

**TOWN OF BASALT MEETINGS**  
**Meeting of the Planning and Zoning Commission**  
**Tuesday, February 2, 2016**

**Basalt Town Hall**

**101 Midland Avenue**

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- 5:45 pm**      **P&Z Gathers** – *light dinner*
- 6:00**            **Call to Order**
- Minutes**
- January 19, 2015
- 6:05**            **Worksession: Zoning for Our Town Planning Properties**
- 7:45**            **Adjourn**

Items on the agenda are approximate and intended as a guide for the Commission. Times are subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact Basalt Town Hall at 927-4701.

**DRAFT**

**TOWN OF BASALT  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
JANUARY 19, 2016**

**CALL TO ORDER**

The meeting was called to order at 6:27 p.m. Commissioners answering roll call were Dylan Johns, Eric Vozick, Leana Fisher and Alternate Tracy Bennett.

Staff present was Susan Philp, Town Planner; James Lindt, Assistant Planning Director; and Denise Tomaskovic, Recorder.

No members of the public signed in on the sign-in sheet that was provided.

**APPROVAL**

**Minutes of November 17, 2015**

**M/S BENNETT AND VOZICK TO APPROVE THE MINUTES OF NOVEMBER 17, 2015 AS READ. THE MOTION CARRIED BY A VOTE OF 4-0.**

**AGENDA ITEMS**

**Public hearing for Perry Special Review Application for Unit 202, 104 Midland Avenue** - for the purpose of considering an Application submitted by Robert and Lucinda Perry for Special Review for Multi-family units in the C-2 Zone District for a waiver of the required private open space, Community Priorities Scoring System Exemption, Community Housing Mitigation Exemption, waiver of Parkland fees on a Historically Designated Property, an Off-Street Parking Waiver, and a Condominium Amendment to convert Office Unit 202 at 104 Midland Avenue into a single residential unit of approximately 1,370 square feet.

Lindt began by reviewing the application, providing some background information and noting that the space was never finished after being built. Lindt added that the P&Z previously reviewed a similar request when Tim Hagman converted his office space to a residential unit (Hagman's unit is across the hall from the Perry's unit). Lindt then referred to a posted list of discussion topics as follows:

1. Community Housing Exemption
2. CPSS Exemption
3. Proposed Residential Use
4. Private Open Space
5. Parkland Fee Waivers
6. Parking

Lindt said that Staff has determined that this application meets the exemption requirements for the Community Housing and CPSS exemptions. The proposed residential use is consistent with the ideas that came out of the Our Town Planning activities to promote more residential use downtown and this proposal is similar to what has already been accomplished by Hagman. Regarding private open space, Staff believes that the deck area behind the unit is a quality amenity and meets the intent of the open space requirement. Staff does, however, anticipate impacts on parkland and has suggested a \$3,000 improvement fee instead of the full \$10,000 dedication and improvement fee. The same concept was applied to the Hagman approval. Regarding parking, Staff agrees with the applicant that there is no place to install another parking space in the building's garage so Staff has recommended that the Perrys pay a fee-in-lieu-of-parking of approximately \$3,000 which would qualify as the Perry's proportional share of the cost of an additional parking space.

Lindt noted that the applicants, Mr. and Mrs. Perry, were present and when asked if they had anything further to add, the Perrys declined to comment.

Alternate Bennett asked how the improvement fee would be used. Philp replied that parkland improvement fees are used for capital improvements.

Commissioner Fisher asked if this conversion would make the entire building residential. Lindt replied that there would be two offices remaining, in addition to the commercial use on the main floor. When the original structure received its historic landmark status and the offices were built, the parking requirements didn't take into consideration that the offices might someday be converted to residential uses. The historic landmark incentives do not require office uses to provide parking and residential parking requirements are reduced by 30% under those incentives.

Commissioner Vozick sought clarification that this application is identical to the Hagman proposal. Lindt said that it is, with the addition of the cash-in-lieu requirement for a fraction of a parking space.

Chair Johns asked if there were any historic landmark incentives that differentiated between office and residential uses. Lindt responded that the incentives were more geared toward fee waivers and some setback provisions. Staff thinks that the fee-in-lieu-of for a fraction of a parking space is appropriate through the historic incentives.

#### **Public Hearing**

The public hearing was opened at 6:38 p.m.

There were no public comments so the public hearing was closed at 6:38 p.m.

#### **Commissioner Comments**

Chair Johns said he understood the desire for the conversion but he hoped that five years down the road we weren't looking for more office space. Alternate Bennett countered that the pendulum seems to swing back and forth between residential and office space needs.

**M/S VOZICK AND BENNETT TO APPROVE THE PERRY SPECIAL REVIEW APPLICATION ACCORDING STAFF'S RECOMMENDATIONS FOR APPROVAL. THE MOTION CARRIED BY A VOTE OF 4-0.**

Philp noted that the Commissioners needed a motion to adjourn in order to move next door for their work session since the Town Council is meeting in this room at 7:00 p.m.

#### **ADJOURNMENT**

**M/S FISHER AND VOZICK TO ADJOURN. THE MOTION CARRIED BY A VOTE OF 4-0.**

The Planning and Zoning Commission adjourned at 6:41 p.m.

TOWN OF BASALT  
PLANNING AND ZONING COMMISSION

By: \_\_\_\_\_  
Dylan Johns, Co-Chair

Attest: \_\_\_\_\_  
Denise Tomaskovic, Recorder

## Memorandum

To: Planning and Zoning Commission  
From: Susan Philp AICP, Planning Director  
Date: February 2, 2016  
Re: Worksession: Our Town Planning - Zoning Options

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### **I. Purpose**

The purpose of this Worksession discussion is for the P&Z to continue making progress on the work necessary to adopt new zoning regulations for the Our Town Master Plan properties.

### **II. Background**

The P&Z has been holding worksessions on the Our Town Planning Process since February 3, 2015 and adopted the *Our Town Subarea Plan: an Amendment to the 2007 Basalt Master Plan* on October 20, 2015 and the Council adopted the Plan on November 24, 2015. The Council has taken several actions on the Our Town Planning Area. On July 28, 2015, the Council approved Resolution No. 34, Series of 2015 (attached). Section 3 of that resolution asked the P&Z to work on the zoning changes necessary to implement the P&Z's recommendations.

The DAAC report advocated that the P&Z look at the Community Serving Commercial (CSC) Zone District for its possible use in the Our Town Planning Area. The P&Z worked on potential revisions to the CSC District to make it useful for the Our Town Planning area last spring. Other suggestions included using the C-2 District or a Form Based Code. Staff asked Don Elliott, Clarion Associates, to look at the pros and cons of an overlay district and creating a new district. Elliott presented his pros and cons analysis in a memorandum dated August 28, 2015 (attached). The P&Z discussed this with Elliott during a conference call on September 1<sup>st</sup>.

Staff take aways from the P&Z September 15<sup>th</sup> worksession were to eliminate the following options due to many of the cons identified by Elliott:

- Amendments to the C-2 zone district
- A form based code

Staff asked Don Elliott to further develop his recommendations as to whether the CSC District or a previously drafted (but never adopted) River Master Plan Zoning District would be better suited to implement the Town goals included in the Our Town Planning Plan. His analysis and recommendations are included in his memorandum dated

January 15, 2016. The P&Z discussed Elliott's memorandum at their January 19<sup>th</sup> Worksession. The major Take Away from that discussion was to amend the current Community Serving Commercial (CSC) Zone District but incorporate or blend in some of the ideas from the River Master Plan Zoning District. Additional "Take aways" from that discussion are included on the attachment.

### **III. P&Z Discussion**

At this Worksession, the P&Z will have an opportunity to discuss key items that are needed to draft the amendments to the CSC Zone including but not limited to:

1. Purpose of the District
2. "Community Serving" – what does this mean?
3. Uses for each of the parcels
4. Anchors – what are we looking for
5. Other standards

Elliott will be available by phone for part of the P&Z's Worksession to discuss the items that he needs answered before drafting amendments to the CSC regulations.

#### **Attachments:**

- A. Takeaways from P&Z January 19, 2016 Worksession
- B. Initial Use list prepared by P&Z for parcels
- C. Architectural Guiding Principles prepared for the P&Z for Our Town Planning Parcels
- D. CSC Zone District with highlights of areas to change
- E. CSC Zone District with initial spring 2015 draft amendments

**Note:** The Our Town Planning website contains additional information and documents which the P&Z might find helpful in developing zoning recommendations for the properties.

