

AGENDA AMENDED 09/26/16



101 Midland Avenue, Basalt, CO 81621

Meeting Date: September 27, 2016

Location: Town Council Chambers

TOWN COUNCIL MEETING AGENDA

5:00 pm Worksessions

- ~~SGM Southside Traffic Study~~
- Green Team Projects
- Observations from Town Consultant on Town Manager Search
- Meeting and Discussion with Interim Manager Candidate

6:00 1. Call to Order (Mayor Whitsitt)

6:01 2. Roll Call (Pam Schilling)

6:00 Executive Session: For the purposes of discussing personnel matters in accordance with C.R.S. 24.6.402(4)(f); specifically related to Interim Town Manager Candidate Ron Miller

6:15 Break

6:32 3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: i) August 30, 2016; ii) September 6, 2016; iii) September 13, 2016

3B. Resolution No. 38, Series of 2016: A Resolution of the Town of Basalt, Colorado, Taking a Position of Advocacy Regarding Ballot Issue 4A of the Basalt Regional Library District

3C. Resolution No. 39, Series of 2016: A Resolution of the Town of Basalt, Colorado, Expressing Support for Pitkin County's Open Space and Trails Ballot Questions

Motion to Consider:

Mayor, I move that the Town Council approve the Consent Agenda as published.

4. Council Comments, Reports, Disclosures

4A. Council Comments

5. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

6:38 6. ITEMS FOR COUNCIL CONSIDERATION

6A. Council Consideration of Appointment of Interim Town Manager

Motion to Consider:

Mayor, I move that the Town Council approve the appointment of Interim Town Manager Ron Miller

6B. Council Consideration to Suspend the Employee Loan Program per the recommendation of the Finance Committee.

Motion to Consider:

Mayor, I move that the Town Council suspend the employee loan program per the recommendation of the Finance Committee.

6:50 7. SECOND READING OF ORDINANCES (45 min)

7A. Public Hearing and Second Reading of Ordinance No. 21, Series of 2016:
An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment (Susan Philp)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 21, Series of 2016, on second reading.

7:35 8. RESOLUTIONS

8A. Resolution No. 40, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Approving a Pre-Application Agreement with Habitat for Humanity Regarding the Habitat for Humanity/RE-1 School District Housing Proposal on the Basalt High School Property (James Lindt)

Motion to Consider:

Mayor, I move that the Town Council Approve Resolution No. 40, Series of 2016.

8B. Resolution No. 41, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Approving a Process for The Arts Campus at Willits to Develop an Arts Campus on the Town-Owned Property Known as the Willits Performing Arts Parcel. (Susan Philp)

Motion to Consider:

Mayor, I move that the Town Council Approve Resolution No. 41, Series of 2016.

8C. Resolution No. 42, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Supporting the Passage of Ballot Issues 2F and 2G. (Susan Philp)

Motion to Consider:

Mayor, I move that the Town Council Approve Resolution No. 42, Series of 2016.

8:12 9. FIRST READINGS OF ORDINANCES:

9A. Public Hearing First Reading of Ordinance No. 26, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Reinstating and Amending the 2009 Stott's Mill Development Approvals for the Single-Family Portion of the Stott's Mill Development, Including up to 61 Dwelling Units, A Public Facility/Daycare, and the Dedication and Improvements of Rights-of-Way and Parks on the Single-Family Portion of the Stott's Mill Property and Granting Sketch Site Plan Approval for the Multi-Family Portion of the Development Up to 96 Additional Dwelling Units, Together with Extending and Increasing the Corporate Limits of the Town of Basalt and Providing Initial Town Zoning for the Single-Family Portion of the Stott's Mill Development (James Lindt)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 26, Series of 2016, on first reading, and continue and set the second reading and public hearing for October 11, 2016

9B. First Reading of Ordinance No. 27, Series 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Repealing and Re-Adopting Section 18-41, Adoption of the IECC by References in Chapter 18, Building Regulations, of the Municipal Code of the Town of Basalt, Colorado, and Adopting by Reference the 2015 Edition of the International Energy Conservation Code (Jim Wilson)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 27, Series of 2016, on first reading, set the second reading and public hearing for October 25, 2016

9C. First Reading of Ordinance No. 28, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Approving Amendments to the Municipal Code of the Town Basalt, Colorado, Amending Chapter 7, Health, Sanitation, and Animals by Creating a New Article Entitled Recycling and Waste Reduction; and Amending the Town's Fee Schedule (James Lindt)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 28, Series of 2016, on first reading, set the second reading and public hearing for October 11, 2016

10. INFORMATION AND CORRESPONDENCE:
NO ACTION REQUIRED BY THE TOWN COUNCIL

- A. Accounts Payable
- B. Advanced Agendas
- C. Correspondence to the Town

11. ADJOURNMENT

Motion to Consider:

Mayor, I move that the Town Council adjourn the meeting.

**TOWN OF BASALT
Worksession**

Date: September 27, 2016
From: Susan Philp, Planning Director

SUBJECT: Council direction to Green Team

RECOMMENDATION: Direction to the Green Team

DETAILS/BACKGROUND:

The Green Team is presenting what they have been working on for the purpose of checking in the Council to ensure that the Council is supportive of their recommended next steps.

CORE has recently completed the Basalt Green House Gas Inventory for the Green Team. The purpose is to establish a base line from which the Town can measure progress toward reducing greenhouse gas emissions.

The next step is to establish a Basalt Reduction Target. CORE and the Green Team are asking the Town Council to adopt two targets:

- 2025 Target: 25% below 2014 levels
- 2050 Target: 80% below 2014 levels

The following step would then be to develop a Basalt Climate Action Plan. To meet the reduction targets, a dramatic reduction in emissions would have to occur. The path to attaining these reduction targets would be outlined in a Climate Action Plan. The plan would describe the reduction measures and actions, as well as detail the implementation efforts.

Members of the Basalt Green Team and CORE will be at the Council worksession to summarize the results of the Green House Gas Inventory and outline next steps. The Green Team will summarize its other efforts, a couple of which follow on the Council's agenda (The adoption of the 2015 Energy Code and the Curbside Recycling Ordinance).

Related Town Statute and or Town Actions: Green Team Projects such as the 2016 adoption of the Sustainability Building Regulations, proposed adoption of the 2015 Energy Code, and project to retrofit street lights to LED.

