and projected traffic volumes (including a) Peak hour traffic, b) Future peak hour traffic, c) Other peak hours), and 9) Capacity analysis, 10) Level of service, 11) Traffic accidents, and 12) Conclusions.

Reference Section 16A-5-340(c)(2)o for specific requirements.

- **Air quality analysis, including 1) Dispersal qualities, 2) Pollutants to be discharged, 3) Trip generation and impacts, 4) Construction impacts, 5) Special mitigation techniques, 6) Improvements of site characteristics, 7) Conform with regulations, and 8) Description of area to be impacted.**  
Reference Section 16A-5-340(c)(2)p for specific requirements.
- **Geologic report, including 1) Potential geologic hazards, and 2) Soils study.**  
Reference Section 16A-5-340(c)(2)q for specific information required.
- **Brush Creek impact report.** Reference Section 16A-5-340(c)(2)r.
- **Wildlife habitat analysis.** Reference Section 16A-5-340(c)(2)s.
- **Construction management plan.** Reference Section 16A-5-340(c)(2)t.
- **Adequate public facilities report, including 1) Identify the public facilities, service levels and carrying capacity that exist prior to the submission of the development application, 2) Specifically identify and describe the additional public facilities, service levels and carrying capacity that will be necessary and provided to the PUD and affected areas prior to completion of each phase and/or building within the development necessitating the demand for said facilities, services or capacity; and 3) Describe the intended provisions to be made for the timing location and financing of the public facilities, service levels and carrying capacity that will be needed to adequately support and service the areas of the proposed development.** Reference Section 16A-5-340(c)(2)u.

○ FOR FINAL PLANS:

- **Review and Intent Issues, including applicant responses to preliminary plan conditions.** Section 16A-5-360(b) of the Municipal Code.
- **Review Procedure.** Section 16A-5-360(c) of the Municipal Code.
- **Final plat.** Section 16A-5-320(c)(2)b. A final subdivision plat that conforms to the specifications of Section 16A-5-430(3), Plat.
- **Other drawings, including final development plans and PUD Guide.** Section 16A-5-320(c)(2)c for specific information required.
- **Covenants (final versions).** Section 16A-5-320(c)(2)d.
- **Guarantee of public improvements, including 1) the applicant's responsibility for public improvements, 2) the required public improvements, 3) Subdivision improvement agreement, [including, a) Security, b) Form of security, c) Agreement to repair, d) Partial release of security, and e) Recording], 4) Warranty, and 5) Default.** Reference Section 16A-5-320(c)(2)e for the information required.
- **Landscape guarantee.** Reference Section 16A-5-320(c)(2)f of Municipal Code.

- **Development agreement**, including without limitation, the provisions outlined more specifically in Section 16A-5-320(c)(2)g of Municipal Code.

9. **Other Miscellaneous.**

- A. Verification that the proposed improvements are not in primary constraint areas (e.g. 30% slopes, drainage ways, wetlands, Brush Creek impact areas, other geological hazards, wildlife impact areas, etc.).
- B. If rezoning is being requested, a petition in favor of the rezoning signed by either real property owners representing 80% of the land area included in the application, or certified board of directors of homeowners association representing the interests of the property(s) in question.
- C. Note: Affidavit of mailing and posting, copy of information mailed and the names and addresses of the owners to whom said information was mailed (required prior to the public hearing).

**ADDITIONAL INFORMATION MAY BE REQUESTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT TO MAKE A FAIR AND WELL INFORMED DECISION. NO APPLICATION WILL BE PROCESSED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.**

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**RULES OF PROCEDURE**

o FOR SKETCH PLANS:

PRE-APPLICATION CONFERENCE. Pursuant to Code Section 16A-5-320(c)(1), and prior to formal submission of a request, the applicant shall meet with the Community Development Director in order to review the nature of the submission and the procedures that will be required in order to process the application.

SUBMISSION OF APPLICATION. Pursuant to Code Section 16A-5-320(c)(2).

STAFF REVIEW (including completion review, referral and review by outside agencies and districts, and the collection of comments). Pursuant to Code Section 16A-5-320(c)(3) and 16A-5-50.

PUBLIC NOTICE. Within 10 days of meeting between Staff and Applicant to share review comments or of receipt of supplemental information responding to comments, a public notice shall be prepared for a scheduled Joint Planning Commission and Town Council meeting.

JOINT MEETING. Pursuant to Code Section 16A-5-320(c)(4), and with a staff report of the review, the joint Planning Commission and Town Council meeting shall be held to hear the initial presentation of the application by the applicant. Thereafter, the Planning Commission shall conduct their review of the application.

RESOLUTION BY PLANNING COMMISSION. Pursuant to Code Section 16A-5-320(c)(5), and after Planning Commission has reviewed the application, providing direction to the applicant on the Sketch Plan and authorizing the applicant to submit a preliminary plan or to submit a new sketch plan prior to proceeding to preliminary plan.