## Takeaways from Zoning Discussion

### Decision on Zoning Approach

- Amend the CSC Zone District but incorporate or blend in some of the ideas from the River Master Plan Zoning District

### Design and Massing

- P&Z getting close with some of their prior work to identifying that it should be generally zoned for 2 story street facades with a setback 3<sup>rd</sup> floor, with organic building modules - facades broken up, modulated rooflines.
- Concern with having four stories or three stories at the streets and other edges are the canyon-feeling effect they can have.
- Massing, and scale for CDC parcel, Merino Park and Lions Park are similar and might be able to be treated similarly while Basalt Commercial Park (BCC) is quite different
- P&Z needs direction from the Council on the square footage that the Council is willing to approve for the parcels

### Uses

- P&Z to review and revise list of permitted uses that they worked on earlier and see if they should be further limited
- Not confident that establishing percentages or ratios for land use will get us to the desired outcomes.
- P&Z wants to look at requiring each parcel to have an anchor use – such as grocery, hotel, etc.
- The challenge is to make sure that the Town Council and the P&Z are in agreement on which direction the CSC Zone District is going before drafting the District's regulations.

### Basalt Center Circle Property (BCC)

- BCC parcel is quite different from the other three (3) properties
- BCC parcel is where there is consensus for additional density and intensity
- CSC could potentially work if definition of CSC changed to include community serving uses such as a public parking garage
- The BCC parcel could accommodate four stories if that portion of the structure doesn't front on a street.
- The BCC parcel needs to look and feel like it belongs in [Downtown] Basalt.
- Expanding the definition of community serving uses would allow the CSC Zone District to be more easily applied to the entire redevelopment area.

### Other

- Can regulations be financially tested?

## Comments from Property Owners

- Michael McVoy, representing CDC ownership, said that Lowe Enterprises [which still has an option to build on the CDC parcel] cannot move forward with a development submission until they have received clear direction on how much land will be available for development and what uses on it are acceptable to the community.
- McVoy said that the original CDC parcel redevelopment proposal included a hotel, which was supposed to provide a community serving function, too. He encouraged the Commissioners to broaden their definition of uses that could be considered community serving.
- McVoy said that the CDC parcel requires allowing some level of density in order to be economically viable.
- Tim Belinski, representing Frank Taverna, said that the BCC parcel's current use and zoning have outlived their usefulness and the parcel is underutilized. It could be contributing a lot more to the Town's vibrancy. As the owner's rep, he is in the process of talking to the other business/property owners to figure out which parties want to be included in the BCC parcel's redevelopment.
- Belinski felt it would be good for the Town to know who will be involved in the BCC parcel's redevelopment and what their expectations are. It has an eclectic combination of uses at this time.
- Belinski said it would make sense to have a below-grade parking structure and a grocery store on the BCC parcel in the future. Other uses would need to be included, too, and he suggested including residential use on the upper floors.

Initial Use List prepared by PZ for Parcels

B

Our Town Planning- List of Acceptable Uses as Identified by the Town P Z

Acceptable Use	CDC Parcel	Lions Park	Merino Park
Grocery store	x-Small Store		
Hotel	x		
Restaurant	x	x	
Small retail stores	x	x	
Performing arts			
Movie theater			
Structured parking	x	x	x
Large retail stores	x		
Housing	x	x	x
Offices	x	x	x-Incubator Business
Youth center	x		
Recreation center			
Arts center	x	x	
Town Hall	x	x	
Surface parking	x		
Other	Visitor Ctr/public restrooms		
Non-profit uses	x	x	x

# Architectural Guiding Principles Prepared For the P&Z

C

## Building Scale Compatible with Historic Downtown :

- Modulate building facades
- Step building footprints reflective of 30' wide Historic Downtown parcels
- Step building heights from 1 to 3 stories



Variety of Western Roof Forms :

- Parapet / Flat
- Gable
- Shed
- False Front



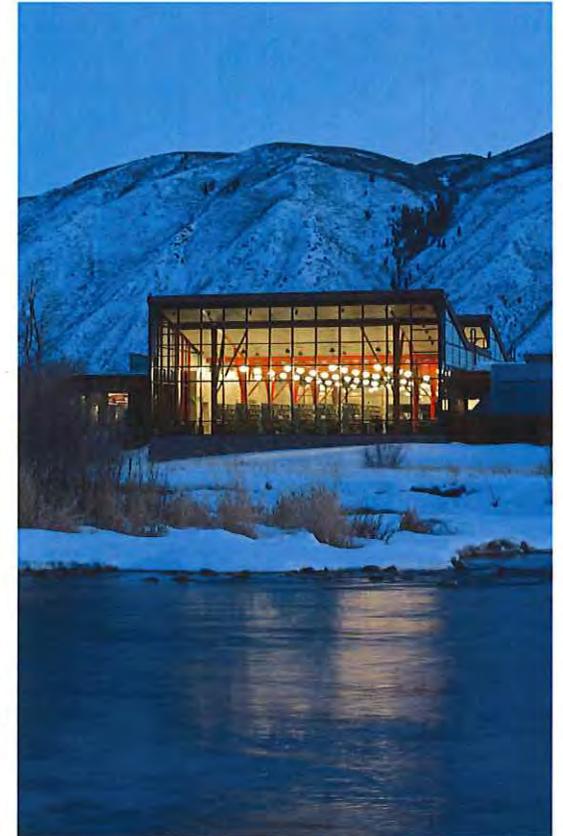
Street Level Interest :

- Porches & Loggias
- Awnings, Banners, Light Standards
- Decks & Balconies
- Additional height for ground level spaces facing street



Contemporary Reinterpretation :

- It's 2015...and Sustainable
- Evolution not Revolution
- Seamless exterior connections
- Wedding Cake facade step-back



Architectural Guiding Principles :

- Building scale compatible with Historic Downtown
- Variety of Western Roof forms
- Street Level Interest
- Contemporary Reinterpretation



Architectural Guiding Principles :

- Building scale compatible with Historic Downtown
- Variety of Western Roof forms
- Street Level Interest
- Contemporary Reinterpretation



**Sec. 16-30. CSC Zone District.**

(a) Intent and applicability.

(1) **Statement of intent.** The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District. The scale and character of development authorized in this zone district may allow buildings that are larger and more multi-faceted than areas zoned C-2 (Downtown Business) or P (Public). The zone district offers certain incentives to encourage qualifying non-profit organizations to create projects that might not occur through pure free market development. These incentives include reductions in certain mitigation standards and a review process that is better tailored to non-profit applicants. The goal is to foster partnerships between non-profit organizations and private entities to address important community goals.

*Change – Statement of Intent to correspond to new purpose*

(2) Applicability.

a. Minimum land area. Any parcel of land that is at least one (1) acre in size, or any parcel of land that is less than one (1) acre but is immediately adjacent to an area zoned CSC and that is appropriate for community serving uses under the parameters of this section may be zoned to the CSC Zone District.

b. **Development must be community serving.** Since the intent of the CSC Zone District is to encourage social entrepreneurship in the development of community serving commercial projects, new development shall only be permitted to occur in the CSC Zone District if it is determined to be community serving. New development shall be considered to be community serving if at least seventy percent (70%) of the total permitted square footage is devoted to a use or uses listed in Subsections 16-30(b)(1)a., b. and c. below and if at least thirty percent (30%) of the total permitted square footage is devoted to governmental or non-profit uses as described in Section 16-30(b)(1)a. Nothing herein shall preclude a use from satisfying both the seventy percent (70%) and thirty percent (30%) requirements. The Council may reduce or eliminate the requirement that at least thirty percent (30%) is devoted to governmental or non-profit uses through the CSC Development Plan approval process if it would result in more than seventy percent (70%) of the total square footage being devoted to deed restricted community housing units including replacement housing units.

*P&Z to revise Definition of Community Serving – work on permitted uses and anchor uses*

c. **Qualifying non-profit organizations.** In order to be eligible for rezoning to the CSC Zone District, the owner of the land to be rezoned must be a non-profit Community Development Organization or a similar non-profit organization where development activities are a stated part of its 501(c)(3) tax status. A qualified Community Development Corporation is an entity which satisfies the requirements of Section 16-4 applicable to a "Public non-profit Entity, Community Development Corporation." Provided that the new development satisfies the criteria of Section 16-30(a)(2)b. above, a qualifying non-profit organization shall not be disqualified if portions of the new development proposed in the CSC Zone District are to be sold to and used by for-profit businesses in accordance with these regulations and any adopted conditions of approval.

*Delete Requirement must be a "Public non-profit Entity Community Development Corporation*

d. **Master Plan.** In reviewing whether a parcel is appropriate for CSC zoning, the Town will consider the future land use designation and neighborhood typology in its then current Master Plan, the goals and objectives of the Master Plan, and whether the designation will help the Town to implement specific goals, such as economic development, or plans, such as the Town's adopted 2002 River Master Plan.

*Refer to Our Town Master Plan Amendment*

(b) Schedule of uses.