Attachments Materials provided by CORE for Basalt including the summary of the 2014 Greenhouse Gas Inventory, the complete report, and the Basalt Climate Action Planning Document

2014 BASALT COMMUNITY GREENHOUSE GAS INVENTORY SUMMARY

BASALT ACKNOWLEDGES THE URGENCY OF ENACTING LOCAL STRATEGIES TO ADDRESS GLOBAL CLIMATE CHANGE

THE SEVERITY OF CLIMATE CHANGE HAS BEEN LINKED TO THE CONCENTRATION OF GREENHOUSE GASES (GHGs) WHICH TRAP HEAT IN THE ATMOSPHERE. IN ORDER TO EFFECTIVELY ADDRESS THE GENERATION OF GHGs, WE MUST UNDERSTAND HOW WE CONTRIBUTE TO THE PROBLEM. THIS INVENTORY SHOWS THE CAUSES OF, AND THEREFORE THE OPPORTUNITIES TO REDUCE, GHG EMISSIONS.

KEY FINDINGS

- Consistent with national patterns, GHG emissions largely result from the energy used in buildings, fuel used in transportation, and methane from landfilled waste
- Addressing the energy used to heat and power buildings is the largest opportunity to decrease overall emissions
- Transportation (primarily from cars and trucks) is the second largest emissions segment
- Basalt's electricity is still largely generated by fossil fuels (such as coal) rather than renewable resources (such as solar energy)
- The Basalt community can take action to by committing to an emissions reduction target and by adopting a climate action plan detailing how to achieve that target

WHAT ARE GHGs?

This inventory quantifies the most prevalent GHGs that contribute to climate change, including carbon dioxide, methane, and nitrous oxide that result from everyday human activities. All emission results are represented in metric tons of carbon dioxide equivalent, which allows each GHG's relative potency to be represented in an equivalent volume of CO₂.

One metric ton CO₂ is visualized below: at standard pressure, the gas would fill a cube almost 27 ft high.



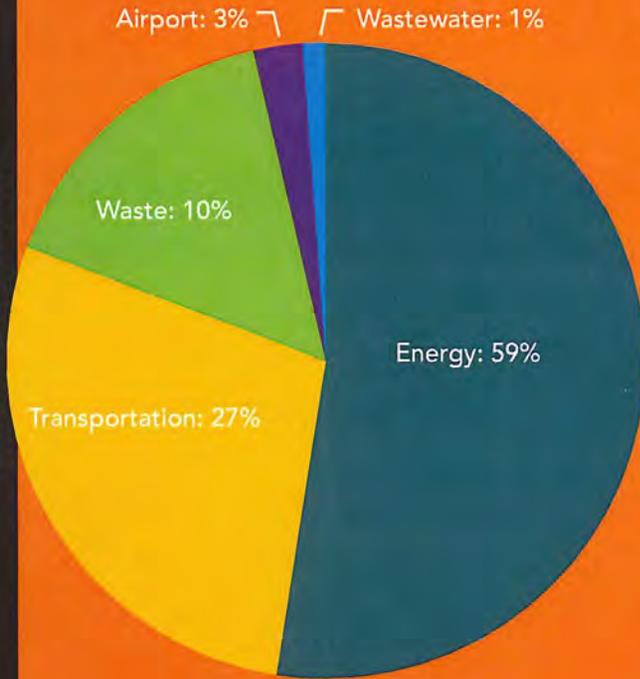
INVENTORY RESULTS:
Basalt's community generated approx. 63,239 metric tons of CO₂e in 2014



WHERE DO BASALT'S EMISSIONS COME FROM?

THE MAJORITY OF THE BASALT COMMUNITY'S EMISSIONS COME FROM THREE SEGMENTS: ENERGY, TRANSPORTATION, AND WASTE.

EMISSIONS BY SECTOR:



ENERGY SECTOR:

EMISSIONS: The emissions from natural gas and electricity use in buildings are nearly split between the residential and commercial buildings. There are significantly fewer commercial utility accounts as compared to residential utility accounts. Therefore, a significant percentage of overall emissions are concentrated in a relatively small number of commercial buildings.

RECOMMENDATIONS: Conserve energy, pursue energy efficiency programs, adopt stronger building codes to address energy use in new buildings, and produce more energy from on-site renewable energy systems.

TRANSPORTATION SECTOR:

EMISSIONS: Gasoline trucks and cars used for commuting and driving around town contribute the greatest share of emissions for this sector. While alternative transportation is used, passenger vehicles are the predominant mode of travel for Basalt community members.

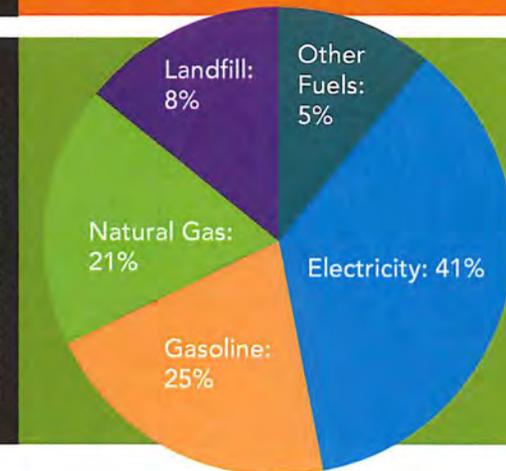
RECOMMENDATIONS: Promote a multimodal transportation system to reduce reliance on passenger vehicles and encourage the use of buses, biking, and walking for portions of trips.

WASTE SECTOR:

EMISSIONS: Almost 30% of all trash Basalt sends to the landfill is unnecessary: organic materials (such as food scraps and yard debris) can be diverted to composting facilities. These organic materials emit a significant amount of methane during landfill decomposition.

RECOMMENDATIONS: Reduce the amount of waste generated and increase participation in composting and recycling programs to keep food and recyclables out of landfills.

EMISSIONS BY SOURCE:



IN ADDITION TO EXAMINING THE SECTOR-BASED EMISSIONS, IT IS ALSO USEFUL TO EXAMINE THE SOURCE OF EMISSIONS.

Electricity generation and use is the largest single source of emissions in Basalt. The use of gasoline, natural gas, and waste at the landfill also constitute major emission sources. Aviation fuel, diesel, and other alternative fuels contribute a lesser amount.

The Community Office for Resource Efficiency (CORE) conducted this study in compliance with the ICLEI U.S. Community Protocol standards.



FOR MORE INFORMATION AND TO LEARN HOW YOU CAN HELP FIGHT CLIMATE CHANGE, VISIT ASPENCORE.ORG.



Community Office for Resource Efficiency

BASALT CLIMATE ACTION PLANNING

Effective climate action planning centers around the development and implementation of an emissions-reduction strategy. The best practice approach includes the following steps:

- Complete a GHG emissions inventory
- Adopt GHG-reduction targets based on the inventory findings
- Develop a climate action plan to achieve emission reduction targets
- Implement climate action plan measures and actions
- Monitor and track progress (measure, verify & report)

CORE, in partnership with the Basalt Green Team, created a GHG emissions inventory, and has proposed emission reduction targets. The adoption of such targets would demonstrate a commitment to climate action, and would lay the groundwork for a path forward.