PUBLIC HEARING AND TOWN COUNCIL ACTION. Pursuant to Code Section 16A-5-320(c)(6), the Town Council shall hold a public hearing to consider the application and the Planning Commission's resolution. Town Council shall then prepare its own resolution taking action on the resolution that may accept the Planning Commission's resolution, or modification thereof.

EFFECT OF RESOLUTION. Pursuant to Code Section 16A-5-320(c)(7), the adoption of the resolution shall not constitute approval of a PUD or permission to proceed with construction, but only grant applicant to proceed to preliminary plan stage.

EXPIRATION. Pursuant to Code Section 16A-5-320(c)(8), the preliminary plan application must be submitted within 12 months of the Sketch Plan resolution approval.

o FOR PRELIMINARY PLANS:

PRE-APPLICATION CONFERENCE. Pursuant to Code Section 16A-5-340(c)(1), and prior to formal submission of a request, the applicant shall meet with the Community Development Director in order to review the nature of the submission and the procedures that will be required in order to process the application.

SUBMISSION OF APPLICATION. Pursuant to Code Section 16A-5-340(c)(2). To be determined complete by Town Staff.

JOINT MEETING. Pursuant to Code Section 16A-5-340(d)(1), a **complete** copy of the application shall be forwarded to the Planning Commission and Town Council to hear the initial presentation of the application by the applicant. The Town Council shall identify issues that the Planning Commission should focus upon during their review.

REFERRAL OF APPLICATION. Pursuant to Code Section 16A-5-340(d)(1), the **complete** application may be referred and review comments collected while the joint Planning Commission and Town Council meeting occurs.

TOWN COUNCIL DETERMINATION AND DIRECTIVES. Pursuant to Code Section 16A-5-340(d)(2), and at a regularly scheduled meeting, the Town Council shall adopt their determination and direction by adopting a resolution.

SUBSEQUENT REVIEWS. Pursuant to Code Section 16A-5-340(d)(2) & (3), the Planning Commission shall commence conducting their review pursuant to the Town Council resolution of determination and directives, and the Town Council shall commence their review of the negligible potential impacts of the proposed development that do not warrant referral to the Planning Commission.

STAFF REVIEW (including referral and review by outside agencies and districts, and the collection of comments). Pursuant to Code Section 16A-5-340(e) and 16A-5-50, staff shall conduct their review, collect comments, meet with applicant, address issues and request additional information necessary to adequately evaluate the proposal and make recommendations. The applicant will have opportunity to amend their application or provide additional information in response to the review comments. Following a response by the applicant, the complete copy of the amended or supplemental information shall be forwarded to the Planning Commission and Town Council together with the staff review.

CONCURRENT TOWN COUNCIL AND PLANNING COMMISSION REVIEW. Pursuant to Code Section 16A-5-340(f), and following the Joint Meeting, both boards may begin reviewing the application. The Planning Commission shall direct its attention to the direction of focus by the Town Council resolution plus other components the Planning Commission may wish to make recommendations. The Town Council may review other components until the Planning Commission concludes their review, and the Planning Commission may forward their recommendations in segments.

PLANNING COMMISSION PUBLIC HEARING. Pursuant to Code Section 16A-5-340(g), the Planning Commission shall hold a public hearing within 21 days of the Joint Meeting (**Note: requires advance publication notice prior to Joint Meeting**).

PLANNING COMMISSION RESOLUTION. Pursuant to Code Section 16A-5-340(g), and following closure of the public hearing, the Planning Commission shall provide its recommendations by resolution to the Town Council.

TOWN COUNCIL PUBLIC HEARING. Pursuant to Code Section 16A-5-340(h) & (i), the Town Council shall hold a public hearing and consider the recommendations by the Planning Commission and whether the application has responded to the directives provided during the Sketch Plan review. Following closure of the public hearing, the Council shall by resolution approve, approve with conditions or deny the application. The Town Council may require as a condition of approval that the Planning Commission review the Final Plan prior to review by Town Council.

FURTHER REVIEW BY PLANNING COMMISSION. Pursuant to Code Section 16A-5-340(j), and at any time during their review, the Town Council may request further review by the Planning Commission and any matter of the application, while the Town Council continues to conduct their review of the application, or may table further review until it has received the Planning Commission's recommendation.

AMENDMENT AND REMAND. If the applicant wishes to amend their application after a Planning Commission recommendation thereon, then the review procedures for such requests shall be followed pursuant to the provisions in Code Section 16A-5-340 (k) & (l).

EFFECT OF RESOLUTION. Pursuant to Code Section 16A-5-340(m), approval of a preliminary plan shall not constitute approval of a PUD or permission to proceed with construction, but only grant applicant to proceed with a Final PUD.

EXPIRATION. Pursuant to Code Section 16A-5-340(n), the Final PUD application must be submitted within 12 months after the preliminary plan approval.



o FOR FINAL PLANS:

**PRE-APPLICATION CONFERENCE.** Pursuant to Code Section 16A-5-360(c)(1), attendance at a pre-application conference is optional, but recommended, prior to submission of an application for Final PUD plan review.