(1) Permitted uses. The following mixture of public, non-profit, quasi-public and private uses is permitted in the CSC Zone District:

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- a. Uses and activities conducted by a government entity or by a public non-profit entity that meets the requirements of Sections 16-4 or 16-21(8) of this Chapter. Such uses include administrative offices and meeting rooms for non-profit and educational oriented organizations, transit facilities, museum, community center, educational facilities, performing arts center, and theater.
- b. Fully-deed restricted community housing units meeting the requirements of this Chapter.
- c. Community Vitality Uses as shown on Table 1 in Section 16-29 as Community Vitality Uses. In addition, uses in the designated Vitality Zone are required to be Community Vitality Use subject to exceptions included in Section 16-29(c) and the design guidelines for buildings included in Section 16-30(d)(7).
- d. Temporary outdoor uses and vendors, subject to the provisions of Chapter 6, Section 6-13 of the Town of Basalt Code except that uses and vendors are not subject to the limitation on number of days placed on these activities on public property.
- e. Free-market multifamily uses.
- f. Other commercial, office and retail uses allowed in the C-2 Zone District or approved through the site plan approval process.
- g. Day care if approved in the site plan review and in conformance with State Requirements regulating day care.
- h. Accessory uses as approved pursuant to site plan review.
- i. Public open space and park uses.
- j. Private open space and park uses.
- k. Parking for the allowed uses within the development.

*P&Z to work on Anchor uses and uses for each of the 4 parcels*

(2) Limitations on permitted uses. Through the CSC Development Plan Review process, the Town Council may place reasonable restrictions or limitations on any use or activity in the CSC Zone District. The Town Council may also determine that a specific use is not appropriate based on the intent of the zone district, consistency with the Town Master Plan and compatibility with adjoining areas. The Town Council may establish conditions allowing for subsequent review by the Town Planner or Technical Review Committee to avoid unnecessary additional meetings before the Planning and Zoning Commission and Town Council.

(c) Dimensional requirements. The dimensional requirements applicable to developments within the CSC Zone District shall be established through the CSC Development Plan review process, and shall be subject to the limitations listed in Table 1, below.

TABLE 1		
SCHEDULE OF DIMENSIONAL REQUIREMENTS IN THE CSC ZONE DISTRICT		
Standard	Dimensional Requirement	Notes
Minimum lot area	No requirement	
Maximum building height or height to the highest point of a	45 feet for a hotel. 38 feet for all other	Town Council may approve a greater number of stories or a greater height through the CSC Development Plan review

*This section to be reworked to reflect desired massing. 4 stories only permitted for BBC parcel*

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

pitched roof.	uses.	process if the Council finds that:
Maximum height to top of parapet	45 feet for a hotel. 38 feet for all other uses.	1. The addition is reasonably necessary for the use allowed in the CSC zone district; and 2. The addition would not injure the value or use of, or prevent the proper access of, light and air to adjacent properties, nor be out of harmony with the intent and purpose of the Master Plan and this Chapter; and 3. The addition satisfies the special review standards included in Section 16-44(e).  See also note 1 below.
Maximum number of building stories	4 stories for a hotel. 3 stories for all other uses.	
Maximum floor area ratio	1.5 times the gross lot area of the master parcel.	The maximum floor area ratio shall be applied to the master parcel only. Individual parcels within the master parcel shall receive their floor area allocations from the total floor area authorized for the master parcel during the CSC Development Plan review process.  See also note 2 below
Minimum front yard setback	0 feet	See note 3 below
Minimum side yard setback	0 feet	See note 3 below.
Minimum rear yard setback	25 feet	If adjoining property is zoned residential; or;
	0 feet	In all other cases.  See also note 3 below.
Minimum setback from rivers and other ESA's	See Article XXI concerning development in and around rivers, wetlands and environmentally sensitive areas.	
Minimum percent landscaped open	10%	Open space credits may be given for pedestrian improvements, street furniture, etc., in a public right-of-

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

space		way. See Section 16-29(e)(4)(g).
<p>Note 1: Structured parking which is located primarily underground and is below other permitted uses shall not be counted towards maximum height and story measurements.</p>		
<p>Note 2: Structured parking which is located primarily underground and mechanical or non-residential storage located in said structured parking shall not count towards maximum floor area calculations.</p>		
<p>Note 3: Parts of the structure, such as overhangs, may encroach into the public right-of-way if approved to do so through the CSC Development Plan Review process, provided the applicant obtains an encroachment license from the Town.</p>		

(d) Other Development Standards.

(1) Vitality zone. All areas zoned CSC shall include a designated vitality zone which shall be established by the Town in the sketch plan process. The permitted uses in the vitality zone are shown on Table 1 in Section 16-29 as Community Vitality Uses and the buildings are subject to the building design standards contained in Section 16-30(d)(7) for buildings within the vitality zone. The Town Council will establish the vitality zone considering the following:

- a. The pedestrian and connectivity goals of the area;
- b. The nature of the desired streetscape;
- c. Existing and proposed adjacent uses;
- d. The then current Master Plan; and
- e. The goals advocated by the non-profit applicant.

(2) Parking. Development in the CSC Zone District shall provide parking as follows:

Hotel—One (1) space per hotel room, plus two (2) for management and operations.

Residential—One (1) space per bedroom to a maximum of two (2) spaces per unit, where an efficiency unit is counted as one (1) bedroom.

All other uses—One (1) space per four hundred (400) square feet of floor area. With the exception of handicap spaces and car share spaces, parking spaces may not be reserved for individuals or private businesses.

Additional on-street parking constructed as part of the development will count for non-residential parking included in the calculation of parking spaces to be provided. The applicant shall be permitted to purchase non-residential parking spaces pursuant to the requirements of Section 16-94.

The Town Council may apply a reduction of the non-residential parking requirements following a recommendation of the Planning and Zoning Commission based on hours of operation, mixed-use, access to on-street parking, availability of local mass transit, contribution to a car share program that serves the community or contribution to other desired public improvements, necessary infrastructure, or other basic Town service requirements. The Town Planner may require a recommendation from a parking consultant as outlined in Section 16-92 in order for

*Are any changes advisable w/o further study*

*Add Reference to TDM, WE-cycle, Access to Public Parking garage, etc.*

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

the staff and Planning and Zoning Commission to make a recommendation and the Town Council to make a decision on the appropriate parking reduction for the development.

The visual impacts of off-street parking and loading areas shall be minimized. Special attention shall be given to the design of parking and loading areas to ensure that they support and do not detract from the Town's vitality goals for the CSC Zone District. This shall be accomplished by:

- a. Constructing structured parking primarily underground where such construction is feasible;
  - b. Locating such areas, or the access to such areas, along the rear facade or side of the building whenever feasible (off-street parking shall not be permitted between the front facade of the building and the abutting street); or
  - c. Wrapping the facades of any structured parking within other permitted uses that have a minimum depth of eighteen (18) feet or wrapping the facades with building material, grading or landscaping to break up the view of the parking and lighting contained therein from public open spaces and other activity areas. When this design option is employed the access to the structured parking shall be designed with the same attention to detail and materials as the primary façade and the access shall be integrated into the building's design and wrapping.
  - d. Designating one (1) or more loading zones on the site plan and regulations to govern loading. Except for the foregoing, including parking rates, parking areas in the CSC Zone District shall comply with the requirements of Article V, Off-street Parking and Loading.
- (3) Signage. The sign restrictions of the C-2 district will typically apply to non-residential uses zoned CSC with modifications permitted through the CSC Development Plan Review process. However, nothing shall prevent the Town Council from adding conditions and restrictions on signage to protect adjacent properties and to further the goals of the Town's Master Plan.
- (4) Lighting. The lighting requirements of Section 16-431 shall apply to development within the CSC Zone District unless modified through the Exemption process outlined in Section 16-438 of the Town Code, Article XX, Exterior Lighting.
- (5) Community housing. New development within the CSC Zone District shall satisfy the requirements of Article XIX (Housing Mitigation), except as follows:
- a. The community housing requirements for the commercial mitigation requirements for public/non-profit uses shall be reduced by fifty percent (50%). However nothing shall prevent the applicant from requesting a further reduction as permitted by Section 16-412.
  - b. No housing mitigation shall be required in connection with commercial spaces which are deed restricted such that they can only be sold in commercial units of two thousand five hundred (2,500) net square feet or less which cannot be combined with adjacent units and that occupancy is limited to uses identified as "community vitality" uses in the C-2 Zone District; and
  - c. Three (3) or fewer new attached residential units located on the second or third story of the project to be built and owned in separate ownership from other property in the CSC District and containing one thousand four hundred (1,400) total square feet or less per unit shall be exempt from the housing mitigation requirements or the attached residential units qualify for some other exception in Article XIX of this Chapter.
- (6) Environmentally sensitive areas. Development within the CSC Zone District shall comply with Article XXI (rivers, wetlands and environmentally sensitive areas), provided that the environmentally sensitive area review shall be conducted simultaneously with the CSC Development Plan Review if the Town Planner makes the finding that the development is within the development line established by the River Master Plan.
- (7) Building design. All buildings shall comply with the following requirements, if applicable:

