

**TOWN OF BASALT MEETINGS**  
**Planning and Zoning Commission Worksession**  
**Tuesday March 15, 2016**

**Basalt Town Hall**

**101 Midland Avenue**

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**6:00 PM      Call to Order**

**Approval of Minutes**

- February 16, 2016 Minutes
- February 22, 2016 Minutes
- March 1, 2016 Minutes

**6:05              Worksession: Zoning for Our Town Planning Properties**

**7:15              Commissioner Comments and Staff Updates**

**7:30              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  
WORK SESSION  
FEBRUARY 16, 2016**

The work session began at 6:05 p.m. Commissioners present were Patrick McAllister, Gary Wheeler, Gino Rossetti, and Alternate Tracy Bennett.

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

Cathy Click and Patrice Becker were present, representing the different petitioner groups.

**Work Session – Zoning for the Our Town Planning Properties**

A model of the former Pan and Fork parcel and some adjacent areas was delivered to the Town Hall earlier today. Philp noted that there are some exchangeable pieces to depict the different build-out options being considered.

Philp said that one of the modeling options shows 55,000 sq. feet on the CDC parcel with a 2.5 story (two stories with third story setback) hotel. The other option is a representation of what the petitioners are looking for. She explained the different components of the model. While Lowe Enterprises hasn't signed off on what this model shows, it is generally indicative of their latest idea which includes office space of 15,000 sq. ft. and about 40,000 sq. ft. with condominium hotel/restaurant/affordable housing uses. In response to a question from Commissioner Rossetti, Philp said that Lowe Enterprises has indicated that they can have a viable development at 55,000 sq. ft. Rossetti added that he thinks the area closest to the intersection should be hardscaped with an inviting transition to the park areas.

Philp noted that the polygon and park areas are flat, but she will ask the model builder to add a 3-D structure in the polygon area to represent the pavilion where a restaurant/public restrooms could be located. Both P&Z and POST think that the polygon area should have an active use.

The model options were switched out and Click explained the concept behind the citizen group's ideas for up to 44,000 sq. ft. of development. The group wanted to show what a 22,000 sq. ft. building footprint (two stories) on one acre of land would look like. In this scenario there would be no hotel on the CDC parcel but there could be a year-round greenhouse/community event/restaurant space, a non-profit organization office and affordable housing. Click stated that the citizen group is looking for 1.3 acres of park, one acre for the building envelope, and no structure in the Big V.

Commissioner Rossetti said he thought the model piece representing 55,000 sq. ft. had a lot of interesting potential, whereas the citizen group's idea just looks like a couple of buildings. He thinks whatever is built on the CDC parcel should make a statement.

In response to a question from Commissioner McAllister, Click replied that a hotel adjacent to a park is an incompatible use because noise and activities in the park could have a negative impact on the hotel's guests. The same thing would be true if the hotel were replaced with private residences. The public would be ultimately impacted because the park could seem like a privatized extension of a hotel. Philp, using the Limelight Hotel and Wagner Park in Aspen as an example, pointed out that having a street between the two makes it seem like park activities don't impact the hotel, and vice versa.

Commissioner Rossetti and Alternate Bennett disagreed with Click on the effectiveness of a hotel on the CDC parcel as a revitalizing factor. Click felt that the better location for a hotel would be in the BCC. She said that the owners of the Aspenalt Hotel feel slighted by all the talk about needing another hotel in Basalt. They are consistently full and have many repeat customers. Rossetti and Bennett said that a hotel on the CDC parcel would draw a different demographic group [than the Aspenalt] and be close enough for the guests to walk around town, eating at the restaurants and shopping at the stores.

Click, noting that the park hasn't been completed yet, asked who will pay for its creation. Scanlon said that a tax increase seems to be in the future. Click suggested that if the Town owned the envisioned event center it could collect use fees. Staff is working with its financial advisor to determine the actual value of the property under various configurations. After further discussion about some tweaks to the model, Philp said that Staff will ask the model maker to build a more accurate representation of the petitioner group's ideas about the square footage being proposed.

Becker liked the idea of having a hotel in the BCC area. It looks less crowded there than on the CDC parcel.

Commissioner McAllister said he thought the model was helpful. He asked Click if her comments represented the thinking of the petitioner group. Click replied that the petitioner group was more concerned about getting the proposal on the ballot, not what the buildings are supposed to look like. The petitioner group people feel that more park is better.

Commissioner Wheeler said that the most common question he gets asked is how we're going to pay for the park. His response to them was that we're going to need to raise taxes, but not sales tax.

Becker said that if the taxpayers knew what they were getting into it would help in making the decision.

Commissioner Wheeler said it will be helpful for the public to have the model as a reference. Most people can't visualize square footages.

#### **ADJOURNMENT**

The Planning and Zoning Commission adjourned at 6:40 p.m.

# DRAFT

## TOWN OF BASALT PLANNING AND ZONING COMMISSION WORK SESSION FEBRUARY 22, 2016

The work session began at 6:30 p.m. Commissioners present were Dylan Johns, Gary Wheeler, Gino Rossetti, and Alternate Tracy Bennett.

Staff present was Susan Philp, Town Planner and James Lindt, Assistant Planning Director.

In the audience were Sharon Hall, Cathy Click, Tim Belinski and Patrice Becker.

### **Work Session – Zoning for the Our Town Planning Properties**

Philp noted that Resolution 54, Series of 2015 directed Staff to work with Lowe Enterprises to prepare a model representative of what could be built on the CDC parcel. Town Staff worked with CCY and Vision Design to produce this model. It is the same scale as the drawing on the wall, 1":300'. Philp then reviewed the model. The exchangeable pieces depict different building programs, not just Lowe Enterprises' ideas. The main differences between the different pieces are in regard to use, number of stories, and amount of parkland shown. Comments were made about parking options and how different uses could be divvied up on the parcel.

In response to a question from Commissioner Rossetti, Philp said that Lowe Enterprises supported the idea of 40,000 sq. ft. for a condominium hotel and 15,000 sq.ft. of office/commercial use. The buildings shown on that model piece are CCY's interpretation of how 2.5 stories could look, according to previous P&Z discussions.

At Philp's invitation, Click described some potential uses for the model piece representing her petitioner group's ideas for development on a half-acre: in the taller building there could be a community center/ event space/year-round greenhouse along with a restaurant and additional office space. The other building would be for community uses such as a business incubator and the Chamber of Commerce. It could also be the location for affordable housing units.

Hall added that Eagle Crest Nursery [in El Jebel] accommodates the Winter Market, pickle ball games, and numerous other community events. Those activities could be relocated to the CDC parcel.

Click reiterated that there isn't a developer behind the model piece the petitioner group endorses – it's just a way to show some other ideas for land use on the CDC parcel. The biggest difference between the options is in use, not necessarily square footage.

Comments were made regarding:

- possible locations for Town Hall,
- feasibility of the Town being able to afford to purchase the CDC parcel (or even a portion thereof),
- uses included in the CSC Zone District,
- the importance of having an anchor use on each parcel,
- public-private parking project,
- Basalt's identity,
- affordable commercial space,
- RMI's and the Roaring Fork Conservancy's roles as important draws to the Town,
- the need for a hotel in Downtown Basalt,

Philp noted that the penthouse units up in Aspen are not noticeable from the street. She asked for comments about how the model is portraying 2.5 stories.

Commissioner Wheeler stated that his concern is more about uses than square footage. He doesn't want to have a situation where some entity that could actually afford to build a project isn't allowed to because their proposed use isn't included in the list.

Click thought that the Lowe Enterprises proposal was poorly timed because it truncated the process.

Commissioner Rossetti said he believed that an incubator space and a hotel would be a draw for CMC to come to Downtown Basalt. He noted that a hotel developer is ready to step in and get it done, in addition to helping provide parking for 150 cars. We can't overlook the importance of this.

Alternate Bennett added that helping to solve a parking problem doesn't mean we can't continue to promote public transportation or to ride bicycles.