GHG EMISSIONS INVENTORY

CORE prepared a baseline GHG emissions inventory for 2014 using national standards: the International Council for Local Environmental Initiatives (ICLEI) US Community Protocol. Regional partners, including Eagle County and the City of Aspen, have adopted these guidelines as well and have completed emissions inventories for the year 2014.

Basalt's inventory quantifies the emissions generated from the following sources: energy, transportation, waste, airport and wastewater. Results found that the Basalt community was responsible for an annual generation of approximately 63,000 metric tons of carbon dioxide equivalent (about 16.25 metric tons of CO_{2e} per person).

COMMUNITY-WIDE REDUCTION TARGET RATIONALE

This commitment was not prioritized or realized. Basalt is the only municipality in the Roaring Fork Valley that does not have any emission reduction commitments or a sustainability plan. In 2006 Basalt was a signatory on the US Conference of Mayors Climate Protection Agreement, thereby agreeing to a 7% reduction in emissions by 2012 (as compared to 1990 levels).

CORE and the Green Team ask Town Council to the adopt of two targets:

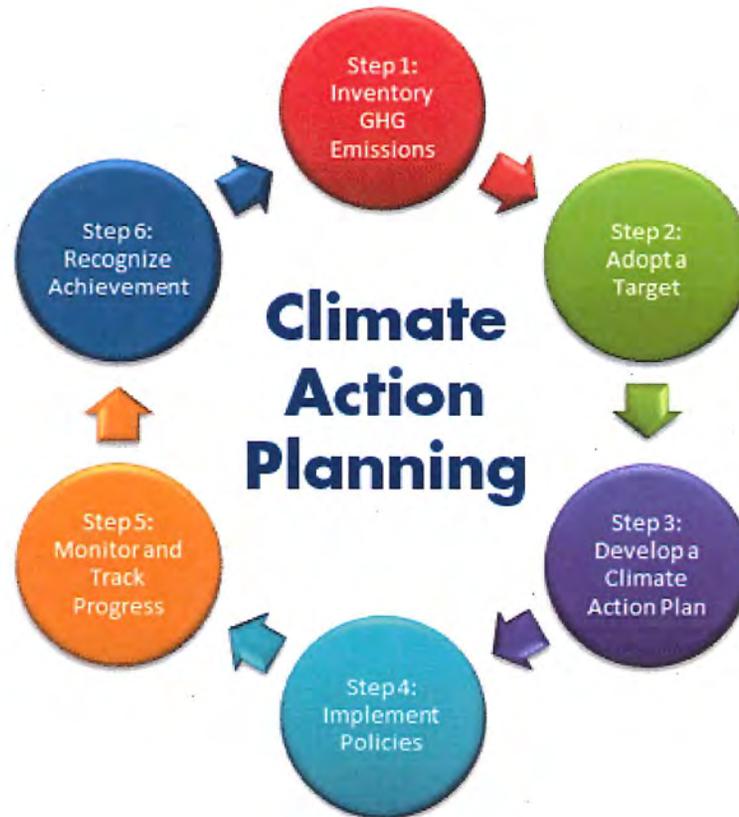
- **2025 Target: 25% below 2014 levels**
- **2050 Target: 80% below 2014 levels**

These targets align with those adopted by national and regional entities and seek to address the magnitude of the threat. As a signatory to the Paris climate accords, the US has committed to stay within a 2-degree Celsius warming. The Intergovernmental Panel on Climate Change (IPCC) recommends an 80% reduction by 2050 to meet this. These are the targets that other municipalities have adopted, including the targets the Eagle County Climate Action Stakeholder group has proposed.

The rationale behind the proposed reduction targets includes the following principles:

1. An emissions reduction target should be compatible with local development plans and economic considerations. Reduction targets, like those of Aspen, have been shown to exist cooperatively with population and economic growth.
2. An emissions-reduction target should be measurable. The ICLEI guidelines provide a replicable framework for tracking. Best practice is to update the emissions inventory every four years.

Climate Action for Basalt





Community Office for Resource Efficiency

3. An interim goal can help to indicate whether actions and measures are making progress towards achieving emission-reduction goals. This benchmark also helps to establish near-term and far-term goals.
4. There is power in alignment with existing regional and national goals as the coalition can be most effective at influencing change, and the reduction target amounts can provide credibility and offer context to what has appealed to other communities.

CLIMATE ACTION PLAN

To meet the reduction targets, a dramatic reduction in emissions would have to occur. The path to attaining these reduction targets would be outlined in a Climate Action Plan. The plan would describe the reduction measures and actions, as well as detail the implementation efforts.

CORE & the Green Team recommend the development of a Climate Action Plan as a focus of winter 2017. This first iteration should be simple and should kick-start action. The plan should rely on best practices from regional and national plans, such as that of Eagle County.

Eagle County is partnering with Walking Mountains Science Center to convene a group of stakeholders to create a community Climate Action Plan. Basalt declined to engage in the stakeholder process, but can choose to adopt pieces of the Climate Action Plan (currently in editing, with an expected completion date in November). The plan will have a menu of recommended options that the Towns and County can choose to adopt.

CLIMATE ACTION PLANNING – WHAT OTHERS ARE DOING

Community	Reduction Target	Baseline
Aspen	30% by 2020; 80% by 2050	2004
Boulder	20% by 2020; 43.5% by 2030; 81% by 2050	2005
Boston	25% by 2020; 80% by 2050	2005
Carbondale	Reduce energy consumption by 20% by 2020; reduce petroleum consumption 25% by 2020; and generate 35% of electricity from renewable energy sources by 2020.	2009
Colorado	20% by 2020; 80% by 2050	2005
CMC	Carbon neutral by 2050	n/a
Denver	80% by 2050	2005
Eagle County	The CAP stakeholder group has identified a goal of 25% by 2025; 80% by 2050.	2014
Energy Smart Colorado	20% energy savings in 20% of homes and businesses by 2020	2010
Fort Collins	20% by 2020, 80% by 2030, and 100% by 2050	2005
Lake Tahoe	15% by 2020, 49% by 2035	2005/2010
Snowmass Village	20% by 2020	2009
Vail	20% by 2020	2016

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

The Roaring Fork Valley is being significantly impacted by climate change, and those impacts are likely to intensify: warmer temperatures would reduce snowpack, lower stream flow, and increase wildfire risk, among other changes in ecosystems and agriculture. The severity of climate change has been linked to the concentration of greenhouse gases (GHGs), which trap heat in the atmosphere. These GHGs are generated by everyday human activities, such as the combustion of fossil fuels for heating, electricity, and transportation.