*2nd Priority –  
Check in on  
mitigation  
reductions*

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- a. The Town of Basalt Complete Streets Design Manual and the typologies from the Town of Basalt Master Plan that the Town determines are most applicable to the type of development proposed in the project.
  - b. To the extent possible the areas between a building and the adjacent street shall be visible space that is useable by customers of on-site business uses or pedestrians. These areas, and the required open space areas on the site shall: (a) abut and be level with the public sidewalk; (b) be open to the sky (except for awnings, covered walkways, areas under a porch and covered outdoor seating); (c) be directly accessible to the public; and (d) be provided with appropriate ground cover treatment and landscaping. Placement of street furniture and public art in required open space is encouraged, as long as the four-foot minimum pedestrian walkway width is maintained. Items such as street furniture, educational and interpretive displays, small play features and public art that is attractive and appropriate for use by young children are encouraged.
  - c. Buildings within the portion of the site designated as the vitality zone (as that term is defined in Section 16-29 of this Code) shall incorporate a store-front design at the street level, with windows suitable for retail goods display that are designed to attract pedestrian interest at the street level. The storefront windows along the façade of the vitality zone shall be transparent so as to permit the activities within the building to be visible to pedestrians along the adjacent street. Commercial spaces at street level should have a ceiling height consistent with those within the historic downtown.
  - d. Special attention shall be given to any new building at a prominent corner in the CSC Zone District, including but not limited to, the corner of Two Rivers Road and Midland Avenue, which is a prominent corner at the entryway to the Midland downtown business district. Although it is not the intention of these provisions to require that the building be of a historic or period architecture, it should present a timeless design that makes a statement while maintaining an appropriate scale and mass to the Town. Special attention shall be given not only at the street level but also to the upper floors of the building.
  - e. Attention shall also be given to the design of building facades within the development to ensure that there are not blank walls or empty facades along pathways that connect buildings to public spaces or along alleys or other frontages where pedestrian traffic might be anticipated.
  - f. Development in the CSC Zone must satisfy the design criteria of the C-2 Zone District in Section 16-29(e)(4)c. regarding curb cuts.
  - g. The ground floor of any new structure in the vitality zone should be at grade with adjacent sidewalks or passageways, and there shall be no steps between the sidewalk and the primary building entry. However, in order to satisfy grade issues, steps may be included in the portion of the sidewalk closest to the street if the applicant demonstrates that providing steps is the best way to address grades on the site.
  - h. The Town desires to have development in the CSC Zone not just meet, but exceed the accessibility requirements of the ADA Code.
  - i. Utility boxes and trash/recycling facilities servicing the building shall be located outside of the public right-of-way, along the rear or side façade of the building. To the extent possible, these facilities shall be located in a way that avoids or minimizes any negative impacts on residential uses on the parcel and on adjacent parcels and does not interfere with pedestrian movement and experience. This requirement shall not be construed to prohibit the placement of street furniture, such as public trash containers, within the public right-of-way.
  - j. Landscaping that is to be installed in the public right-of-way shall comply with the applicable provisions of the Public Works Manual.
- (8) Community Priority Scoring System. Development within the CSC Zone District shall be exempt from the requirements of Article XXII.

*Change and Add standards to reflect consistency with Our Town Master Plan amendment*

*Change Design Standards to Refer to Architectural Guiding Principles (See diagrams prepared for P&Z)*

*Rewrite for consistency with OTP*

*Add Standards to incorporate view openings per OTP*

*Add standards to prevent continuous wall effect*

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- (9) Land dedications. The land and improvements, or fees in lieu, required to be provided under the provisions of Section 17-15 (Parkland Dedication) shall be calculated at one-half (½) the requirement for any deed restricted community housing units; and the provisions of Section 17-16 (School Land Dedication) shall apply at the same discounted rate for deed restricted community housing units. The Town Council may exempt or further reduce such fees for free-market and community housing during the CSC Development Plan review process pursuant to Section 16-419. Any reduction or elimination of school impact fees will require approval by the school district.
  - (10) Master Plan consistency. Development within the CSC Zone District shall be determined to be generally in conformance with the Town Master Plan and consistent with the Town's River Master Plan where that plan applies.
- (e) Zone District review procedures and submission requirements.
- (1) CSC Development Plan review procedures. No new development shall occur in the CSC Zone District without CSC Development Plan review and approval. CSC Development Plan review shall be conducted in two (2) stages, these being Sketch Plan review and Final Plan review.
    - a. Sketch Plan review. Sketch Plan review is intended to provide the Town with a general overview of the project including a description of existing conditions, proposed mix of uses, height, floor area and parking, as well as its relationship to neighboring properties and consistency with the Town's Master Plan, the River Master Plan and applicable Code provisions. Sketch Plan review shall involve the following procedural steps:
      - 1. The initial step in Sketch Plan review shall be a determination of whether the proposed project is community serving and is eligible for rezoning to the CSC Zone District. This determination may be made administratively by the Town Planner or the Town Planner may refer this matter to the Planning Commission and Town Council. If the determination is referred, then the Planning Commission and Town Council consideration shall occur at a jointly held public hearing.
      - 2. Any project that is determined to be community serving and eligible for rezoning to the CSC Zone District may then proceed through Sketch Plan review. Sketch Plan review shall require a review by the Planning Commission. The Commission is authorized to recommend approval, approval with conditions, or denial of the Sketch Plan application following a duly noticed public hearing. The Planning Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application.
    - b. Final Plan review. Final Plan review is intended to provide the Town with a more detailed description of the proposed development program, to respond to issues raised in the sketch plan review and to present additional information required in the Sketch Plan review. Final Plan review shall require a review by the Planning Commission at a regular meeting. The Commission is authorized to recommend approval, approval with conditions, or denial of the Final Plan application. The Planning Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application. The Town Planner may schedule a joint meeting of the Planning Commission and Town Council prior to the initial Final Plan review by the Commission.
    - c. Community Serving Subdivision. A property which is zoned CSC is eligible to be subdivided as a Community Serving Subdivision pursuant to the provisions of Section 17-84.5 of this Code provided no more than four initial lots are created by the Owner. The Community Serving Subdivision shall be processed concurrently with the CSC Development Plan. However, nothing herein requires the qualifying non-profit organization to use the Community Serving Subdivision process if the owner would rather utilize another eligible subdivision process in the Code at the time of the subdivision.

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- (2) Sketch Plan submission contents. The application for the Sketch Plan stage of CSC Development Plan review shall include the following:
- a. Completion of standard application forms and authorization from the owner for the filing and processing of the application and fees.
  - b. Description of existing conditions.
  - c. A legal description of the property, an ALTA survey and a copy of any easement or recorded document referenced on the ALTA survey.
  - d. A list with addresses of all property owners within three hundred (300) feet of the property.
  - e. A description of the development program including: major objectives of the development; proposed mix of uses with approximate square footages of each use and number of any free-market and community housing units and allowed locations; parking capacity, location and types; access locations and vehicle and pedestrian circulation; proposed phasing and timing; and plan for satisfying the goals of the development plan. Numbers can be provided in a range.
  - f. Schematic development plan (at a scale of at least one (1) inch per one hundred (100) feet) showing horizontal relationships of the proposed development with property boundary, setbacks and proposed uses.
  - g. Information and drawings providing a schematic level description and illustration of the height, scale and mass of proposed structures from important perspectives, as well as proposed open spaces narrative and graphic descriptions of the character and style of architecture by the end of Sketch Plan review.
  - h. Narrative addressing relationship of the project to neighboring properties and consistency with the Town's Master Plan, the River Master Plan; Streetscape Plan and any other long range planning documents as deemed appropriate by the Town.
  - i. Narrative description of how utilities are to be provided to and through the site by a licensed professional engineer along with an assessment as to the feasibility of the applicant's proposal. Describe whether any existing utilities or easements will need to be relocated or vacated, and generally the plan for accomplishing this. The engineer's assessment at a minimum must address potable water, sanitary sewer, drainage and storm sewer, electrical power, natural gas power, and flood protection where applicable. Describe whether the power lines will be below ground or overhead. The applicant may include maps depicting the alignment of utilities but it is not required at Sketch Plan. The engineer's assessment shall outline any known engineering and utility issues and generally describe how they will be addressed in the final site plan review.
  - j. Proof of ability to apply the CSC Zone District.
  - k. General statements describing how the elements of the development will satisfy the criteria required for the CSC Zone and explanation for any reductions in requirements allowed through the site plan process.
  - l. Statements addressing how the development intends to satisfy requirements that apply to the development found in other sections of the Code applicable to the type of development being proposed, including but not limited to: any annexation requirements; school and parkland dedication; floodplain development permit and regulations, and community housing, including any need for relocation housing.
  - m. Description of how the development addresses the Town's goals toward sustainable building, energy efficiency and waste reduction.
  - n. A study of the shading or shadow impacts that the proposed buildings may cause on public or private rights-of-way or other public spaces within or surrounding the project.