Hall asked if, along with establishing the uses for each parcel, the P&Z is supposed to provide square footage numbers for each building. Chair Johns replied that a developer could pick from a list of uses but when you start dictating how much of each use is allowed, that's when you can end up with a building that doesn't work very well.

Philp noted that the P&Z had wanted to move away from establishing percentages of use, but if you're calling something an anchor, how big does that have to be? Staff has received some preliminary CSC Zone District language from Don Elliott and the trick is going to be in deciding just how to do that.

Chair Johns said that defining the number of floors, where breaks in the building need to occur, how many connections to the street are required, etc. can make it easier to design a structure that suits its use, whereas establishing hard numbers at the outset often leads to a lengthier development review process if some other number is necessary to make a project economically feasible.

Philp asked if Option A represents what the P&Z wants. The Commissioners agreed that it does. Commissioner Wheeler asked if there would be a better way to illustrate volumetric ideas for those who have trouble envisioning what numbers mean.

Philp explained that this document cannot function as a land use approval. The Town Council has to grant all land use approvals by ordinance. A developer could propose a larger development and also a different zoning for these parcels but that would involve an extended review process.

In response to a question from Hall, Staff said that Town Code requires condominium hotels to put their units in a rental pool for a portion of each year. There followed a brief discussion about the merits and concerns of different lodging options. Hall reiterated her concern that second-home owners would purchase the units and then never rent them out, leaving them empty for most of the year. The current trend is to have unit owners manage their own rentals which can lead to quality issues and possibly revenue loss for the Town.

Philp, after being assured that Chair Johns had enough information to make his presentation to Town Council tomorrow, said that the P&Z wouldn't need to meet on Tuesday at 5:00. The work session ended.

**DRAFT**

**TOWN OF BASALT  
PLANNING AND ZONING COMMISSION  
WORK SESSION  
MARCH 1, 2016**

**CALL TO ORDER**

Chair Johns called the meeting to order at 6:03 p.m. Commissioners answering roll call were Gary Wheeler, Eric Vozick, Gino Rossetti, Patrick McAllister, Dylan Johns and Alternate Tracy Bennett.

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

**APPROVALS**

**Minutes of February 2, 2016**

**M/S VOZICK AND WHEELER TO APPROVE THE MINUTES OF FEBRUARY 2, 2016 AS READ. THE MOTION CARRIED BY A VOTE OF 6-0.**

**AGENDA ITEM**

**Work Session: Interpretation for Cole PUD 153 E. Homestead Drive, Covered Entry Porch Enclosure**

Philp said that the applicant was present and it would be okay to take any comments.

Lindt explained that Staff would like to make an administrative decision on this item but is looking for feedback from the Commission as to whether or not they are comfortable with this procedure. Referring to a posted aerial photo, he explained the location and nature of the proposed project. Staff wants to make sure the proposed changes are in character with the historic structure and has worked with the applicant to come up with a distinct enclosure that still retains the historic character of the building. At Staff's request, the applicant added a window to help distinguish the enclosure from the original building and reduce the look of the building's mass.

Staff said that if the Commission is not comfortable with Staff making an administrative interpretation regarding this application then the Commission can identify its concerns and direct Staff to take the process through the Minor PUD Amendment process, in which both the P&Z and Town Council could review the proposal.

Lindt noted that Kurt Carruth, the applicant's architect, was present and he asked if Carruth had any additional comments. Carruth briefly explained the funky nature of the corner they want to change.

Lindt pointed out that there was no public in attendance and asked for questions or comments from the Commissioners.

Chair Johns asked if there were any other issues associated with the PUD. Philp said that initially there had been a square footage issue but Staff worked with the Applicant to resolve it.

The Commissioners assented to Staff making an administrative interpretation.

**Work Session: Zoning for Our Town Planning Properties**

Philp called Don Elliott of Clarion Consulting, zoning code consultant, to participate in a telephone conference with the Commissioners. She pointed out that the model was in the room and Staff has compiled a Powerpoint presentation of photos to use as reference for the building heights discussion.

Elliott went through the document page by page, reviewing the changes that were made to the Community Serving Commercial (CSC) zoning language since the previous conference call. He then asked for comments on the overall organization of the document. The Commissioners agreed with the format and organization as presented. Elliott said that there is always the ability to add or subtract content as needed.

Philp said that some Town Council members were concerned about the amount of square footage on the CDC parcel that was proposed in the resolution [at the Town Council meeting on February 23]. However, they indicated that they might feel more comfortable with the "up to" proposed square footage language as long as height limits were established. Staff then showed a Powerpoint presentation of structures in Aspen, Willits Town Center (WTC) and Carbondale illustrating 2.5 to four story buildings, with a variety of setbacks and façade treatments. For immediate reference, Philp said that the Ute Center building is 45 feet and six inches at its highest point on the corner of Midland Avenue/Two Rivers Road intersection. The Rocky Mountain Institute Innovation Center is 34 ft., eight inches high at its tallest point.

In response to an earlier question from Commissioner Rossetti, Philp explained that the tallest building on the CDC parcel portion of the model represents 38 feet, with the first floor being about 14 feet high and two more floors at 12 feet high each. However, she added, this wouldn't include the first four feet of an underground parking garage.

On the BCC parcel it was felt that building heights could be the same as at WTC, which is 45 feet.

Commissioner Rossetti said that it would be difficult to have a really interesting top floor use if the height is capped at 12 feet for the top floor. He added that this could also preclude the inclusion of an architectural feature that might be really cool/noticeable from Highway 82.

Chair Johns thought it might be more helpful to delineate floor to floor requirements as well as space for mechanical equipment between floors. Commissioner Rossetti said he would like to see some relief and interest in the roofline, not something that looks like all the other buildings, and limiting the building heights to 38 feet could compromise that ability.

Commissioner Wheeler asked if it would be a good idea to have a PUD process that allows variances. Elliott pointed out that variances require a declaration of hardship, while this sounds like a design issue. He suggested allowing some flexibility in the review process for a higher roof level of up to X amount if certain community serving uses are being provided. Philp added that if we don't want to allow flat roofs we need to state that.

Chair Johns noted that people are concerned with how the buildings will look as viewed from the park, as well as how they appear from the street level. Commissioner Rossetti suggested including compromise language for building height limits ranging from 36 to 42 feet. Elliott suggested setting the outer boundaries of the flexibility being allowed, along with a menu of items that would get a developer to those upper limits. Chair Johns agreed with the suggestion for the allowance of additional height if the top floor is a community serving use or some use where the public is invited.

Moving along, Philp reviewed the anchor use and sizes table. Discussion ensued as to whether or not to stipulate the size of a grocery store or hotel use. The Commissioners and Staff discussed with Elliott ways to wordsmith the language to ensure that anchor use requirements are met without having to state what percentage of the parcel must be occupied by the anchor use. Philp said that it may be possible to add some more threshold language for other uses on the parcels.

The Commissioners struggled with the requirement for a parcel's anchor use to consist of 70% of the allowable use. This is a leftover item from an earlier iteration of the CSC Zone District language and may not be necessary to include. Commissioner Vozick thought that allowing attainable housing as an anchor use on the BCC parcel could preclude locating a hotel there, which might not be a good thing.

Commissioner Rossetti said that more uses need to be allowed on the BCC parcel. The Commissioners then discussed other use options for the BCC parcel. Secondary uses are also important and should be complimentary to the anchor uses on each parcel. Elliott pointed out that there is language already included in the document that allows flexibility for uses and he agreed to include some additional clarifying wording proposed by Commissioner McAllister. Rossetti reiterated that there needs to be a variety of uses on each parcel and as long as the more active uses are on the ground floor, other uses can fit in on the upper floors. Philp noted that the Commissioners were in favor of moving the brew pub over to the BCC parcel [from Lions Park].

Commissioner Vozick said that the CDC parcel should include attainable housing as an anchor use option. In answer to a question Vozick then asked about the resolution, Chair Johns said the Town Council adopted a resolution establishing a recommended maximum of 55,000 sq. ft. of building on the CDC parcel to allow a more volumetric approach on building design.