This inventory serves as a community-wide carbon footprint to help better understand the causes of, and therefore the opportunities to reduce, GHG emissions. Joining hundreds of other cities worldwide, Basalt developed an emissions inventory to acknowledge its responsibility in generating GHG emissions and its commitment to enact local strategies to address global climate change.

The intention of this report is to provide context to the inventory results and to inform the development of a climate action plan, which will outline the programs and policies Basalt will take to reduce GHG emissions.

EMISSIONS ACTIVITIES & SOURCES

This inventory is structured to capture emissions activities and sources, which have been categorized broadly into five main sectors:

- **ENERGY:** the electricity and natural gas used to heat and power buildings
- **TRANSPORTATION:** the fuel used for passenger vehicles and public transit
- **WASTE:** the decomposition of solid waste and landfill operations
- **AIRPORT:** aircraft fuel use and airport operations
- **WASTEWATER:** the treatment of wastewater and facility operations

GREENHOUSE GAS EMISSIONS

This inventory quantifies the most prevalent GHGs that contribute to climate change: carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). All emission results are represented in metric tons of carbon dioxide equivalent (MT CO₂e) to represent each GHG's relative potency (atmospheric lifetime and heat-trapping ability) in an equivalent volume of CO₂. One MT CO₂e is visualized below: at standard pressure, the gas would fill a cube almost 27 feet high.

FIGURE 1. VOLUME OF METRIC TON OF CARBON DIOXIDE



INVENTORY KEY FINDINGS

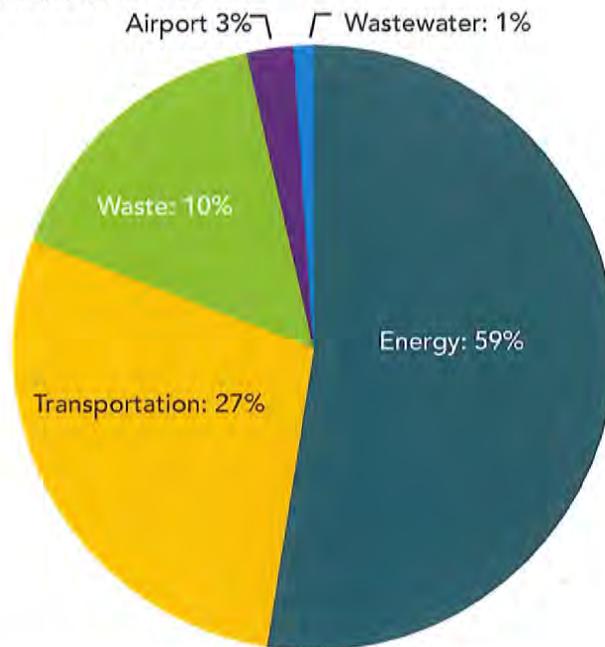
The inventory results are generally consistent with regional and national patterns: the energy used to heat and power buildings is the most significant source of emissions, followed by the fuel used to power passenger vehicles.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

ENERGY EMISSIONS BY SECTOR

In 2014, the Basalt community contributed approximately 63,239 metric tons of carbon dioxide equivalent. As visible in Figure 2, the Energy Sector accounted for the greatest share of overall emissions. Emissions from the Transportation Sector were the second largest source, followed by emissions from the Waste Sector. The remainder of emissions are generated from wastewater treatment and airport-related activities.

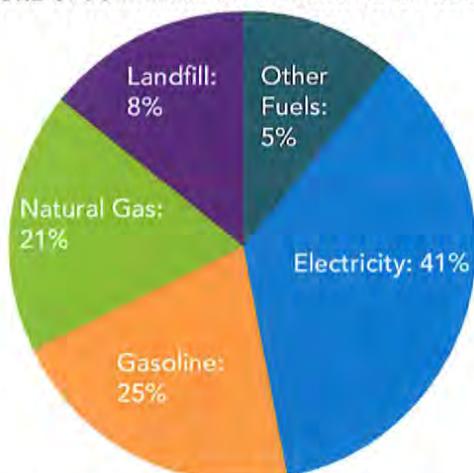
FIGURE 2. SUMMARY OF EMISSIONS BY SECTOR



ENERGY EMISSIONS BY FUEL TYPE

In addition to examining the sector-based emissions, it is also useful to examine the source fuel type or material of emissions. Electricity generation and use is the largest single source of emissions in Basalt. The use of gasoline, use of natural gas, and the waste at the landfill also constitute major emission sources. Aviation fuel, diesel, and other alternative fuels (such as compressed natural gas and biodiesel) contribute to a lesser amount.

FIGURE 3. SUMMARY OF EMISSIONS BY SOURCE



ELECTRICITY GENERATION

When burned, fuels emit different amounts of carbon dioxide. In Basalt, electricity generation is a more carbon-intensive activity than the burning of natural gas due to the high share of fossil fuels (such as coal) in electricity production. Holy Cross Energy's fuel mix is 62% coal.¹ This fuel portfolio is in alignment with statewide standards: in 2014, the Colorado fuel portfolio was 60% from coal, 22% from natural gas, and 18% from renewable energy sources.²

¹Holy Cross Energy. "2014 CO2 Emissions Report." 2016.

²US Energy Information Administration. "Colorado State Profile and Energy Estimates." 2014.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

ENERGY SECTOR

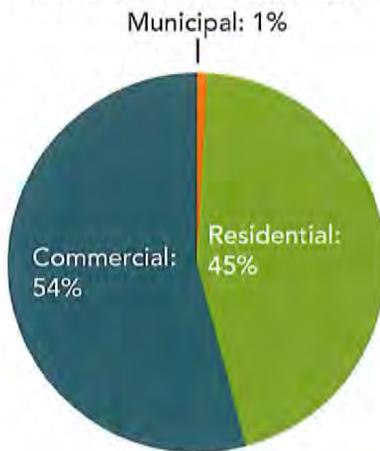
The electricity and natural gas used to power and heat buildings is the largest contributor to GHG emissions in Basalt. The energy consumption associated with commercial and municipal building operations accounts for 59% of the overall emissions, presenting a significant opportunity for emissions reduction.