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- o. Additional information. Any additional information reasonably required by the Town to review the application and to verify compliance with the provisions of this Code.
- (3) Final Plan submission contents. The application for the Final Plan stage of CSC Development Plan review shall include the following
- a. Same as above along with such additional or refined information and analysis as may be required by the Town Council in order to address issues raised in the Sketch Plan review or to verify compliance with the provisions of this Code.
  - b. Off street parking and loading areas, including the location, type and capacity of proposed parking areas, and written justification for any proposed reductions or fee-in-lieu of parking proposals
  - c. The location of all ways for ingress and egress to all buildings and parking areas.
  - d. Service and loading areas and refuse and recycling collection areas.
  - e. Site/building program.
  - f. Development plan which meets the requirements of Section 16-66(3)b. Following Final Plan approval the applicant shall record a development plan containing the elements of the Town Council's approval.
  - g. Reserved.
  - h. Proposed schedule and phasing.
  - i. Identification of potential construction and maintenance easements needed for zero-lot line development and plan for obtaining such easements.
  - j. Draft Master Development Agreement which generally describes the public improvements to be constructed in connection with the project, the timing of such construction, the parties responsible for completion of the public improvements and the financial security to be provided.
- (4) Building, engineering and site design review. Building, engineering and site design review is intended to provide the Town with the final architectural, engineering, landscaping and other technical documents that are a precursor to the actual construction of the project. Following approval of the final CSC Development Plan and any other associated land use actions and prior to issuance of a building permit for each lot or development site, the then-owner of a lot or development site shall comply with the following submission requirements and review procedures:
- a. The owner shall prepare and submit architectural drawings, elevations and perspective drawings of all proposed structures and improvements intended to show the relationship of the proposed structures to the surroundings. Such drawings shall depict proposed building materials, fenestration, mechanical equipment (and screening of such equipment) and similar architectural details but need not be the result of final architectural design.
  - b. The owner shall submit final engineering documents, including plans and specifications for streets, water, sewer and drainage and the engineers' cost estimates for all public improvements to be installed on the lot or building site within dedicated land areas, rights-of-way or easements.
  - c. Following construction, the owner shall provide as-built mapping and diagrams for utility installations in an electronic computerized format of a type approved by the Town Engineer or Public Works Director.
  - d. The owner shall describe the character and type of landscaping, lighting and signage to be provided. The landscaping shall be indicated in tabular form, showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on a site plan. The lighting description shall describe how the lighting complies with the final site plan approval and any exemptions that will be necessary pursuant to

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

Section 16-438 of the Town Code, Article XX, Exterior Lighting. The signage plan shall provide detailed information sufficient to determine whether the location, size, number and character of the proposed signs comply with the requirements of Section 16-131 et seq. of the Town Code, Article VII, Signs.

- e. The owner shall provide an anticipated time table for completion of development including the anticipated dates for completion of any phase.
  - f. The owner shall provide a title insurance policy indicating that the property is free and clear of all ownership disputes, liens or encumbrances which would impair the property to be utilized for the uses approved. The title policy shall provide verification that all owners and lien-holders have approved the final subdivision plat.
  - g. The owner shall demonstrate compliance with Article II, Chapter 17, Design Standards and Requirements for Subdivisions.
  - h. The owner shall demonstrate compliance with Article V, Chapter 17, Public Improvements Acceptance and Guarantees.
    - 1. The owner shall provide a Subdivision Improvement Agreement for public or quasi-public improvements to be constructed by the owner and other draft agreements and conveyances that apply to the development as whole or to community housing or other restrictions or requirements.
    - 2. The owner shall provide a Construction Management Plan and shall submit a request for the use of any of the Town's property for construction or construction management purposes.
    - 3. The owner shall demonstrate compliance with the Final CSC Development Plan approval applicable to the application and any other Town approval.
  - i. The owner shall submit the information necessary to satisfy the foregoing requirements for review by the Technical Review Committee. TRC review shall be limited to a consideration and review of the project's compliance with the approval documents applicable to the development, relevant standards applicable to buildings and final subdivision plats. Following such review and after all necessary additions or corrections are made, the building, engineering and site design information shall be forwarded to the Town Council along with the recommendation of the Technical Review Committee. In its final development plan review approval the Council can delegate this review to the Planning and Zoning Commission.
  - j. The building, engineering and site design information submitted by the owner, together with the recommendation of the Technical Review Committee, shall be considered by the Town Council (or the Planning and Zoning Commission if the Council refers the approval to the Planning and Zoning Commission in the final approval) at a noticed public hearing. The board's review shall be limited to a consideration and review of the project's compliance with the applicable approval documents and relevant standards applicable to buildings and final subdivision plats. The Town Council shall make a final decision to approve the building, engineering and site design proposal subject to modifications or conditions, or to deny such proposal. Nothing eliminates the requirement to comply with the Building Code. The Town's approval shall be considered the Site Specific Development Plan.
- (5) Amendments to a Sketch Plan or Final CSC Development Plan. Amendments to a Sketch Plan approval or Final Plan shall be processed as follows:
- a. Sketch Plan approval. After Sketch Plan approval an applicant may make insubstantial amendments to the approved sketch plan before submitting a Final CSC Development Plan for review. Substantial amendments shall be processed under the same procedures as used for the original adoption. "Substantial" shall have the same meaning as in Section 16-65(d)(2). The initial determination of whether an amendment is insubstantial or substantial shall be made by the Town Planner.

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- b. Final CSC Development Plan approval. After Final Development Plan approval, the TRC may review and approve of minor amendments to the approval documents necessary to effectuate the intent of the Final Plan Approval. The applicant shall have the ability to appeal a TRC decision on a minor amendment to the Town Council at a public meeting in which fifteen (15) days written notice of the public meeting has been provided to the appellants.
- c. Substantial amendments and amendments which the Town Planner determines are not minor amendments but are consistent with the Sketch Plan approval shall processed pursuant to the Final Plan submission and review procedures. Substantial amendments and any amendments which the Town Planner determines are not minor amendments and are not consistent with the Sketch Plan approval shall be processed pursuant to the Sketch Plan and Final Plan submission and review procedures.

**CSC – Zone District – Proposed Amendments 2015**

*Language underlined was proposed to be added to the Code and ~~struck~~ through language was proposed to be deleted.*

**First Change – amend purpose of Community Serving Commercial Zone District that appears in Section 16-4**

(8) P Public. The Public District is intended for areas to be used for a public purpose owned by a governmental or public nonprofit entity as defined in Section 16-4. Only property owned by a governmental or public nonprofit entity as defined in Section 16-4 is eligible for Public District zoning. For purposes hereof, ownership may include a long-term lease or other financing mechanism as reasonably determined by the Town Attorney.

(9) DR Developing Resource District. The Developing Resource District is intended to provide for the annexation of those areas, tracts or parcels of land that are eligible for annexation and are designated in the Comprehensive Plan as potentially suitable for urban development but not in the immediate future because of lack of utilities or other services.

(10) R-3 Traditional Neighborhood/Hill District. It is the intent of this zone district to provide a residential zone district that recognizes and allows for existing patterns of traditional neighborhood development with greater flexibility and variety in development standards. This zone district emphasizes the single-family residential character of the traditional neighborhoods.

(11) Community Serving Commercial Zone District. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 zone district. The scale and character of development authorized in this zone district may allow buildings that are larger and more multi-faceted than areas zoned C-2 (Downtown Business) ~~or P (Public)~~. The zone district offers certain development standards and incentives to encourage qualifying non-profit organizations to create projects that implement Town plans and policies and which might not occur without the review process and development standards contained in this District, through pure free market development. Incentives include reductions in certain mitigation standards and a review process that is better tailored to non-profit applicants prepared to address significant community goals and needs. The goal is to ~~foster partnerships between non-profit organizations and private entities to address important community objectives~~ goals.

(12) R-4 Mixed-Density Residential (R-4MD). It is the intent of this zone district to promote the creation of affordable community housing or attainable housing. This zone district encourages affordable and attainable housing units through the use of small lots, flexible lot configurations, a mix of lot and home sizes and efficient use of land. (Prior code 70-8; Ord. 16 §2, 1995; Ord. 33 §2, 2001; Ord. 07 §B2, 2009; Ord. 10 §B.2(Exh. A), 2012; Ord. 04 §B.2, 2013)

Sec. 16-30. CSC Zone District.

(a) Intent and applicability.

(1) Statement of intent. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District in a strategic manner signed to implement important community goals and plans. The scale and character of development authorized in this zone district may allow buildings that are larger and more multi-faceted than areas zoned C-2 (Downtown Business) or P (Public). The zone district offers certain incentives to encourage qualifying non-profit organizations to create projects that implement Town plans and policies and which might not occur without the review process and development standards contained in this District might not occur through pure free market development. These incentives include reductions in certain mitigation standards and a review process that is better tailored to non-profit applicants prepared to address significant community goals and needs. The goal is to foster partnerships between non-profit organizations and private entities to address important community goals objectives.