Tim Belinski, who is interested in the BCC parcel, said he was happy to see more uses added to that parcel. He suggested including a distillery use in addition to a brew pub. He was also concerned with the 70% anchor use requirement. In a large-scale building that gets to be a lot of anchor use. He thought it better to include minimum sq. footage or the number of units required.

Chair Johns noted that anchor uses such as a hotel or grocery store would require a lot of commitment, anyway, so stipulating 70% as an anchor use requirement doesn't really make a difference. In contrast, the Lions Park and Merino Park parcels are so small that whatever use they have would take up most of the parcel. Philp added that it might be a good idea to stipulate a threshold number for a brewpub/distillery use or a sports center and just get rid of the 70% requirement altogether.

In response to a question from Commissioner McAllister, Philp explained that once an anchor use is established on a parcel, applicants could just stick with that one anchor use or they could add other anchor uses, or include some secondary uses.

Chair Johns asked where the parking numbers came from. Philp replied that they are a carryover from the previously-approved CSC Zone District language. Johns was concerned that the parking requirements wouldn't work for the BCC parcel with its irregular shape. Philp said that the upcoming WE-cycle program, bus passes, and shared parking are being used to lower parking requirements.

Elliott added that shared parking formulas are being used by many municipalities now as an alternative to requiring parking studies. He offered to send information on these formulas to Philp.

The Commissioners agreed that the uses table will require more discussion which will happen at their next meeting on March 15<sup>th</sup>. The goal is to have a document for the Town Council to review on March 29<sup>th</sup>.

Belinski pointed out that if a grocery store is a first-floor use, it would need minimum ceiling heights of 17 to 18 feet and he wanted the Commissioners to be aware of this in regard to setting height regulations. Also, the 10% minimum landscaped open space requirement needs to be further refined. Chair Johns thought that requiring view openings and connectivity through the sites could be part of meeting open space requirements. The Commissioners agreed that they didn't want to have useless areas scattered around just as a way of meeting the open space requirements.

Commissioner Rossetti asked how connectivity through private property can be ensured. Philp said that connectivity could be a condition of approval but this is painstaking work and is as much an art, as it is a science. It has to be a public/private endeavor. Legal documents, easements, insurance, snowmelt, and emergency vehicle access are just some of the issues to consider regarding connectivity.

The phone call with Don Elliott ended at 7:27 p.m.

#### **COMMISSIONER COMMENTS/STAFF UPDATES**

The Commissioners had no comments.

Staff summarized the projects in the development review pipeline.

Commissioner Vozick asked if the P&Z will see the School District's and Habitat for Humanity's plans for affordable housing behind Basalt High School. This is a proposal for about 40 units in which each entity would end up with about 20 units. Philp said that she didn't know for sure because land use regulations are different for school districts.

#### **ADJOURN**

**M/S VOZICK AND BENNETT TO ADJOURN. THE MOTION CARRIED BY A VOTE OF 6-0.**

**The Planning and Zoning Commission adjourned at 7:38 p.m.**

**TOWN OF BASALT  
PLANNING AND ZONING COMMISSION**

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

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

## Memorandum

To: Planning and Zoning Commission  
From: Susan Philp AICP, Planning Director  
Date: March 15, 2016  
Re: Worksession: Our Town Planning – CSC Zoning Amendments

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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 and prepare for the Joint Meeting with the Town Council scheduled for March 29<sup>th</sup>.

### **II. Council Direction to date**

The Town Council reviewed the physical model prepared for the Town by Vision Design to show existing and potential buildings on Our Town Planning Parcels at their meeting on February 23, 2016. After explanation from Dylan Johns, P&Z Chair, and discussion, the Town Council then approved Resolution No. 09, Series of 2016. That resolution directed the Zoning Code amendments as the P&Z had presented them at the February 9th Council Worksession and included Option A which directs the P&Z to prepare zoning which would permit 2 ½ stories on the CDC Building Parcel as seen from Two Rivers Road. Resolution No. 09 also directs the P&Z to define volumetric limitations and architectural character for the parcel in sufficient detail to enable the public, Developer and Owner to have a good understanding of what a successful land use application might include. The Town Council could provide further input on acceptable maximum allowed square footages at any time during the planning or zoning process.

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

The second draft of the amended CSC Zone District will be presented at the P&Z meeting. Don Elliott, Clarion, will be available by phone for the P&Z's discussion. The P&Z will have an opportunity to discuss the changes that have been made since the P&Z's March 1<sup>st</sup> Worksession. A compare document which shows the changes that have been made since the last Worksession is also attached. Some of the more significant changes that were made include:

1. Boundary map – An updated map has been provided to reflect the names of the parcels as used in the District regulations.
2. Anchors
  - a. Minimum anchor size thresholds moved from text to bottom of anchor table
  - b. Moved “Brewpub/Distillery” from Lions Park and added to BCC parcel
  - c. Replaced the 70% threshold requirement with square footage minimums for all anchor uses except for the community housing and business incubator anchor uses to be permitted in Merino Park
  - d. Changed “Attainable Housing” to “Community Housing”
  - e. Removed word “retail” so that anchor is now named “Entertainment” as P&Z did not want big box retail uses
  - f. Added “Community Center” to permitted anchor uses for CDC parcel to address desire from Petition Committee for that type of anchor use on CDC property
  - g. Added language to address what happens if approved anchor use later moves out
  - h. Added Condominium Hotel as the Town Code defines Hotel and Condominium Hotel separately
3. Secondary uses
  - a. Clarified that any anchor use is also permitted on the other OTP parcels unless specially prohibited
  - b. Added “Makerspace/Craft industry” as a permitted use
  - c. Added public parking garage on BCC property as a permitted use
  - d. Added size cap to free market units to prevent larger housing units which are less affordable
4. Table 16-30-2: Height and Stories - See also 16-30 (f) (5) Building Design.
  - a. Changes were made to address the P&Z's desire for more varied roof lines.
  - b. Changes were made to clarify heights in BCC parcel
5. Other development standards
  - a. Added requirement for a pedestrian through-connection for BCC property
  - b. Clarified private open space requirements for dwelling units and non-residential uses
6. Definitions – Definitions were added to the Definition subsection of the Zoning Code to clarify what is meant by the following uses which are currently not included in the definition section including: Community Center; Entertainment; Makerspace/Craft Industry; Brewpub/Distillery; and Small Business Incubator.

### Other comments

1. Parking – Staff was not comfortable changing to a different method of calculating parking to account for mixed use parking reductions. Staff would need a lot more work on this before we would feel comfortable going with an automatic mixed use table. In addition, the Town Staff wants to allow secondary uses to change out over time without requiring more parking which could happen if more parking intensive uses later move in. Staff believes that the minor reductions as compared to the code for other zone districts in combination with the reductions for TDM measures and the currently allowed method of allowing for mixed use code provisions are workable.

2. Zoning framework – Amending this zoning district gives more definition to the maximum amount and type of development the Town intends to allow in the CSC Zone District, and including the OTP parcels if they are rezoned to CSC. It doesn't resolve all of the decisions that need to be made in order for development to occur on the OTP parcels.

By way of example, for the CDC parcel it would allow uses desired by Lowe, which has the option to purchase the CDC parcel, and uses desired by the Petition Committee. The CSC District requires view openings per the DAAC map as modified by the P&Z and Town Council and included in the Master Plan amendment. The Council's direction on where the building line is located is found in a number of resolutions. See Resolution Nos. 19 and 55, Series of 2015 and Resolution Nos. 04 and 09, Series of 2016. The amended CSC Zone District does not include the building line. The exact building line would be formalized in the future by a number of actions including the Town's approval of a rezoning and development application.

### **IV. P&Z meeting**

Don Elliott will be available by phone to review the changes that have been made and to talk the P&Z through items that will require more discussion, such as the height of the buildings to be allowed on the OTP properties.