ENERGY EMISSIONS BY SUB-SECTOR

The Energy Sector consists of the following components:

- **RESIDENTIAL ENERGY:** homes
- **COMMERCIAL ENERGY:** offices, retail, schools, and other businesses and facilities
- **MUNICIPAL ENERGY:** facilities owned and operated by the Town of Basalt

FIGURE 4. ENERGY EMISSIONS BY TYPE



RESIDENTIAL ENERGY

The average home in Basalt spends an estimated \$2,000 annually on utility bills to cover the use of 8,660 kilowatt hours (kWh) of electricity and 934 Therms of natural gas. This energy consumption is lower than the national average of 10,932 kWh annually.³

COMMERCIAL ENERGY

The energy used to power commercial and municipal buildings contributes a greater share of GHG emissions than the energy required to power residential buildings. It should be noted that the number of buildings should be considered when evaluating this data: there are significantly fewer commercial utility accounts as compared to residential utility accounts. Therefore, a large percentage of Basalt's GHG emissions are concentrated in a relatively small number of commercial buildings.

MUNICIPAL ENERGY

Municipal facilities contribute a small percentage of overall GHG emissions, but are an important segment. First, as the Town of Basalt has more direct control over its own operations, it can act as a community leader by implementing reduction measures. Second, energy reductions in these facilities result in less GHG emissions and less utility expenses, which free up funds that Basalt can dedicate to other services. Table 1 details the top municipal energy users in terms of energy consumption and annual utility expenses.

TABLE 1. MUNICIPAL ENERGY TOP USERS

FACILITY	ANNUAL CONSUMPTION	ANNUAL EMISSIONS	ENERGY COSTS
	MMBTu	metric tons CO ₂ e	Dollars
Swimming Pool	1,284	117	\$18,123
Public Works	424	12	\$5,262
Street & Highway Lights	378	80	\$16,384
Town Hall	342	35	\$6,004
Planning Dept & Art Base	307	29	\$4,973
TOTAL	2,736	286	\$50,746

RENEWABLE ENERGY

Renewable energy generation is embedded in this energy usage data: the energy produced by solar photovoltaic, solar thermal, and micro-hydro systems reduces the overall amount of utility energy consumed by the community.

³US Energy Information Administration. "How Much Electricity Does an American Home Use?." 2016.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

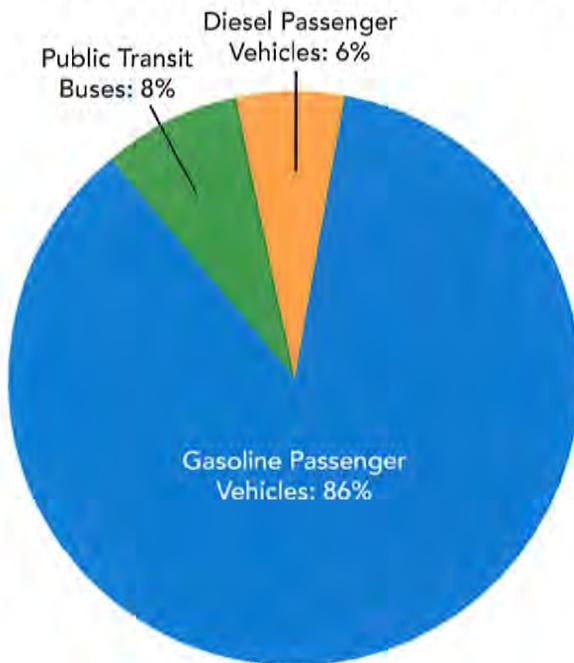
TRANSPORTATION SECTOR

The fuel used to power passenger vehicles and public transit buses comprises the second largest category of emissions at 17,385 metric tons of CO₂e (or, 27% of total community emissions). The findings suggests that reducing vehicle miles travelled, switching to alternative fuels, and increasing reliance on alternative transportation (including bicycling, walking, and riding public transit) could reduce transportation-related GHG emissions.

TRANSPORTATION EMISSIONS BY SUB-SECTOR

The Transportation Sector examines two components: passenger vehicle use (cars, trucks and motorcycles) and public transportation (Roaring Fork Transit Authority transit buses). The vast majority of sector emissions are from passenger vehicles for commuting and driving around town.

FIGURE 5. TRANSPORTATION EMISSIONS BY TYPE



WALKING & BIKING

Multimodal transportation systems allow integrate travel by passenger vehicle, transit, bicycles, and on foot. A high percentage of Basalt residents incorporate some form of alternative transportation into part or all of their trips. In the summer, residents rely on biking and walking for 26% of all trips, a high percentage when compared with other communities nationally.⁵

PASSENGER VEHICLES

Emissions from passenger vehicles account for 86% of the Transportation Sector emissions, and 12% of overall community-wide emissions. The most significant source of passenger vehicle emissions are gasoline-powered cars and trucks, which also represent the majority of vehicles on the road. In 2014, depending on the season, between 49-75% of Basalt commuters drove to work alone, adding to traffic congestion and releasing pollutants into the air.⁴

Electric vehicles (EV) contribution to emissions is not represented in Figure 5. EVs represent a very small portion of vehicles on the road (0.03%) and an accordingly small portion of overall emissions.

PUBLIC TRANSIT

The RFTA buses rely on alternative fuels, which help limit GHG pollutants released.

- VelociRFTA Bus Rapid Transit (BRT) buses run on compressed natural gas (CNG)
- Local Highway 82 corridor buses (non-BRT) run on B5: a 5% biodiesel, 95% petroleum diesel blend

To better understand the environmental impact of transit decisions, it is helpful to consider not just the fuel efficiency of the vehicle (miles per gallon, or "mpg") but the passenger miles per gallon (pmpg). The metric pmpg considers the number of passengers carried in the vehicle, illustrating how buses can be a more effective use of fuel per person.

⁴Charlier & Associates, Inc. "Basalt Travel Patterns Community Profile." 2015.
⁵Charlier & Associates, Inc. "Basalt Travel Patterns Community Profile." 2015.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

WASTE SECTOR

An estimated 6,073 metric tons of CO₂e were emitted from waste-related activities, which represents 10% of the overall emissions attributed to the Basalt community. Based on the amount and type of trash generated, it is clear that waste diversion programs such as composting and recycling would be effective at limiting emissions. The decomposition of waste is the leading source of GHG emissions in the Waste Sector at 82% of sector emissions.