(2) Applicability.

a. Minimum land area. Any parcel of land that is at least one (1) acre in size, or any parcel of land that is less than one (1) acre but is immediately adjacent to an area zoned CSC and that is appropriate for community serving uses under the parameters of this section may be zoned to the CSC Zone District.

b. Development Must Be Community Serving. Since the intent of the CSC Zone District is to encourage projects which meet important community objectives and strategies ~~social entrepreneurship in the development of community serving commercial projects~~, new development shall only be permitted to occur in the CSC Zone District if it is determined to be community serving. New development shall be considered to be community serving if at least ~~seventy~~ forty percent (~~74~~40%) of the total permitted square footage is devoted to a use or uses listed in Subsections 16-30(b)(1)a., b. and c. below and if at least thirty percent (30%) of the total permitted square footage or land area is devoted to governmental or non-profit uses as described in Subsection 16-30(b)(1)a, semi-public uses as described in Subsection 16-30(b)(1)l or publically accessible open space and trails. Nothing herein shall preclude a use from satisfying both the ~~seventy~~ forty percent (~~74~~40%) and thirty percent (30%) requirements. The Council may reduce or eliminate the requirement that at least thirty percent (30%) is devoted to governmental, ~~or non-profit uses~~ or open space and trail uses through the CSC Development Plan approval process if it would result in more than ~~seventy~~ forty percent (~~74~~40%) of the total square footage being devoted to deed restricted community housing units including re-placement housing units.

c. ~~Qualifying non-profit organizations~~. Applications In order to be eligible for rezoning to the CSC Zone District, the owner of the land to be rezoned must satisfy one of the following

(1) The Application must be determined to be a community serving commercial application by the Town Council based on a finding that the application has the potential to satisfy important community goals, is in an area identified by the Town for the type of development proposed by the Applicant, and which has the potential to be found in compliance with the requirement and design standards contained in the CSC district. The findings shall be included in a pre-development agreement approved by the Town Council. Nothing in the Pre-development agreement shall guarantee future rezoning and specific land use approvals.

(2) The Applicant must be a non-profit Community Development Organization or a similar non-profit organization where development activities are a stated part of its 501(c)(3) tax status. A qualified Community Development Corporation is an entity which satisfies the requirements of Section 16-4 applicable to a "Public non-profit Entity, Community Development Corporation." Provided that the new development satisfies the criteria of Subsection 16-30(a)(2)b. above, a qualifying non-profit organization shall not be disqualified if portions of the new development proposed in the CSC Zone District are to be sold to and used by for-profit businesses in accordance with these regulations and any adopted conditions of approval; or

d.c Master Plan. In reviewing whether a parcel is appropriate for CSC zoning, the Town will consider the future land use designation and neighborhood typology in its then current Master Plan, the goals and objectives of the Master Plan, and whether the designation will help the Town to implement specific goals, such as economic development, or other plans, such as the Town's adopted 2002 River Master Plan.

(b) Schedule of uses.

(1) Permitted uses. The following mixture of public, non-profit, quasi-public and private uses is permitted in the CSC zone district:

a. Uses and activities conducted by a government entity or by a public non-profit entity that meets the requirements of Sections 16-4 or 16-21(8) of this Chapter. Such uses include administrative offices and meeting rooms for non-profit and educational oriented organizations, transit facilities, museum, community center, educational facilities, performing arts center, and theater.

b. Fully-deed restricted community housing units meeting the requirements of this Chapter.

c. Community Vitality Uses as shown on Table 1 in Section 16-29 as Community Vitality Uses. In addition, uses in the designated Vitality Zone are required to be Community Vitality Use subject to exceptions included in Subsection 16-29(c) and the design guidelines for build-ins included in Subsection 16-30(d)(7).

d. Temporary outdoor uses and vendors, subject to the provisions of Chapter 6, Section 6-13 of the Town of Basalt Code except that uses and vendors are not subject to the limitation on number of days placed on these activities on public property.

e. Free-market multifamily uses.

f. Other commercial, office and retail uses allowed in the C-2 Zone District or approved through the Site Plan approval process

g. Day care if approved in the Site Plan review and in conformance with State Requirements regulating day care.

h. Accessory uses as approved pursuant to Site Plan Review.

i. Public open space and park uses.

j. Private open space and park uses.

k. Parking for the allowed uses within the development.

l. Semi-public uses such as parking for uses outside of the development accessible to the public or plazas owned by the development but open to the public.

(2) Limitations on permitted uses. Through the CSC Development Plan Review process, the Town Council may place reasonable restrictions or limitations on any use or activity in the CSC Zone District. The Town Council may also determine that a specific use is not appropriate based on the intent of the zone district, consistency with the Town Master Plan and compatibility with adjoining areas. The Town Council may establish conditions allowing for subsequent review by the Town Planner or Technical Review Committee to avoid unnecessary additional meetings before the Planning and Zoning Commission and Town Council.

(c) Dimensional requirements. The dimensional requirements applicable to developments within the CSC Zone District shall be established through the CSC Development Plan review process, and shall be subject to the limitations listed in Table 1, below.

TABLE 1 SCHEDULE OF DIMENSIONAL REQUIREMENTS IN THE CSC ZONE DISTRICT		
Standard	Dimensional Requirement	Notes
Minimum lot area	No requirement	
Maximum building height or height to the highest point of a pitched roof.	45 feet for a hotel. 38 feet for all other Uses.	Town Council may approve a greater number of stories or a greater height through the CSC Development Plan review process if the Council finds that:
Maximum height to top of parapet	45 feet for a hotel. 38 feet for all other uses.	1. The addition is reasonably necessary for the use allowed in the CSC zone district;
Maximum number of building stories	4 stories for a hotel. 3 stories for all other uses.	2. <u>The addition is necessary to provide the community benefits to be achieved through the development;</u> and 2.3 The addition would not injure the value or use of, or prevent the proper access of, light and air to adjacent properties, nor be out of harmony with the intent and purpose of the Master Plan and this Chapter; and 3. 4.The addition satisfies the special review standards included in Section 16-44(e).
Maximum floor area ratio	1.5 times the gross lot area of the master parcel.	See also note 1 below.  The maximum floor area ratio shall be applied to the master parcel only. Individual parcels within the master parcel shall receive their floor area allocations from the total floor area authorized for the master parcel during the CSC Development Plan review process.
Minimum front yard setback	0 feet	See note 3 below
Minimum side yard setback	0 feet	See note 3 below.
Minimum rear yard setback	25 feet  0 feet	If adjoining property is zoned residential; or;  In all other cases.  See also note 3 below.
Minimum setback from rivers and other ESA's	See Article XXI concerning development in and around rivers, wetlands and environmentally sensitive areas.	
Minimum percent landscaped open space	10%	Open space credits may be given for pedestrian improvements, street furniture, etc., in a public right-of-way. See Section 16-44(e).

TABLE 1 SCHEDULE OF DIMENSIONAL REQUIREMENTS IN THE CSC ZONE DISTRICT		
Standard	Dimensional Requirement	Notes
Note 1: Structured parking which is located primarily underground and is below other permitted uses shall not be counted towards maximum height and story measurements.		
Note 2: Structured parking which is located primarily underground and mechanical or non-residential storage located in said structured parking shall not count towards maximum floor area calculations.		
Note 3: Parts of the structure, such as overhangs, may encroach into the public right-of-way if approved to do so through the CSC Development Plan Review process, provide the applicant obtains an encroachment license from the Town.		

(d) Other Development Standards.

(1) Vitality zone. All areas zoned CSC shall ~~shall~~ should include a designated vitality zone which shall be established by the Town in the sketch plan process. The permitted uses in the vitality zone are shown on Table 1 in Section 16-29 as Community Vitality Uses and the buildings are subject to the building design standards contained in Section 16-30(d)(7) for buildings within the vitality zone. The Town Council will establish the vitality zone considering the following:

- a. The pedestrian and connectivity goals of the area;
- b. The nature of the desired streetscape;
- c. Existing and proposed adjacent uses;
- d. The then current Master Plan; and e. The goals advocated by the non-Profit applicant.

(2) Parking. Development in the CSC Zone District shall provide parking as follows:

Hotel—One (1) space per hotel room, plus two (2) for management and operations.

Residential—One (1) space per bedroom to a maximum of two (2) spaces per unit, where an efficiency unit is counted as one (1) bedroom.

All other uses—one (1) space per four hundred (400) square feet of floor area. With the exception of handicap spaces and car share spaces, parking spaces may not be reserved for individuals or private businesses.

Additional on-street parking constructed as part of the development will count for non-residential parking included in the calculation of parking spaces to be provided. The applicant shall be permitted to purchase non-residential parking spaces pursuant to the requirements of Section 16-94.

The Town Council may apply a reduction of the non-residential parking requirements following a recommendation of the Planning and Zoning Commission based on hours of operation, mixed-use, access to on-street parking, availability of local mass transit, contribution to a car share program that serves the community or contribution to other desired public improvements, necessary infrastructure, or other basic Town service requirements. The Town Planner may require a recommendation from a parking consultant as outlined in Section 16-92

in order for the staff and Planning and Zoning Commission to make a recommendation and the Town Council to make a decision on the appropriate parking reduction for the development.