### Attachments

2<sup>nd</sup> Draft – Proposed Amendments to CSC Zone District  
Compare Document showing changes from March 1<sup>st</sup> P&Z Meeting  
Roaring Fork Valley Building Heights

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

(a) Intent and applicability.

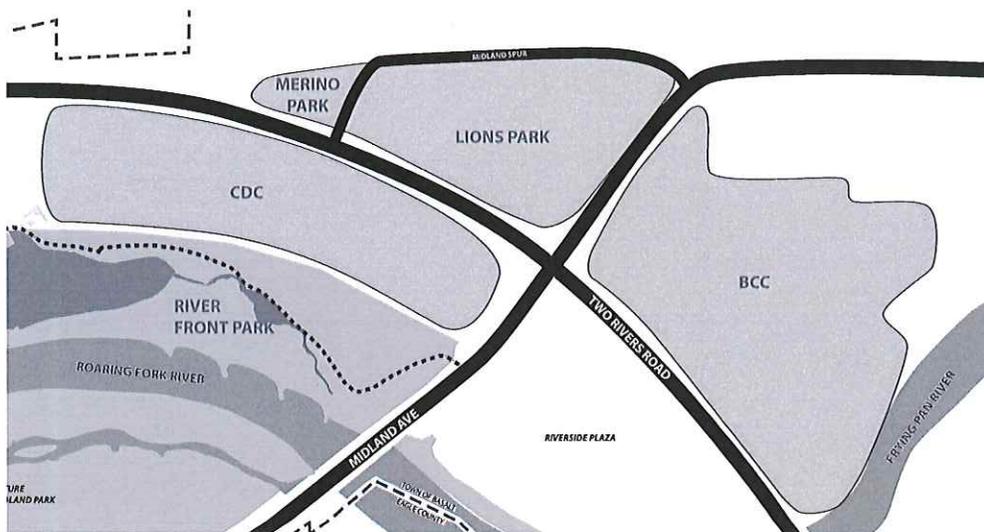
(1) Statement of intent. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District to produce tailored zoning controls for four key redevelopment parcels in downtown Basalt in order to implement the results of the Our Town downtown planning process. 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).

(2) Applicability.

This district is intended to apply to four specific parcels of land commonly known as:

- a. The CDC parcel;
- b. The BCC parcel;
- c. The Lions Park parcel; and
- d. The Merino Park parcel.

The boundaries of these 4 parcels are shown on the following map.



(b) Threshold Requirements

(1) 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 it includes an anchor use or uses listed in Subsection 16-30(c)(1) below for the specific parcel indicated, and that anchor use or uses meets the applicable minimum size standard for that use in Subsection 16-30(c)(1) below.

(2) Qualifying 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, a similar non-profit organization where development activities are a stated part of its 501(c)(3) tax status,

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

or a for-profit entity engaged in construction of a building or facility that is a community-serving anchor facility, as listed in Section (c)(1) below. 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." A for-profit entity may include a group of owners which have agreed to be represented in the entity engaged in constructing the community-serving anchor facility.

- (3) Consistency with Master Plan. In reviewing whether a parcel is appropriate for CSC zoning, the Town will consider the future land use designation, neighborhood typology, and goals and objectives of the then current Master Plan, including but not limited to the Our Town Master Plan amendments.

(c) Permitted uses

(1) Permitted anchor uses.

- a. Subject to Subsections (1)b. and (1)c. below, at least one of the following anchor uses must occur on the CSC Zone District parcels indicated in the table below.

Table 16-30-1: Anchor Use Table					
	CDC Parcel (West)	CDC Parcel (East)	BCC Parcel	Lions Park	Merino Park
Arts Center [1]				●	
Community Housing [2]					●
Brewpub/Distillery [1]	●		●		
Entertainment [3]	●		●		
Grocery Store [3]			●		
Hotel [4]	●		●		
Park/Open Space		●			
Small Business Incubator [2]					●
Sports/Youth Center [1]			●	●	
Town Hall				●	●
Community Center [1]	●		●		
[1] Must contain at least 6,500 sq.ft. of total floor area. [2] Must occupy at least 70% of the occupied total floor area developed on that CSC parcel. [3] Must contain at least 9,000 sq. ft. of total floor area. [4] Must contain at leasts 40 guest rooms. Includes condominium hotel					

- b. The Town Council may approve an anchor use designated for one CSC parcel as an acceptable anchor use for a different CSC parcel not indicated in the table above, with the exception that no anchor use other than a park or open space shall be designated for the eastern portions of the CDC and Lions Park parcels.
- c. If an approved anchor use begins operation but later discontinues operation for a period of 9 months or more, or if the portion of the building in which the anchor use is located is destroyed by fire or any other cause, the property owner may apply to change the approved anchor use to any other anchor use listed in the table above. If the property owner is not able to obtain a substitute anchor use or an operator for that use, and the property remains vacant for a period of 18 months or more, the property owner may apply to change the use of the property to any other use permitted in the CSC zone district. Any change to a substitute anchor use or another use permitted in the CSC zone district shall require review and recommendation by the Planning Commission following a public hearing, and shall

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

require approval by the Town Council. Any building approved for the original anchor use shall not be considered nonconforming if it is later occupied by a substitute use approved by the Town Council and the provisions applicable to the new building use differ from those for the original anchor use.

(2) Required Community Vitality Uses

On each CSC parcel, land uses in the designated Vitality Zone for that parcel are required to be Community Vitality Uses subject to exceptions included in Section 16-29(c) and the design guidelines for buildings included in Section 16-30(d)(7).

(3) Permitted Secondary Uses

The following secondary uses are permitted on each CSC parcel, provided that one or more of the anchor uses designated in the table above (or approved by the Town Council) has already been established on same CSC parcel, or will be established on the same CSC parcel as part of the development containing the permitted secondary use.

- a. An anchor use listed above in table 16-30-1, regardless of whether it satisfies the minimum size requirements, unless prohibited elsewhere by this section (C)(3).
- b. 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 including but not limited to administrative offices and meeting rooms for non-profit and educational oriented organizations, transit facilities, museum, community center, educational facilities, performing arts center, and theater.
- c. Community Vitality Uses as shown on Table 1 in Section 16-29 as Community Vitality Uses (in areas of the parcel other than the designated Vitality Zone).
- d. Other commercial, office and retail uses allowed in the C-2 Zone District.
- e. Fully-deed restricted community housing units meeting the requirements of this Chapter.
- f. Free-market multifamily residential uses (only on BCC and Lions Park parcels) where no unit exceeds 1,400 total square feet.
- g. Makerspace/Craft Industry.
- h. Public parking garage (on the BCC parcel only).
- i. Public or private open space and park uses.
- j. Day care that complies with state requirements regulating day care.
- k. Accessory uses approved pursuant to CSC Development Plan Review Process
- l. Temporary outdoor uses and vendors, subject to the provisions of Chapter 6, Section 6-13 of the Town of Basalt Code.

(4) 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.

(d) 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 16-30-2, below.

