

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

April 1, 2024

AGENDA ITEM:

First Reading of Ordinance #6, 2024 Regarding Proposed Changes to the Permanent Moderate Housing Regulations Specifically Regarding the Crossings

PRESENTED BY:

Betsy Crum, Housing Director
Jeff Conklin, Town Attorney

BACKGROUND:

In 2023, the Town Council requested an opportunity to discuss various requirements of the Permanent Moderate Housing Regulations. The existing Regulations were last revised and updated in 2018 and enforce Chapter 17 of the Municipal Code and are incorporated by reference in that Code, which reads:

Sec. 17-11 **Regulations.** The Housing Manager shall establish rules and regulations to effectuate the provisions of this Article after conducting a public hearing and with the advice and consent of the Town Council. All rules and regulations so established shall be enforceable as if enacted in this Code.

At the June 5, July 17, September 11, November 20, 2023, January 2, 2024, January 16, 2024, and March 4, 2024 Town Council meetings, we reviewed the current rental and ownership housing programs in detail and discussed many of the provisions and nuances of the current Regulations. **Consensus was reached on the following changes to TOSV Regulations**

17.7 Exempt Transactions

States that owners of homes at the Crossings who purchased prior to August 26, 2002 (the date the regulations changed) may transfer their home to one or more of their surviving children, provided they meet the criteria of a Qualified Applicant.

FINANCIAL IMPACT:

Not applicable.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

In 2023 the Town Council established the following housing goals:

Providing more affordable workforce housing options within the Village enables community members to contribute to the local economy AND helps to build a strong, emotionally connected and engaged community. Town Council remains committed to implementing the 2021 Housing Master Plan.

Understanding that Village residents are served by local governmental organizations that are physically outside of the town, TOSV will work closely with those partner entities to create a more inclusive workforce housing framework that will integrate additional people/positions/organizations into our housing program. TOSV will endeavor to leverage additional financial resources from these partners to help meet our respective housing needs.

The TOSV Housing Program provides the foundation for this goal and has set us apart from most Colorado ski communities since its inception.

RECOMMENDATION

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

approve Ordinance 6, 2024 on first reading and set the second reading of the ordinance for the Council's regular meeting to be held on May 6, 2024.

ATTACHMENTS:

Attachment 1: Ordinance #6 for just the Crossings provision – Until this latest round, the proposed changes were of general applicability to affordable housing units. Now there is one provision that only affects the Crossings. Per the Town Attorney, the Code provides that if a Councilor has a “personal, financial, or private interest in any legislation pending before Town council” that the Councilor has a conflict and is “disqualified with respect to any official act to which the interest relates.” Councilwoman Marolt has a conflict on this because it would specifically benefit her on this specific property, so separating it out allows her to participate in the other discussion but not vote on the Crossings provision.

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**TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL**

**ORDINANCE NO. 6
SERIES OF 2024**

**AN ORDINANCE AMENDING THE PERMANENT MODERATE HOUSING
REGULATIONS RELATED TO THE CROSSINGS AT HORSE RANCH**

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

WHEREAS, Section 3.3 of the TOSV's Charter confers upon Town Council the power to amend the TOSV Municipal Code; and

WHEREAS, Chapter 17, Article I of the TOSV Municipal Code contains provisions regarding Permanent Moderate Housing, and Section 17-11 thereof authorizes the establishment of rules and regulations to effectuate the provisions of the Code (the “Permanent Moderate Housing Regulations”); and

WHEREAS, the Town Council wishes to amend the Permanent Moderate Housing Regulations to include an exemption from resale in certain circumstances for housing units at the Crossings at Horse Ranch; and

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

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

1. Recitals. The foregoing recitals are incorporated herein as findings of the Town Council.
2. Permanent Moderate Housing Regulations. The Town Council hereby amends the Permanent Moderate Housing Regulations to add a new Section 17.7.3 as follows:

An Owner of a housing unit at The Crossings at Horse Ranch who purchased such housing unit prior to August 26, 2002, may transfer such housing unit one time by operation of law, by will, inheritance, or gift to one or more of their surviving children, provided that the person(s) who becomes vested with fee title to the housing unit meets the criteria of a qualified applicant. Such one-time transfer shall be exempt from the procedures set forth in Section 17-4 of the Code and 17.4 of these Regulations, provided written notice shall be given to the Housing Manager providing information to support that an exempt transaction has occurred.

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3. Severability. If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.
4. Effective Date. This Ordinance shall be effective 14 days after final publication in accordance with the Town of Snowmass Village Home Rule Charter.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on First Reading on _____, 2024, upon a motion by Council Member _____, the second of Council Member _____, and upon a vote of _____ in favor and _____ against.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on Second Reading on _____, 2024, upon a motion by Council Member _____, seconded by Council Member _____, and upon a vote of ___ in favor and ___ against.

TOWN OF SNOWMASS VILLAGE

Bill Madsen, Mayor

ATTEST:

Megan Harris Boucher, Town Clerk

APPROVED AS TO FORM:

Jeff Conklin, Town Attorney