The visual impacts of off-street parking and loading areas shall be minimized. Special attention shall be given to the design of parking and loading areas to ensure that they support and do not detract from the Town's vitality goals for the CSC Zone District. This shall be accomplished by:

- a. Constructing structured parking primarily underground where such construction is feasible;
- b. Locating such areas, or the access to such areas, along the rear facade or side of the building whenever feasible (off-street parking shall not be permitted between the front facade of the building and the abutting street); or
- c. Wrapping the facades of any structured parking within other permitted uses that have a minimum depth of eighteen (18) feet or wrapping the facades with building material, grading or landscaping to break up the view of the parking and lighting contained therein from public open spaces and other activity areas. When this design option is employed the access to the structured parking shall be designed with the same attention to detail and materials as the primary façade and the access shall be integrated into the building's design and wrapping.
- d. Designating one (1) or more loading zones on the site plan and regulations to govern loading. Except for the foregoing, including parking rates, parking areas in the CSC Zone District shall comply with the requirements of Article V, Off-street Parking and Loading?

(3) Signage. The sign restrictions of the C-2 district will typically apply to non-residential uses zoned CSC with modifications permitted through the CSC Development Plan Review process. However, nothing shall prevent the Town Council from adding conditions and restrictions on signage to protect adjacent properties and to further the goals of the Town's Master Plan.

(4) Lighting. The lighting requirements of Section 16-431 shall apply to development within the CSC Zone District unless modified through the Exemption process outlined in Section 16-438 of the Town Code, Article XX, and Exterior Lighting.

(5) Community housing. New development within the CSC Zone District shall satisfy the requirements of Article XIX (Housing Mitigation), except as follows:

- a. The community housing requirements for the commercial mitigation requirements for public/non-profit uses shall be reduced by fifty percent (50%). However nothing shall prevent the applicant from requesting a further reduction as permitted by Section 16-412.

b. No housing mitigation shall be required in connection with commercial spaces which are deed restricted such that they can only be sold in commercial units of two thousand five hundred (2,500) net square feet or less which cannot be combined with adjacent units and that occupancy is limited to uses identified as "community vitality" uses in the C-2 Zone District; and

c. Three (3) or fewer new attached residential units located on the second or third story of the project to be built and owned in separate ownership from other property in the CSC District and containing one thousand four hundred (1,400) total square feet or less per unit shall be exempt from the housing mitigation requirements or the attached residential units qualify for some other exception in Article XIX of this Chapter.

(6) Environmentally sensitive areas. Development within the CSC Zone District shall comply with Article XXI (rivers, wetlands and environmentally sensitive areas), provided that the environmentally sensitive area review shall be conducted simultaneously with the CSC Development Plan Review if the Town Planner makes the finding that the development is within the development line established by the River Master Plan.

(7) Building design. All buildings shall comply with the following requirements, if applicable:

a. The Town of Basalt Complete Streets Design Manual and the typologies from the Town of Basalt Master Plan that the Town determines are most applicable to the type of development proposed in the project.

b. To the extent possible the areas between a building and the adjacent street shall be visible space that is useable by customers of on-site business uses or pedestrians. These areas, and the required open space areas on the site shall: (a) abut and be level with the public sidewalk; (b) be open to the sky (except for awnings, covered walkways, areas under a porch and covered outdoor seating); (c) be directly accessible to the public; and (d) be provided with appropriate ground cover treatment and landscaping. Placement of street furniture and public art in required open space is encouraged, as long as the four-foot minimum pedestrian walkway width is maintained. Items such as street furniture, educational and interpretive displays, small play features and public art that is attractive and appropriate for use by young children are encouraged.

c. Buildings within the portion of the site designated as the vitality zone (as that term is defined in Section 16-29 of this Code) shall incorporate a store-front design at the street level, with windows suitable for retail goods display or restaurant space that are designed to attract pedestrian interest at the street level. The storefront windows along the façade of the vitality zone shall be transparent so as to permit the activities within the building to be visible to pedestrians along the adjacent street. Commercial spaces at street level should have a ceiling height consistent with those within the historic downtown.

d. Special attention shall be given to any new building at a prominent street corner or any new building adjacent to a public open space or trails in the CSC Zone District, ~~including but not limited to, the corner of Two Rivers Road and Midland Avenue, which is a prominent corner at the entryway to the Midland downtown business district.~~ Although it is not the intention of these provisions to require that the building be of a historic or period architecture, it should present a timeless design that makes a statement while maintaining an appropriate scale and mass to the Town. Special attention shall be given not only at the street level but also to the upper floors of the building.

e. Attention shall also be given to the design of building facades within the development to ensure that there are not blank walls or empty facades along pathways that connect buildings to public spaces or along alleys or other frontages where pedestrian traffic might be anticipated.

f. Development in the CSC Zone must satisfy the design criteria of the C-2 Zone District in Section 16-29(e)(4)c. regarding curb cuts.

g. The ground floor of any new structure in the vitality zone should be at grade with adjacent sidewalks or passageways, and there shall be no steps between the sidewalk and the primary building entry. However, in order to satisfy grade issues, steps may be included in the portion of the sidewalk closest to the street if the applicant demonstrates that providing steps is the best way to address grades on the site.

h. The Town desires to have development in the CSC Zone not just meet, but exceed the accessibility requirements of the ADA Code.

i. Utility boxes and trash/recycling facilities servicing the building shall be located outside of the public right-of-way, along the rear or side façade of the building. To the extent possible, these facilities shall be located in a way that avoids or minimizes any negative impacts on residential uses on the parcel and on adjacent parcels and does not interfere with pedestrian movement and experience. This requirement shall not be construed to prohibit the placement of street furniture, such as public trash containers, within the public right-of-way.

j. Landscaping that is to be installed in the public right-of-way shall comply with the applicable provisions of the Public Works Manual.

k. Any public or semi-public open space, trails or alleyways or view plain included in planning document adopted by the Town Council must be reflected in any Site Plan approved by the Town Council unless the Town Council finds that the objective to be satisfied is not necessary or is being satisfied in another manner following a recommendation by the Planning and Zoning Commission.

(8) Community Priority Scoring System. Development within the CSC Zone District shall be exempt from the requirements of Article XXII

(9) Land dedications. The land and improvements, or fees in lieu, required to be

provided under the provisions of Section 17-15 (Parkland Dedication) shall be calculated at one-half ( $\frac{1}{2}$ ) the requirement for any deed restricted community housing units; and the provisions of Section 17-16 (School Land Dedication) shall apply at the same discounted rate for deed restricted community housing units. The Town Council may exempt or further reduce such fees for free-market and community housing during the CSC Development Plan review process pursuant to Section 16-419. Any reduction or elimination of school impact fees will require approval by the school district.

(10) Master Plan consistency. Development within the CSC Zone District shall be determined to be generally in conformance with the Town Master Plan and consistent with the Town's River Master Plan or other plans adopted by the Town Council where ~~that~~ those plans apply.

(e) Zone district review procedures and submission requirements.

(1) CSC Development Plan review procedures. No new development shall occur in the CSC Zone District without CSC Development Plan review and approval. CSC Development Plan review shall be conducted in two (2) stages, these being sketch plan review and final plan review.

a. Sketch plan review. Sketch plan review is intended to provide the Town with a general overview of the project including a description of existing conditions, proposed mix of uses, height, floor area and parking, as well as its relationship to neighboring properties and consistency with the Town's Master Plan, the River Master Plan and applicable Code provisions. Sketch plan review shall involve the following procedural steps:

1. The initial step in sketch plan review shall be a determination of whether the proposed project is community serving and is eligible for rezoning to the CSC Zone District. This

determination may be made administratively by the Town Planner or the Town Planner may refer this matter to the Planning Commission and Town Council. If the determination is referred, then the Planning Commission and Town Council consideration shall occur at a jointly held public hearing.

2. Any project that is determined to be community serving and eligible for rezoning to the CSC Zone District may then proceed through sketch plan review. Sketch plan review shall require a review by the Planning Commission. The Commission is authorized to recommend approval, approval with conditions, or denial of the sketch plan application following a duly noticed public hearing. The Planning Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application.

b. Final plan review. Final plan review is intended to provide the Town with a more detailed description of the proposed development program, to respond to

issues raised in the sketch plan review and to present additional information required in the sketch Plan review. Final Plan review shall require a review by the Planning Commission at a regular meeting. The Commission is authorized to recommend approval, approval with conditions, or denial of the Final Plan application. The Planning Commission review shall be followed by a review by the Town Council at a duly noticed public hearing. Following the closure of the public hearing, the Town Council may approve, approve with conditions, or deny the application. The Town Planner may schedule a joint meeting of the Planning Commission and Town Council prior to the initial Final Plan review by the Commission.

c. Community Serving Subdivision. A property which is zoned CSC is eligible to be subdivided as a Community Serving Subdivision pursuant the provisions of Section 17-84.5 of this Code provided no more than four initial lots are created by the Owner. The Community Serving Subdivision shall be processed concurrently with the CSC Development Plan. However, nothing herein requires the qualifying ~~non-profit organization~~ applicant to use the Community Serving Subdivision process if the owner would rather utilize another eligible subdivision process in the Code at the time of the subdivision.