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

Table 16-30-2: Dimensional Requirements <sup>1</sup>					
Dimension	Standard				Comments
	CDC Parcel	BCC Parcel	Lions Park Parcel	Merino Park Parcel	
Minimum Lot Area					
Maximum Building Height to Top of Parapet or Pitched Roof	2.5 stories; 38ft.	4 stories; 45 ft. [1] [2]	2 stories; 25 ft.	4 stories; 45 ft.	Up to 4 ft. of an underground parking structure that extends above approved grade shall not count against maximum height limits. 2.5 stories means a third story is allowed if it is set back from street frontage at least 10 ft. A street façade parapet of up to 4 ft. above the second floor roof height is permitted.
Front Yard Setback (along Two Rivers)					Overhangs and other building features may encroach into the public-right of way if approved through the CSC development plan review process and a Town encroachment license is obtained
Min.	0 ft.	0 ft.	0 ft.	0 ft.	
Max.	20 ft.	20 ft.	20 ft.	N/A	
Front Yard Setback (along Midland and Midland Spur)					Town encroachment license is obtained
Min.	0 ft.	0 ft.	0 ft.	0 ft.	
Max.	20 ft.	10 ft.	10 ft.	10 ft.	
Min. Side Yard Setback	Per Building and Fire Code				
Min. Rear Yard Setback	Per Building and Fire Code				
Min. Setback from Rivers and other Environmentally Sensitive Areas	See Article XXI				
Min. Landscaped Open Space	10%			N/A	Open space credit may be given for pedestrian improvements per Section 16-30(e)(5)(b)
[1] Any portion of the building containing a grocery store may have a maximum height of 49 ft.					
[2] Development within 50 feet of the north side of Two Rivers Road frontage shall not exceed the height of any primary structure within 50 feet of the south side of Two Rivers					

<sup>1</sup> FAR density limits (and special rules for calculation of FAR) in current CSC ordinance are not carried over pursuant per P&Z recommendation and Council approval of Resolution No. 09, Series of 2016.

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

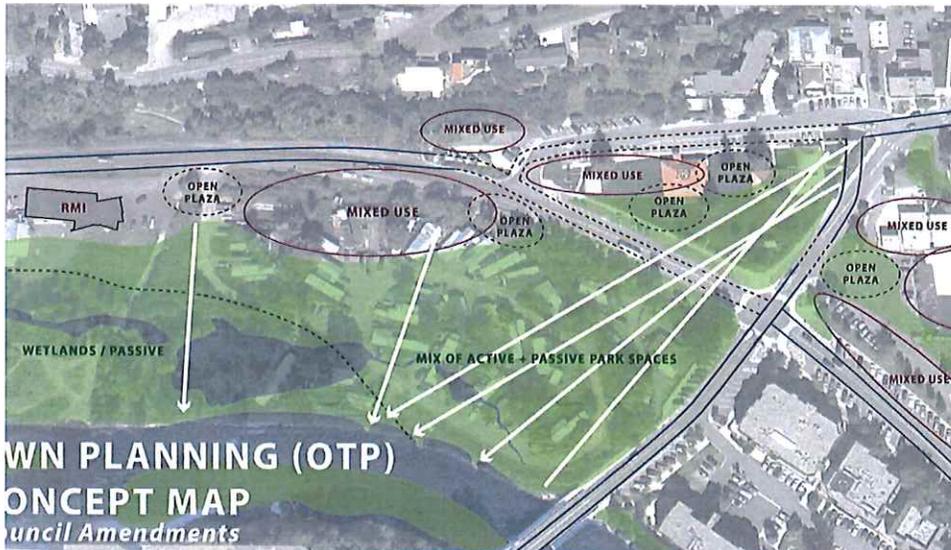
Table 16-30-2: Dimensional Requirements <sup>1</sup>					
Dimension	Standard				Comments
	CDC Parcel	BCC Parcel	Lions Park Parcel	Merino Park Parcel	
Road.					

(e) Other Site Development Standards.<sup>2</sup>

(1) View openings to the river.

The following views to Roaring Fork River shall be preserved, and no new building shall be constructed in the area designed as a view protection zone.

- a. Required View Opening 1: On the Lions Park parcel and CDC parcel, buildings shall be sited so as to preserve views from the corner of Midland Avenue and the Midland Spur to the Roaring Fork River as shown on the following map.
- b. Required View Opening 2: On the CDC parcel, a view from Two Rivers Road to the Roaring Fork River shall be provided along the western edge of the property, as shown on the following map.
- c. Additional View Opening: To the maximum extent practicable, at least one additional view from Two Rivers Road to the Roaring Fork River should be provided somewhere west of the intersection of Two Rivers Road and the Midland Spur.



- (2) Pedestrian through-connections. Development on the BCC parcel shall incorporate at least one pedestrian through-connection from the Midland Avenue frontage to the Frying Pan River frontage. The required pedestrian through-connection shall be located internal to the site (at least 50 feet from the Two Rivers Road frontage).
- (3) Vitality zone. Each CSC parcel except the Merino Park parcel shall include a designated vitality zone that shall be established by the Town in the sketch plan process. The permitted uses in

<sup>2</sup> Content of current CSC "Other Development Standards" have been significantly reorganized for logical flow and to better separate site and building design requirements.

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

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(f) 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, including but not limited to the Our Town Master Plan amendments; and
  - e. The goals advocated by any non-profit applicant.
- (4) Parking. Development in the CSC Zone District shall provide parking as follows:
- a. Minimum requirements
    1. Hotel/Condominium Hotel —1 space per hotel room, plus 2 for management and operations.
    2. Residential—1 space per bedroom to a maximum of 2 spaces per unit, where an efficiency unit is counted as 1 bedroom.
    3. All other uses—1 space per 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.
  - b. 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.
  - c. 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 public transit, availability of parking spaces in a public parking lot or garage, expected use of WE-Cycle or other bicycle sharing programs, contribution to or participation in a car share program that serves the community, creation of a Transportation Demand Management (TDM) plan to reduce traffic volumes and parking demands below expected levels, 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.
  - d. The visual impacts of off-street parking and loading areas shall be minimized. The design of parking and loading areas shall ensure that they support and do not detract from the Town's vitality goals for the CSC Zone District. This shall be accomplished by:
    1. Constructing structured parking primarily underground where such construction is feasible;
    2. Prohibiting surface parking between any building on the CDC, Lions Park, and Merino Park parcels and the right-of-ways of Two Rivers Road, Midland Avenue, or the Midland Spur;
    3. Locating parking and loading areas, or the access to such areas, along the rear facade or side of the building whenever feasible; or
    4. Wrapping the facades of any structured parking within other permitted uses that have a minimum depth of 18 feet or wrapping the facades with building material, grading or

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

landscaping to break up the view of the parking and parking structure lighting 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.

5. Designating 1 or more loading zones on the site plan and regulations to govern loading.
  - e. Except as described in subsections (a) through (d) above, parking areas and structures in the CSC Zone District shall comply with the requirements of Article V, Off-street Parking and Loading.
- (5) Open spaces.
- a. To the extent possible the areas between each building with a ground floor nonresidential primary use 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:
    1. Abut and be level with the public sidewalk;
    2. Be open to the sky (except for awnings, covered walkways, areas under a porch and covered outdoor seating);
    3. Be directly accessible to the public; and
    4. Be provided with appropriate ground cover treatment and landscaping.
  - b. Placement of street furniture and public art in required open space is encouraged, as long as a 5 foot minimum pedestrian walkway width is maintained. Items such as street furniture, educational and interpretive displays, small play features and public art that are attractive and appropriate for use by young children are encouraged. The Town may give credits towards minimum open space requirements for street furniture, fountains and similar improvements in a public right of way or other public spaces in the downtown.
  - c. At least 50 square feet of private usable open space shall be provided for each dwelling unit. Private open space may include balconies above ground and lawn areas and patios behind the building. Private open space areas shall not be located in front of or adjacent to any portion of a building's vitality zone. The Town may reduce or waive a private open space requirement if the Town determines that the private open space area would interfere with the intent of the CSC Zone District.
- (6) Signage. The sign restrictions of the C-2 District will apply to non-residential uses unless modifications to those standards are approved 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 adopted Town's Master Plan, including without limitation the Our Town Master Plan amendments.
- (7) 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.
- (8) Utility and trash facilities. 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 to avoid or minimize any negative impacts on residential uses on the parcel and on adjacent parcels and to avoid interfering 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.
- (9) 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

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

Development Plan Review if the Town Planner makes a finding that the development is within the development line established by the River Master Plan.