WASTE EMISSIONS BY SUB-SECTOR

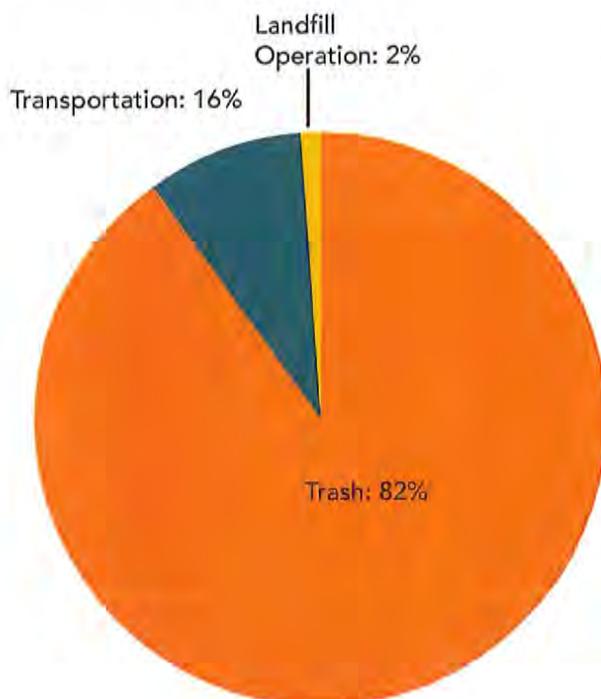
The Waste Sector addresses emissions from the following sources:

- **WASTE DECOMPOSITION:** the decomposition of trash generated by Basalt homes and businesses
- **WASTE TRANSPORTATION:** the transportation of waste from homes and businesses to disposal at either the Pitkin County Landfill or the South Canyon Landfill
- **LANDFILL OPERATION:** the energy used for landfill operation and the fuel used to power on-site vehicles

TRASH:

Recycling and composting are effective waste diversion steps to limit the amount of landfilled waste. However, reducing the overall amount of waste generated by practicing responsible consumption habits is also key to limiting GHG emissions.

FIGURE 6. WASTE EMISSIONS BY TYPE



COMPOSTING:

Organics, such as food waste and yard waste, can be a significant emissions contributor due to the high amount of methane generated during decomposition in a landfill. When organics decompose in a compost pile, it generates carbon dioxide instead of methane (a less potent GHG). Due to the high level of organics in the Basalt waste stream (14% food waste; 18% yard waste), results indicate that there is an opportunity to increase composting to manage waste emissions.⁶ EverGreen ZeroWaste, a major composting service provider, had just six residential accounts in Basalt in 2014.⁷

SCOPE:

Construction and demolition (C&D) waste (debris generated by building contractors such as concrete and other building materials) was not included in this analysis due to lack of available data concerning the amount of C&D generated in town limits. While it is not included in this inventory, it is important to note that this waste stream represents a significant portion of the waste managed at the Pitkin County Landfill.

Also, the lifecycle carbon footprint of food and goods consumed locally but produced globally (referred to as a "consumption-based emissions inventory") is outside the scope of this analysis. A consumption-based emissions inventory could provide a more complete picture of emissions and may be considered for future inventories.

⁶ Weaver Consultants Group. "Comprehensive Waste Diversion Plan Phase 1." 2016
⁷ Reindel, Dave. Personal communication. 2016.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

AIRPORT SECTOR & WASTEWATER SECTOR

The Airport Sector and the Wastewater Sector represent a small portion of overall emissions and present limited opportunities for emissions reduction.

- **AIRPORT SECTOR:** the emissions related to aircraft and airport activity at the Aspen/Pitkin County Airport (ASE) represent 3% of total emissions at 2,005 metric tons of CO₂e
- **WASTEWATER SECTOR:** the emissions related to wastewater treatment represent 1% of total emissions at 647 metric tons of CO₂e

AIRPORT SECTOR

This analysis assumes that Basalt residents and tourists are responsible for just 3% of overall ASE air traffic, and therefore 3% overall airport activity. This sector examines emissions related to three components:

- **AVIATION FUEL:** fuel dispensed to aircrafts
- **ENERGY:** the electricity and natural gas used to power airport facilities
- **TRANSPORTATION FUEL:** the fuel powering fleet and ground support vehicles

Of these emissions, a limited amount is owned or controlled locally. Local sustainability efforts can be focused on the energy used for airport operation.

WASTEWATER SECTOR

The GHG emissions related to the Wastewater Sector are primarily attributed to the energy consumed for the operation of the Wastewater Treatment Plants (WWTPs) owned by the Basalt Sanitation District and the Mid-Valley Metro District. The other component of this sector, nitrous oxide released naturally during wastewater treatment, represents a small portion of the sector's emissions.

FACILITY OPERATION ENERGY USE

The greatest opportunity to reduce emissions in this sector is targeting the energy use at the WWTPs. Energy efficiency improvements should be considered alongside the ability of the facility to discharge a high quality of treated wastewater (called "effluent") into the Roaring Fork River.

TABLE 2. WASTEWATER TREATMENT PLANT ENERGY CONSUMPTION

	ANNUAL CONSUMPTION	ANNUAL CONSUMPTION	ANNUAL TOTAL ENERGY
	kWh	Therms	MMBtu
Basalt Sanitation	634,200	2,457	2,410
Mid-Valley Metro	200,500	1,108	994
TOTAL	834,700	3,565	3,205

Both WWTPs are outside of the defined emissions jurisdiction and therefore the energy consumption is tabulated with the Wastewater Sector rather than the Energy Sector. By way of comparison, total WWTP energy consumption represents less than 1% of Basalt's overall commercial energy consumption.

WASTEWATER TREATMENT

Before the effluent is released into the Roaring Fork River, pollutants (such as nitrates) must be removed to maintain a clean river and healthy watershed. At the denitrification (nitrate reduction) and discharge stages of the treatment process, nitrous oxide is released into the atmosphere due to naturally occurring chemical reactions. This is less than 0% of the total Basalt emissions.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

NEXT STEPS

The Town of Basalt may choose to use the inventory results to:

- **DEVELOP AND ADOPT A GHG REDUCTION GOAL:** a reduction goal or target for GHG emissions helps to track progress and motivate action.
 - **COMPLETE A MUNICIPAL GHG EMISSIONS INVENTORY:** the inventory will identify the emissions generated by municipal operations, including fleet activity, waste management, and facility energy use.
 - **PERFORM FORECASTING:** forecasting can help to better understand the community's emission reduction potential in combination with projected demographic, economic and operational changes.
 - **ADOPT A CLIMATE ACTION PLAN:** a climate action plan details how to meet GHG reduction commitments.
 - **IMPLEMENT EMISSION REDUCTION PROGRAMS:** enact programs and policies to meet GHG reduction goal(s).
-

BACKGROUND

SCOPE

The Basalt Community-wide GHG Emissions Inventory covers activities and sources within Basalt town limits or allocated to the Basalt community for the 2014 calendar year. We recognize that some emissions generating activities cross politically defined boundaries. Therefore, some activities beyond the immediate jurisdiction are included in this analysis to provide a more accurate representation of emissions produced from the Basalt community.