(2) Sketch Plan submission contents. The application for the Sketch Plan stage of CSC Development Plan review shall include the following:

a. Completion of standard application forms and authorization from the owner for the filing and processing of the application and fees.

b. Description of existing conditions.

c. A legal description of the property, an ALTA survey and a copy of any easement or recorded document referenced on the ALTA survey.

d. A list with addresses of all property owners within three hundred (300) feet of the property.

e. A description of the development program including: major objectives of the development; proposed mix of uses with approximate square footages of each use and number of any free-market and community housing units and allowed locations; parking capacity, location and types; access locations and vehicle and pedestrian circulation; proposed phasing and timing; and plan for satisfying the goals of the development plan. Numbers can be provided in a range.

f. Schematic development plan (at a scale of at least one (1) inch per one hundred (100) feet) showing horizontal relationships of the proposed development with property boundary, setbacks and proposed uses.

g. Information and drawings providing a schematic level description and illustration of the height, scale and mass of proposed structures from important perspectives, as well as proposed open spaces narrative and graphic descriptions of the character and style of architecture by the end of Sketch Plan review.

h. Narrative addressing relationship of the project to neighboring properties and consistency with the Town's Master Plan, the River Master Plan; Streetscape Plan and any other long range planning documents as deemed appropriate by the Town.

i. Narrative description of how utilities are to be provided to and through the site by a licensed professional engineer along with an assessment as to the feasibility of the Applicant's proposal. Describe whether any existing utilities or easements will need to be relocated or vacated, and generally the plan for accomplishing this. The engineer's assessment at a minimum must address potable water, sanitary sewer, drainage and storm sewer, electrical power, natural gas power, and flood protection where applicable. Describe whether the power lines will be below ground or overhead. The Applicant may include maps depicting the alignment of utilities but it is not required at sketch plan. The engineer's assessment shall outline any known engineering and utility issues and generally describe how they will be addressed in the Final Site Plan review.

j. Proof of ability to apply the CSC Zone District.

k. General statements describing how the elements of the development will satisfy the criteria required for the CSC Zone and explanation for any reductions in requirements allowed through the site plan process.

l. Statements addressing how the development intends to satisfy requirements that apply to the development found in other sections of the code applicable to the type of development being proposed, including but not limited to: any annexation requirements; school and parkland dedication; floodplain development permit and regulations, and community housing, including any need for relocation housing.

m. Description of how the development addresses the Town's goals toward sustainable building, energy efficiency and waste reduction.

n. A study of the shading or shadow impacts that the proposed buildings may cause on public or private rights-of-way or other public spaces within or surrounding the project.

o. Additional information. Any additional information reasonably required by the Town to review the application and to verify compliance with the provisions of this Code.

(3) Final Plan submission contents. The application for the Final Plan stage of CSC Development Plan review shall include the following

a. Same as above along with such additional or refined information and analysis as may be required by the Town Council in order to address issues raised in the Sketch Plan review or to verify compliance with the provisions of this Code.

- b. Off street parking and loading areas, including the location, type and capacity of proposed parking areas, and written justification for any proposed reductions or fee-in-lieu of parking proposals
- c. The location of all ways for ingress and egress to all buildings and parking areas.
- d. Service and loading areas and re- fuse and recycling collection areas.
- e. Site/building program.
- f. Development plan which meets the requirements of Section 16-66(3)b. Following Final Plan approval the applicant shall record a development plan containing the elements of the Town Council's approval.
- g. Reserved.
- h. Proposed schedule and phasing.
- i. Identification of potential construction and maintenance easements needed for zero-lot line development and plan for obtaining such easements.
- j. Draft Master Development Agreement which generally describes the public improvements to be constructed in connection with the project, the timing of such construction, the parties responsible for completion of the public improvements and the financial security to be provided.

(4) Building, engineering and site design review. Building, engineering and site design review is intended to provide the Town with the final architectural, engineering, landscaping and other technical documents that are a precursor to the actual construction of the project. Following approval of the final CSC Development Plan and any other associated land use actions and prior to issuance of a building permit for each lot or development site, the then-owner of a lot or development site shall comply with the following submission requirements and review procedures:

- a. The owner shall prepare and submit architectural drawings, elevations and perspective drawings of all proposed structures and improvements intended to show the relationship of the proposed structures to the surroundings. Such drawings shall depict proposed building materials, fenestration, mechanical equipment (and screening of such equipment) and similar architectural details but need not be the result of final architectural design.
- b. The owner shall submit final engineering documents, including plans and specifications for streets, water, sewer and drainage and the engineers' cost estimates for all public improvements to be installed on the lot or building site within dedicated land areas, rights-of-way or easements.

c. Following construction, the owner shall provide as-built mapping and diagrams for utility installations in an electronic computerized format of a type approved by the Town Engineer or Public Works Director.

d. The owner shall describe the character and type of landscaping, lighting and signage to be provided. The landscaping shall be indicated in tabular form, showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on a site plan. The lighting description shall describe how the lighting complies with the Final Site Plan approval and any exemptions that will be necessary pursuant to Section 16-438 of the Town Code, Article XX, Exterior Lighting. The signage plan shall provide detailed information sufficient to determine whether the location, size, number and character of the proposed signs comply with the requirements of Section 16-131 et seq. of the Town Code, Article VII, Signs.

e. The owner shall provide an anticipated time table for completion of development including the anticipated dates for completion of any phase.

f. The owner shall provide a title insurance policy indicating that the property is free and clear of all ownership disputes, liens or encumbrances which would impair the property to be utilized for the uses approved. The title policy shall provide verification that all owners and lien-holders have approved the final subdivision plat.

g. The owner shall demonstrate compliance with Article II, Chapter 17, Design Standards and Requirements for Subdivisions.

h. The owner shall demonstrate compliance with Article V, Chapter 17, Public Improvements Acceptance and Guarantees.

1. The Owner shall provide a Sub-division Improvement Agreement for public or quasi-public improvements to be constructed by the Owner and other draft agreements and conveyances that apply to the development as whole or to community housing or other restrictions or requirements.

2. The Owner shall provide a Construction Management Plan and shall submit a request for the use of any of the Town's property for construction or construction management purposes.

3. The Owner shall demonstrate compliance with the Final CSC Development Plan approval applicable to the application and any other Town Approval.

i. The Owner shall submit the information necessary to satisfy the foregoing requirements for review by the Technical Review Committee. TRC review shall be limited to a consideration and review of the Project's compliance with the approval documents applicable to the development, relevant standards applicable to buildings and final subdivision plats. Following such review and after all necessary additions or corrections are made, the building, engineering and site design information shall be forwarded to the Town Council along with the recommendation of the Technical Review Committee. In its final development plan review approval the Council can delegate this review to the Planning and

Zoning Commission.

j. The building, engineering and site design information submitted by the Owner, together with the recommendation of the Technical Review Committee, shall be considered by the Town Council (or the Planning and Zoning Commission if the Council refers the approval to the Planning and Zoning Commission in the final approval) at a noticed public hearing. The board's review shall be limited to a consideration and review of the Project's compliance with the applicable approval documents and relevant standards applicable to buildings and final subdivision plats. The Town Council shall make a final decision to approve the building, engineering and site design proposal subject to modifications or conditions, or to deny such proposal. Nothing eliminates the requirement to comply with the Building Code. The Town's approval shall be considered the Site Specific Development Plan.

5) Amendments to a Sketch Plan or Final CSC Development Plan. Amendments to a Sketch Plan approval or Final Plan shall be processed as follows:

a. Sketch Plan Approval. After Sketch Plan approval an applicant may make insubstantial amendments to the approved sketch plan before submitting a Final CSC Development Plan for review. Substantial amendments shall be processed under the same procedures as used for the original adoption. "Substantial" shall have the same meaning as in Section 16-65(d)(2). The initial determination of whether an amendment is insubstantial or substantial shall be made by the Town Planner.

b. Final CSC Development Plan Approval. After Final Development Plan approval, the TRC may review and approve of minor amendments to the approval documents necessary to effectuate the intent of the Final Plan Approval. The Applicant shall have the ability to appeal a TRC decision on a minor amendment to the Town Council at a public meeting in which fifteen (15) days written notice of the public meeting has been provided to the appellants.

c. Substantial amendments and amendments which the Town Planner determines are not minor amendments but are consistent with the Sketch Plan approval shall processed pursuant to the Final Plan submission and review procedures. Substantial amendments and any amendments which the Town Planner determines are not minor amendments and are not consistent with the Sketch Plan approval shall be processed pursuant to the Sketch Plan and Final plan submission and review procedures.