- (10) Community Priority Scoring System. Development within the CSC Zone District shall be exempt from the requirements of Article XXII.
  - (11) 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.
  - (12) Development in the CSC Zone District shall meet or exceed the accessibility requirements of the Americans with Disabilities Act.
  - (13) Landscaping in the public right-of-way. Landscaping that is to be installed in the public right-of-way shall comply with the applicable provisions of the Public Works Manual.
  - (14) Curb Cuts. 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.
  - (15) Street and Streetscape Improvements. All street and streetscape improvements shall comply with the Town of Basalt Complete Streets Design Manual.
- (f) Building design. All buildings shall comply with the following requirements, if applicable:
- (1) Building Typologies and Guiding Principles. The typologies from the Our Town amendments to the Town of Basalt Master Plan that the Town determines are most applicable to the type of development proposed in the project, as well as other building design standards and guidelines contained in the Our Town Master Plan amendments. Those guiding principles include:
    - Building scale compatible with historic downtown;
    - Variety of western roof forms;
    - Street level interest; and
    - Contemporary reinterpretations.
  - (2) 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.
  - (3) Any new buildings constructed at prominent corners shall contain both ground floor and upper floor elements that reflect timeless design and visually emphasize the importance of the corner through vertical elements, changes in materials or color, changes in articulation patterns, or entryways, or similar features.
  - (4) Building facades along streets, along pathways that connect buildings to public spaces, and along alleys or other frontages with pedestrian traffic shall contain projections from or insets into the wall plane, windows, doors, or changes in material to ensure that no section of building wall longer than 25 feet is of uniform materials, color, and appearance unless waived or modified by the Town Council after recommendation by the Planning and Zoning Commission.
  - (5) Roof lines shall include sufficient variation to provide architectural interest and to reduce overall massing by one of the following:

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- a. If more than one primary building is constructed on a single CSC parcel:
    - The maximum height of each adjacent primary building shall differ by at least 4 ft., but this standard shall not permit any primary building to exceed the maximum height for the portion of the CSC parcel on which it is located; or
    - The predominant shape of the roof line shall differ on each primary structure (for example, one building being a flat roof and the adjacent building being a shed or pitched roof);
  - b. If only one primary building is constructed on a single parcel, each street facing façade more than 50 feet wide must include a variation in height that extends upward or drops downward at least 2 or 3 vertical feet and extends horizontally for at least 15 percent of the width of the building; or
  - c. Another technique sufficient to achieve this goal to the satisfaction of the Town Council.
- (6) The ground floor of any new structure in the vitality zone shall 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 between the sidewalk and the street if the applicant demonstrates that providing steps is the best way to address grades on the site.
- (g) 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 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

## PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

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.
- (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 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 1 inch per 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

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

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 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.

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- 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 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.

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

- (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 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 be 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.

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**Sec 16-4 Definitions** – *the following definitions are proposed to be added*

16-4 Brewpub/Distillery -- A facility licensed as a brewpub or distillery by the state that annually manufactures and sells in the facility not more than 5,000 barrels of beer, or not more than 25,000 gallons of distilled spirits, only for consumption on the premises.

Community Center – A facility available for public activities, including but not limited to events, performances, entertainment, celebrations, meeting rooms, public classrooms and indoor gardens. The space is intended to be available for use by the public. However, the space may be rented by one or more parties at any time.

Entertainment -- A facility providing entertainment or recreation activities, including but not limited to theaters, bowling alleys, nightclubs, game centers, gymnasiums, health clubs, and climbing wall centers or rooms that can be rented for parties or events, where all activities take place within enclosed structures. This use does not include a conference center, adult arcade, adult bookstore, adult video store, adult novelty store, adult cabaret, adult entertainment establishment, sexually oriented business, adult motel, adult motion picture theater, or adult theater.

Makerspace/Craft Industry – a facility that contains one or more artists or craft industries. A makerspace is a community center that includes manufacturing equipment, community and education for the purposes of enabling individuals to design, prototype and create manufactured works. A craft industry encompasses goods that are handmade by artisans or those skilled in a particular trade, including but not limited to art galleries, handmade textiles to culinary products. Produces made on site may also be sold on site. No such individual facility shall be larger than 6,500 total square feet.

Small Business Incubator -- A facility operated to encourage and support the growth and success of entrepreneurial companies by providing a variety business support resources and services, including but not limited to physical space, coaching and mentoring services, access to financing, networking connections, shared supply purchasing, or shared data systems and resources.

PROPOSED AMENDMENTS TO CSC ZONE DISTRICT

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

(a) Intent and applicability.

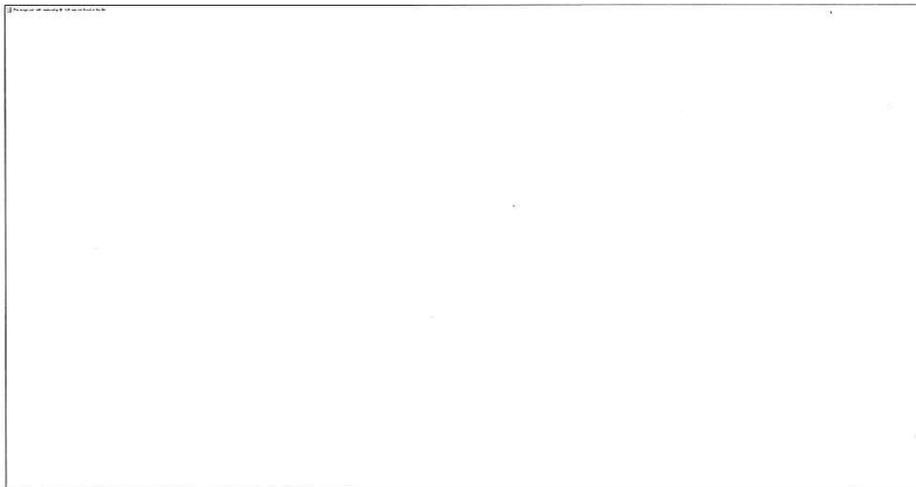
(1) Statement of intent. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District to produce tailored zoning controls for four key redevelopment parcels in downtown Basalt in order to implement the results of the Our Town downtown planning process. 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).

(2) Applicability.

This district is intended to apply to four specific parcels of land commonly known as:

- a. The CDC parcel;
- b. The ~~Center Circle~~ BCC parcel;
- c. The Lions Park parcel; and
- d. The Merino Park parcel.

The boundaries of these four parcels are shown on the following map.



(b) Threshold Requirements

(1) 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 it includes an anchor use or uses listed in Subsection 16-30(c)(1) below for the specific parcel indicated, and that anchor use or uses meets the applicable minimum size standard for that use in Subsection 16-30(c)(1) below.

- ~~a. An anchor use hotel must contain at least forty (40) rooms;~~
- ~~b. An anchor use grocery store must contain at least twenty-five thousand (25,000) sq. ft. of gross floor area;~~
- ~~c. Any other anchor use must occupy at least seventy (70) percent of the occupied gross floor area developed on that CDC parcel.~~

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- (2) 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, a similar non-profit organization where development activities are a stated part of its 501(c)(3) tax status, or a for-profit entity engaged in construction of a building or facility that is a community-serving anchor facility, as listed in Section (c)(1) below. 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." A for-profit entity may include a group of owners which have agreed to be represented in the entity engaged in constructing the community-serving anchor facility.
- (3) Consistency with Master Plan. In reviewing whether a parcel is appropriate for CSC zoning, the Town will consider the future land use designation, neighborhood typology, and goals and objectives of the then current Master Plan, including but not limited to the Our Town Master Plan amendments.

(c) Permitted uses

(1) Permitted anchor uses.

- a. Subject to Subsections (1)b. and (1)c. below, aAt least one of the following anchor uses must occur on the CSC Zone District parcels indicated in the table below.