METHODOLOGY

This inventory follows the standard outlined by the International Council for Local Environmental Initiatives (ICLEI) in the US Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions. ICLEI's web-based tool, ClearPath, was used to calculate emissions for a US Community Protocol-compliant inventory. The ICLEI guidelines are a national standard that have been adopted by regional partners including the 2014 inventories prepared by Eagle County and the City of Aspen. All calculations use the latest GWP values as defined in the Intergovernmental Panel on Climate Change's (IPCC) 5th Assessment Report 100-year potentials. This analysis strives to determine the sources and quantities of emissions as accurately as possible, but due to data and quantification limitations, a degree of uncertainty exists. Concerns related to data sources and emissions factors are detailed in the Appendices.

ACKNOWLEDGEMENTS

The Community Office for Resource Efficiency (CORE) performed this inventory on behalf of the Town of Basalt. CORE is a nonprofit organization that works cooperatively with businesses, individuals, utilities, and government entities to create measurable improvements in energy and water efficiency in order to benefit the environment and develop a more sustainable economy. The organization is also completing GHG inventories on behalf of regional partners including the Town of Snowmass Village and Pitkin County.

The 2014 Basalt Community-Wide Greenhouse Gas Emissions Inventory was made possible by the assistance and support of the following people:

- Sarah Gruen, CORE
- Susan Philp, Town of Basalt
- Chris Menges, City of Aspen

A special thanks to the Basalt Green Team and to Lotus Sustainability (Emily Artale and Hillary Dobos) for providing insight and expertise.

2014 BASALT COMMUNITY-WIDE GREENHOUSE GAS EMISSIONS INVENTORY

APPENDICES

Appendix A – Summary Table
Appendix B – Energy Methodology
Appendix C – Waste Methodology
Appendix D – Transportation Methodology
Appendix E – Wastewater Methodology
Appendix F – Airport Methodology

LIST OF TABLES AND FIGURES

Table 1. *Municipal Energy Top Users: page 3*
Table 2. *Wastewater Treatment Plant Operation: page 6*
Figure 1. *Volume of Metric Ton of Carbon Dioxide: page 1*
Figure 2. *Summary of Emissions by Sector: page 2*
Figure 3. *Summary of Emissions by Source: page 2*
Figure 4. *Energy Emissions by Type: page 3*
Figure 5. *Transportation Emissions by Type: page 4*
Figure 6. *Waste Emissions by Type: page 5*

WORKS CITED

Aspen Global Change Institute. *Climate Change & Aspen: An Update on Impact to Guide Resiliency Planning & Stakeholder Engagement*. 2014. Print.

Charlier Associates, Inc. *Aspen VMT Model: Executive Summary*. 2015. Print.

Charlier Associates, Inc. *2014 Regional Travel Patterns Study: Roaring Fork & Colorado River Valley*. 2015. Print.

Charlier Associates, Inc. *Basalt Travel Patterns Community Profile*. 2015. Print.

Holy Cross Energy. *2014 CO2 Emissions Report*. April 2016. Web. https://www.holycross.com/assets/userfiles/files/green-programs/HCE_CO2_2014.pdf

Menges, Chris. *2014 Aspen Community-wide Greenhouse Gas Inventory*. Aspen, Colorado: self-published, 2015. Print.

Weaver Consultants Group. *Roaring Fork Valley Comprehensive Waste Diversion Plan Phase I*. 2016. Print.



To learn more about how you and your community can take climate action, visit aspencore.org



101 Midland Avenue, Basalt, CO 81621

Meeting Date: August 30, 2016
Location: Town Council Chambers

TOWN COUNCIL SPECIAL MEETING MINUTES

5:50 1. Call to Order (Mayor Whitsitt)

Mayor Jacque Whitsitt called the meeting to order at 6:00 pm on Tuesday, August 30, 2016.

5:51 2. Roll Call (Pam Schilling)

Council members present were Gary Tennenbaum, Bernie Grauer, Katie Schwoerer, Auden Schendler and Mark Kittle. Council member Jennifer Riffle was absent.

5:52 3. Consideration of Retention Agreement with Attorney Steve Dawes

Tom Smith gave a brief background of how Steve Dawes came to be working with the Town of Basalt on a personnel matter, and a bit on Mr. Dawes' background.

M/S COUNCILORS SCHENDLER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE THE RETENTION AGREEMENT WITH ATTORNEY STEVE DAWES. THE MOTION CARRIED 6-0.

4. Adjourn

M/S COUNCILORS GRAUER AND TENNENBAUM TO ADJOURN THE MEETING. THE MOTION CARRIED 6-0 AT 6:05 PM.

The minutes of the August 30, 2016 meeting were read and approved this 27th day of September, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk



101 Midland Avenue, Basalt, CO 81621

Meeting Date: September 6, 2016
Location: Town Council Chambers

TOWN COUNCIL SPECIAL MEETING MINUTES

1. Call to Order (Mayor Whitsitt)

Mayor Whitsitt called the meeting to order at 6:04 pm on Tuesday, September 6, 2016.

2. Roll Call (Pam Schilling)

Council members present were Auden Schendler, Katie Schwoerer, Gary Tennenbaum, Bernie Grauer and Jennifer Riffle. Council member Mark Kittle was absent.

3. Consent Agenda

3A. Continue the Public Hearing and First Reading of Ordinance No. 21, Series of 2016 to September 13, 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment (Susan Philp)

M/S COUNCILORS GRAUER AND RIFFLE THAT THE TOWN COUNCIL CONTINUE THE PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 21, SERIES OF 2016 TO SEPTEMBER 13, 2016. THE MOTION CARRIED 6-0.

4. Public Comment for Items Not on the Agenda

Ted Guy read a statement for the record related to the scheduled executive session later this evening; Stacey Craft, Michael McVoy, Toni Kronenberg, Mark Kwiecinski, and Mary Kenyon offered public comments this evening.

5. SECOND READING OF ORDINANCES NO 23, Series of 2016

5A. Public Hearing and Second Reading of Ordinance No. 23, Series of 2016: An Ordinance of the Town Council of Basalt, Colorado, Approving a Contract for the Purchase from the Roaring Fork Development Corporation Real Property Identified as Lot 1 of the Basalt Community Campus and Basalt Park Minor Subdivision

Town Attorney Tom Smith and CDC representative David Myler led discussion of this item.

The public hearing was opened at 6:25 pm.

Public speaking on this matter were Steve Chase, Toni Kronenberg, Stacey Kraft, Margot Pendleton, Greg Shugars, Steve Chase, Lynne Mace and Mark Kwiecienski.