**SUBMISSION OF APPLICATION.** Pursuant to Code Section 16A-5-360(c)(2). To be determined complete by Town Staff.

**STAFF REVIEW** (including referral and review by outside agencies and districts, and the collection of comments). Pursuant to Code Section 16A-5-360(e) and 16A-5-50, staff shall conduct their review, collect comments, meet with applicant, address issues and request additional information necessary to adequately evaluate the proposal and make recommendations. The applicant will have opportunity to amend their application or provide additional information in response to the review comments.

**SCHEDULING OF PLANNING COMMISSION AND/OR TOWN COUNCIL MEETINGS.** Pursuant to Code Section 16A-5-360(c)(3) and upon receipt of requested information by staff or within 10 days of the staff and application meeting, the Planning Commission and/or Town Council meetings shall be scheduled by the Community Development Director.

**PLANNING COMMISSION REVIEW.** If required as a condition with the preliminary plan approval, the complete application together with the staff review shall be forwarded to the Planning Commission, and then provide its recommendations to the Town Council via a resolution.

**TOWN COUNCIL PUBLIC HEARING.** Pursuant to Code Section 16A-5-360(5), the Town Council shall hold a public hearing to consider a major amendment to an approved PUD only (per Code Section 16A-5-390(1)c). A complete application together with the staff review shall be forwarded to the Town Council to determine the application's consistency with the approved preliminary plan; and, when applicable, the Planning Commission's recommendations, and shall by ordinance approve, approve with conditions or deny the application.

**EFFECT OF RESOLUTION.** Pursuant to Code Section 16A-5-360(6), approval of a final PUD plan shall confer upon the owner of all or a portion of the property right to apply for a building permit for the development consistent with the final PUD plan, including recording of the final plat, with final PUD plan vested for not more than 3 years, unless extended by Town Council.

**RECORDING.** Pursuant to Code Section 16A-5-360(7), 3 copies of the final PUD plan and PUD Guide and any other documents (executed and suitable for recording), including digital format, shall be submitted to the Community Development Director.

## PUBLIC HEARING NOTICE

1. The Community Development Department shall tentatively set public meeting and hearing dates to be held before the Planning Commission and/or Town Council.
2. The Planning Department shall publish notice of the public hearing in the Snowmass Sun prior to the scheduled hearing (10 days for Sketch Plan Joint Meeting; 10 days for Sketch Plan Town Council review; 30 days for Preliminary Plan review before Planning Commission and Town Council; but no notice required for Final PUD plan review, except for major amendments to Final PUDs).
3. The applicant shall mail notice of the hearing in advance of the public hearing to all property owners within three hundred feet (300') of the affected property. The notice shall contain the following information:
  - a. A description of the proposal with reference to the appropriate section of the Code pursuant to which the application will be processed and the name of the decision making body.
  - b. A description of the property affected.
  - c. Any drawings or plans that detail the proposal.
  - d. A vicinity map showing the location of the property in the Town.
  - e. A Notice of Public Hearing from the Community Development Department, including the date, time and place of the hearing.
  - f. If the proposed action is a rezoning, the notice shall indicate what the present zoning is and what the new zoning will be and shall set forth the area and bulk requirements for the proposed zone as set forth in the area and bulk requirements set forth in Section 16A-3-50 and Table 3-2 of the Municipal Code. Such notice shall state what the present zoning is and what the new zoning will be and shall set forth the dimensional limitations for the proposed zone, as established in the Code.
  - g. If the proposed action is for approval of a subdivision, the notice shall contain a description of the types of uses proposed and shall specify the gross residential density proposed.
4. The applicant shall submit to the Planning Department, an affidavit of mailing and posting, copy of information mailed and the names and addresses of the owners to whom said information was mailed.

### DETERMINING PROPERTY OWNERS

The party responsible for such mailing shall utilize as the source of names and addresses of such owners the most current list of property owners on file with the Pitkin County Tax Assessor or an official list of owners maintained by condominium and homeowners association which is

current within thirty (30) days prior to mailing, or such other sources as approved in advance by the Town Community Development Department. If any party responsible to give such notice follows the indicated procedures in good faith, the failure of any particular property owner or owners to receive actual notice shall not affect the validity of proceedings which require such notice.

#### POSTING OF PROPERTY

Posting of a public hearing notice shall be made by the applicant. A sign noticing the public hearing date, time, location, purpose and the name of the decision making body conducting the hearing, shall be located in a conspicuous place on the property. The sign shall be made of suitable waterproof material, shall not be less than twenty-two inches (22") wide by twenty-six inches (26") high, and shall be composed of letters not less than one inch (1") in height.

**Note:** Affidavit of mailing and posting, copy of information mailed and the names and addresses of the owners to whom said information was mailed (required prior to the public hearing).