Table 16-30-1: Anchor Use Table					
	CDC Parcel (West)	CDC Parcel (East)	Center Circle-BCC Parcel	Lions Park	Merino Park
Arts Center [1]				●	
<u>Attainable Community Housing [2]</u>					●
Brewpub/Distillery [1]	●		●		
Entertainment/Retail [3]	●		●		
Grocery Store [3]			●		
Hotel [4]	●		●		
Park/Open Space		●			
Small Business Incubator [2]					●
Sports/Youth Center [1]			●	●	
Town Hall				●	●
<u>Community Center [1]</u>	●		●		
<u>[1] Must contain at least 6,500 sq.ft. of total floor area.</u> <u>[2] Must occupy at least 70% of the occupied total floor area developed on that CSC parcel.</u> <u>[3] Must contain at least 9,000 sq. ft. of total floor area.</u> <u>[4] Must contain at leasts 40 guest rooms. Includes condominium hotel</u>					

- b. The Town Council may approve an anchor use designated for one CSC parcel as an acceptable anchor use for a different CSC parcel not indicated in the table above, with the exception that no anchor use other than a park or open space shall be designated for the eastern portions of the CDC and Lions Park parcels.

- c. If an approved anchor use begins operation but later discontinues operation for a period of 9 months or more, or if the portion of the building in which the anchor use is located is destroyed by fire or any other cause, the property owner may apply to change the approved anchor use to any other anchor use listed in the table above. If the property owner is not

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able to obtain a substitute anchor use or an operator for that use, and the property remains vacant for a period of 18 months or more, the property owner may apply to change the use of the property to any other use permitted in the CSC zone district. Any change to a substitute anchor use or another use permitted in the CSC zone district shall require review and recommendation by the Planning Commission following a public hearing, and shall require approval by the Town Council. Any building approved for the original anchor use shall not be considered nonconforming if it is later occupied by a substitute use approved by the Town Council and the provisions applicable to the new building use differ from those for the original anchor use.

(2) Required Community Vitality Uses

On each CSC parcel, land uses in the designated Vitality Zone for that parcel are required to be Community Vitality Uses subject to exceptions included in Section 16-29(c) and the design guidelines for buildings included in Section 16-30(d)(7).

(3) Permitted Secondary Uses

The following secondary uses are permitted on each CSC parcel, provided that one or more of the anchor uses designated in the table above (or approved by the Town Council) has already been established on same CSC parcel, or will be established on the same CSC parcel as part of the development containing the permitted secondary use.

- a. An anchor use listed above in table 16-30-1, regardless of whether it satisfies the minimum threshold size requirements, unless prohibited elsewhere by this section (C)(3).
- b. 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 including but not limited to administrative offices and meeting rooms for non-profit and educational oriented organizations, transit facilities, museum, community center, educational facilities, performing arts center, and theater.
- bc. Community Vitality Uses as shown on Table 1 in Section 16-29 as Community Vitality Uses (in areas of the parcel other than the designated Vitality Zone).
- ed. Other commercial, office and retail uses allowed in the C-2 Zone District ~~or approved through the site plan approval process.~~
- de. Fully-deed restricted community housing units meeting the requirements of this Chapter.
- ef. Free-market multifamily residential uses (only on BCC and Lions Park parcels) where no unit exceeds 1,400 total square feet.
- fg. Makerspace/Craft Industry.
- h. Public parking garage (on the BCC parcel only).
- i. Public or private open space and park uses.
- gj. Day care that complies with state requirements regulating day care.
- ik. Accessory uses approved pursuant to CSC Development Plan Review Process
- jl. Temporary outdoor uses and vendors, subject to the provisions of Chapter 6, Section 6-13 of the Town of Basalt Code.

(4) 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.

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- (d) 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 16-30-2, below.

Table 16-30-2: Dimensional Requirements <sup>1</sup>					
Dimension	Standard				Comments
	CDC Parcel	Center Circle BCC Parcel	Lions Park Parcel	Merino Park Parcel	
Minimum Lot Area					
Maximum Building Height to Top of Parapet or Pitched Roof	2.5 stories; <u>38ft.</u>	4 stories; 45 ft. <u>[1] [2]</u>	2 stories; 25 ft.	4 stories; 45 ft.	Up to 4 ft. of an underground parking structure that extends above approved grade shall not count against maximum height limits. 2.5 stories means a third story is allowed if it is set back from street frontage at least 10 ft. A street façade parapet of up to 4 ft. above the second floor roof height is permitted.
<u>Interior Two Rivers' Road Edge</u>		<del>2.5 or 3 stories to match height across Two Rivers Road.</del>			
Front Yard Setback (along Two Rivers)					Overhangs and other building features may encroach into the public-right of way if approved through the CSC development plan review process and a Town encroachment license is obtained
Min.	0 ft.	0 ft.	0 ft.	0 ft.	
Max.	20 ft.	20 ft.	20 ft.	N/A	
Front Yard Setback (along Midland and Midland Spur)					
Min.	0 ft.	0 ft.	0 ft.	0 ft.	
Max.	20 ft.	10 ft.	10 ft.	10 ft.	
Min. Side Yard Setback	Per Building and Fire Code				
Min. Rear Yard Setback	Per Building and Fire Code				
Min. Setback from Rivers and other Environmentally Sensitive Areas	See Article XXI				
Min. Landscaped Open Space	10%			N/A	Open space credit may be given for pedestrian improvements per Section 16- <del>30(e)(5)(b)</del>

<sup>1</sup> FAR density limits (and special rules for calculation of FAR) in current CSC ordinance are not carried over pursuant per P&Z recommendation and Council approval of Resolution No. 09, Series of 2016.

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Table 16-30-2: Dimensional Requirements <sup>1</sup>					
Dimension	Standard				Comments
	CDC Parcel	Center Circle BCC Parcel	Lions Park Parcel	Merino Park Parcel	
<p><u>[1] Any portion of the building containing a grocery store may have a maximum height of 49 ft.</u></p> <p><u>[2] Development within 50 feet of the north side of Two Rivers Road frontage shall not exceed the height of any primary structure within 50 feet of the south side of Two Rivers Road.</u></p>					

(e) Other Site Development Standards.<sup>2</sup>

(1) View openings to the river.

The following views to Roaring Fork River shall be preserved, and no new building shall be constructed in the area designed as a view protection zone.

- a. Required View Opening 1: On the Lions Park parcel and CDC parcel, buildings shall be sited so as to preserve views from the corner of Midland Avenue and the Midland Spur to the Roaring Fork River as shown on the following map.
- b. Required View Opening 2: On the CDC parcel, a view from Two Rivers Road to the Roaring Fork River shall be provided along the western edge of the property, as shown on the following map.
- c. Additional View Opening: To the maximum extent practicable, at least one additional view from Two Rivers Road to the Roaring Fork River should be provided somewhere west of the intersection of Two Rivers Road and the Midland Spur.



<sup>2</sup> Content of current CSC “Other Development Standards” have been significantly reorganized for logical flow and to better separate site and building design requirements.

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(2) Pedestrian through-connections. Development on the BCC parcel shall incorporate at least one pedestrian through-connection from the Midland Avenue frontage to the Frying Pan River frontage. The required pedestrian through-connection shall be located internal to the site (at least 50 feet from the Two Rivers Road frontage).

(32) Vitality zone. Each CSC parcel except the Merino Park parcel shall include a designated vitality zone that 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(f) 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, including but not limited to the Our Town Master Plan amendments; and
- e. The goals advocated by any non-profit applicant.

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

- a. Minimum requirements
  1. Hotel/~~Condominium~~ ~~Hotel~~—~~One~~ (1) space per hotel room, plus ~~two~~ (2) for management and operations.
  2. 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.
  3. 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.
- b. 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.
- c. 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 public transit, availability of parking spaces in a public parking lot or garage, expected use of WE-Cycle or other bicycle sharing programs, contribution to or participation in a car share program that serves the community, creation of a Transportation Demand Management (TDM) plan to reduce traffic volumes and parking demands below expected levels, 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.
- d. The visual impacts of off-street parking and loading areas shall be minimized. The design of parking and loading areas shall ensure that they support and do not detract from the Town's vitality goals for the CSC Zone District. This shall be accomplished by:
  1. Constructing structured parking primarily underground where such construction is feasible;

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2. Prohibiting surface parking between any building on the CDC, Lions Park, and Merino Park parcels and the right-of-ways of Two Rivers Road, Midland Avenue, or the Midland Spur;
  3. Locating parking and loading areas, or the access to such areas, along the rear facade or side of the building whenever feasible; or
  4. 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 parking structure lighting 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.
  5. Designating ~~one (1)~~ or more loading zones on the site plan and regulations to govern loading.
- e. Except as described in subsections (a) through (d) above, parking areas and structures in the CSC Zone District shall comply with the requirements of Article V, Off-street Parking and Loading.

(54) Open spaces.

- a. To the extent possible the areas between ~~a each~~ building with a ground floor nonresidential primary use 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:
  1. Abut and be level with the public sidewalk;
  2. Be open to the sky (except for awnings, covered walkways, areas under a porch and covered outdoor seating);
  3. Be directly accessible to the public;<sup>3</sup> and
  4. Be provided with appropriate ground cover treatment and landscaping.
- b. Placement of street furniture and public art in required open space is encouraged, as long as a ~~four~~5 foot minimum pedestrian walkway width is maintained. Items such as street furniture, educational and interpretive displays, small play features and public art that are attractive and appropriate for use by young children are encouraged. The Town may give credits towards minimum open space requirements for street furniture, fountains and similar improvements in a public right of way or other public spaces in the downtown.
- c. At least 50 square feet of private usable open space shall be provided for each dwelling unit. Private open space may include balconies above ground and lawn areas and patios behind the building. Private open space areas shall not be located in front of or adjacent to any portion of a building's vitality zone. The Town may reduce or waive a private open space requirement if the Town determines that the private open space area would interfere with the intent of the CSC Zone District.

- (56) Signage. The sign restrictions of the C-2 ~~D~~istrict will apply to non-residential uses unless modifications to those standards are approved 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 adopted Town's Master Plan, including without limitation the Our Town Master Plan amendments.

<sup>3</sup> All public access requirements should be reviewed by the Town's legal counsel to ensure enforceability.

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- (67) 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.
- (78) Utility and trash facilities. 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 to avoid or minimize any negative impacts on residential uses on the parcel and on adjacent parcels and to avoid interfering 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.
- (89) 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 a finding that the development is within the development line established by the River Master Plan.
- (910) Community Priority Scoring System. Development within the CSC Zone District shall be exempt from the requirements of Article XXII.
- (101) 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.
- (112) Development in the CSC Zone District shall meet or exceed the accessibility requirements of the Americans with Disabilities Act.
- (123) Landscaping in the public right-of-way. Landscaping that is to be installed in the public right-of-way shall comply with the applicable provisions of the Public Works Manual.
- (134) Curb Cuts. 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.
- (154) Street and Streetscape Improvements. All street and streetscape improvements shall comply with the Town of Basalt Complete Streets Design Manual.
- (f) Building design. All buildings shall comply with the following requirements, if applicable:
- (1) Building Typologies and Guiding Principles. The typologies from the Our Town amendments to the Town of Basalt Master Plan that the Town determines are most applicable to the type of development proposed in the project, as well as other building design standards and guidelines contained in the Our Town Master Plan amendments. Those guiding principles include:
- Building scale compatible with historic downtown;
  - Variety of western roof forms;
  - Street level interest; and
  - Contemporary reinterpretations.
- (32) 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.

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(43) Any new buildings constructed at prominent corners shall contain both ground floor and upper floor elements that reflect timeless design and visually emphasize the importance of the corner through vertical elements, changes in materials or color, changes in articulation patterns, or entryways, or similar features.

(54) Building facades along streets, along pathways that connect buildings to public spaces, and along alleys or other frontages with pedestrian traffic shall contain projections from or insets into the wall plane, windows, doors, or changes in material to ensure that no section of building wall longer than 25 feet is of uniform materials, color, and appearance unless waived or modified by the Town Council after recommendation by the Planning and Zoning Commission.

(5) Roof lines shall include sufficient variation to provide architectural interest and to reduce overall massing by one of the following:

a. If more than one primary building is constructed on a single CSC parcel:

- The maximum height of each adjacent primary building shall differ by at least 4 ft., but this standard shall not permit any primary building to exceed the maximum height for the portion of the CSC parcel on which it is located; or
- The predominant shape of the roof line shall differ on each primary structure (for example, one building being a flat roof and the adjacent building being a shed or pitched roof);

b. If only one primary building is constructed on a single parcel, each street facing façade more than 50 feet wide must include a variation in height that extends upward or drops downward at least 2 or 3 vertical feet and extends horizontally for at least 15 percent of the width of the building; or

c. Another technique sufficient to achieve this goal to the satisfaction of the Town Council.

(765) The ground floor of any new structure in the vitality zone shall 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 between the sidewalk and the street if the applicant demonstrates that providing steps is the best way to address grades on the site.

(g) 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

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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.
- (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.

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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 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

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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 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

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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.

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Sec. 16-4 Definitions – the following definitions are proposed to be added

16-4 Brewpub/Distillery -- A facility licensed as a brewpub or distillery by the state that annually manufactures and sells in the facility not more than 5,000 barrels of beer, or not more than 25,000 gallons of distilled spirits, only for consumption on the premises.

Community Center – A facility available for public activities, including but not limited to events, performances, entertainment, celebrations, meeting rooms, public classrooms and indoor gardens. The space is intended to be available for use by the public. However, the space may be rented by one or more parties at any time.

Entertainment/Retail -- A facility providing entertainment or recreation activities, including but not limited to theaters, bowling alleys, nightclubs, game centers, gymnasiums, health clubs, and climbing wall centers or rooms that can be rented for parties or events, where all activities take place within enclosed structures. This use does not include a conference center, adult arcade, adult bookstore, adult video store, adult novelty store, adult cabaret, adult entertainment establishment, sexually oriented business, adult motel, adult motion picture theater, or adult theater.

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Makerspace/Craft Industry – a usefacility that contains one or more artists or craft industries. A makerspace is a community center that includes manufacturing equipment, community and education for the purposes of enabling individuals to design, prototype and create manufactured works. A craft industry encompasses goods that are handmade by artisans or those skilled in a particular trade, including but not limited to art galleries, handmade textiles to culinary products. Produces made on site may also be sold on site. No such individual facility shall be larger than 6,500 total square feet.

Small Business Incubator -- A facility operated to encourage and support the growth and success of entrepreneurial companies by providing a variety business support resources and services, including but not limited to physical space, coaching and mentoring services, access to financing, networking connections, shared supply purchasing, or shared data systems and resources.

## Roaring Fork Valley Building Heights

Element Hotel at Willits- 45 feet (located in Willits Town Center)

RMI- 34 feet 8 inches (located on Two Rivers Road in Basalt)

Ute Center- 45 feet 6 inches to Upper Sidewalk on Midland Avenue (Over 50 feet as measured from parking lot on south side) (located at corner of Two River Rd and Midland Ave. in Basalt)

Twin Rivers Condos (located across Midland Spur from Basalt Town Hall)- 48 feet 3 inches from parking garage floor to clerestory roofline

Limelight Hotel- 46 feet to primary roof, 50 feet to elevators, mechanical (located in Aspen adjacent to Wagner Park)

Limelight Residential- 42 feet to roof, 46 feet to elevator (located in Aspen adjacent to Wagner Park)

Mountain Chalet- 51 feet (located in Aspen on south side of Wagner Park)

St. Regis- lower 60s (located in Downtown Aspen)

Grand Aspen- 46 feet (located in Downtown Aspen)

Dancing Bear- 46 feet 6 inches (located in Aspen adjacent to Wagner Park)

Residences at Little Nell- 47 feet (located in Aspen adjacent to Aspen Mountain)

Wheeler- 49 feet to cornice and 66 feet to ridge (located in Downtown Aspen)

Elks Building- 47 feet to cornice (located in Downtown Aspen)

Jerome Annex- 54 feet (located in Aspen directly north of the Historic Hotel Jerome)