The public hearing was closed at 6:48 pm.

M/S COUNCILORS GRAUER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO 23, SERIES OF 2016 ON SECOND READING WITH THE PURCHASE PRICE SET AT \$2.9 MILLION. THE MOTION CARRIED 6-0.

6. RESOLUTIONS *Public Comment will be taken on Resolutions No. 36 and 37.*

6A. Resolution No. 36, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Calling a Special Election on November 8, 2016 for Authorization to Incur Debt Related to the Acquisition of 2.317 Acres of Real Property Currently Owned by the Roaring Fork Community Development Corporation, Setting the Ballot Title and Content for the Ballot Issue; and Providing Other Matters Relating Thereto

6B. Resolution No. 37, Series of 2016: A Resolution of the Town Council of Basalt, Colorado, Calling a Special Election on November 8, 2016 for Authorization to Incur Debt Related to the Design and Construction of the Basalt River Park Improvement Project; Setting the Ballot Title and Content for the Ballot Issue; and Providing Other Matters Relating Thereto

Town Finance Consultant Bruce Kimmel was present via phone. Bond Counsel Paul Wisor was present. Mayor Whitsitt opened the public hearing on the ballot language resolutions, Resolution No. 36 and Resolution No. 37 at approximately 8:08 pm.

Public comments/questions were made by Steve Chase, Mark Kwiecienski, Nick Aceto, Rick Stevens and Cathy Click.

A brief recess was called at 8:08 pm; the meeting resumed at 8:13 pm.

Citizens commenting on the ballot questions were:
Mark Kwiecienski, Greg Shugars, Toni Kronenberg, and Margo Pendleton.

Council discussion followed.

Susan Philp and Paul Wisor read the amended Option #2 for inclusion in Resolution No. 36 to read as follows:

ACQUISITION OF APPROXIMATELY 2.317 ACRES OF REAL PROPERTY LOCATED IN THE TOWN AND CURRENTLY OWNED BY THE ROARING FORK COMMUNITY DEVELOPMENT CORPORATION, 1.0 ACRES OF THE WESTERN PORTION OF SAID PROPERTY TO BE MADE AVAILABLE FOR COMMERCIAL OR PUBLIC PURPOSE BUILDING DEVELOPMENT AND THE REMAINING ACRES OF SAID PROPERTY TO BE USED FOR A TOWN RIVER PARK AND SUPPORTING USES

M/S COUNCILORS GRAUER AND SCHENDLER THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 36, SERIES OF 2016; TO INCLUDE OPTION 2 AS AMENDED. THE MOTION CARRIED 6-0.

M/S COUNCILORS TENNENBAUM AND GRAUER THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 37, SERIES OF 2016, AS AMENDED FOR OPTION B, AND CALLING A SPECIAL ELECTION ON NOVEMBER 8, 2016 FOR AUTHORIZATION TO INCUR DEBT RELATED TO THE DESIGN AND CONSTRUCTION OF THE BASALT RIVER PARK IMPROVEMENT PROJECT; SETTING THE BALLOT TITLE AND CONTENT FOR THE BALLOT ISSUE; AND PROVIDING OTHER MATTERS RELATING THERETO, SUBJECT TO THE ASSIGNMENT OF A BALLOT NUMBER AND LETTER. THE MOTION CARRIED 6-0.

7. SECOND READING OF ORDINANCES NO. 22, Series of 2016

7A. Public Hearing and Second Reading of Ordinance No. 22, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 4, Article IV of the Basalt Municipal Code, Entitled Sales Tax, to Permit not more than 20% of the Fund Generated by the 1% Sales Tax Rate Dedicated to Capital Improvements Projects for Parks, Open Space Acquisition and Trail Projects, to be used for the Maintenance of Parks, Open Space and Trails, and Submitting this Ordinance to a Referendum Election

Planning Director Susan Philp led discussion of this item.

Mayor Whitistt opened the public hearing at 9:13 pm. There were no comments and the public hearing was closed.

M/S COUNCILORS SCHENDLER AND RIFFLE THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 22, SERIES OF 2016 ON SECOND READING. THE MOTION CARRIED 6-0.

8. Executive Session:

M/S COUNCILORS GRAUER AND RIFFLE TO ENTER EXECUTIVE SESSION WITH TOWN ATTORNEY TOM SMITH AND SPECIAL COUNSEL STEVE DAWES IN ACCORDANCE WITH CRS 24-6-402(4)(B), FOR PRIVILEGED ATTORNEY-CLIENT COMMUNICATIONS AND RECEIVING LEGAL ADVICE REGARDING:

- 1) An August 25, 2016, Open Records Act request from Ted Guy and others; and
- 2) Mike Scanlon' employment and his employment agreement.

THE MOTION CARRIED 6-0.

Council entered executive session at 9:17 pm.

Council recalled the Clerk to the meeting at 10:22 pm and recording resumed.

9. Council Action Item

9A. Consideration of direction to the Town Attorney and Special Counsel regarding the August 25, 2016, Open Records Act request.

Special Counsel Steve Dawes explained the item surrounding the open records act noting that a Friday, August 26, 2016, through law firm of Levine, Sullivan, Koch and Schulz, LLP in Denver. Among the items requested were items were audio recordings of Town Council executive

sessions of April 26, May 24, 2016 August 9, 2016 and August 11, 2016. Mr. Dawes noted that the matters included attorney client privilege subject to negotiations and confidential personnel matters.

M/S COUNCILORS GRAUER AND RIFFLE TO DIRECT THAT THE AUDIO RECORDINGS FROM APRIL 26, 2016, MAY 254, 2016, AUGUST 9, 2016 AND AUGUST 11, 2016 SHOULD NOT BE DISCLOSED BECAUSE THEY CONTAIN PRIVILEGED INFORMATION.

Council comments followed related to the preservation of attorney client privilege as it relates to executive sessions, as well as the preservation of individual rights related to personnel matters discussed in executive sessions.

THE MOTION CARRIED 6-0.

**10. INFORMATION AND CORRESPONDENCE:
NO ACTION REQUIRED BY THE TOWN COUNCIL**

A. Correspondence to the Town

11. ADJOURNMENT

M/S COUNCILORS TENNENBAUM AND GRAUER TO ADJOURN THE MEETING AT 10:28 PM. THE MOTION CARRIED 6-0.

The minutes of the September 6, 2016 meeting were read and approved this 27th day of September, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk

This meeting can be viewed at:

http://basalt.ompnetwork.org/shows/basalt-council-special-meeting-090616?iframe_mode=true



101 Midland Avenue, Basalt, CO 81621

Meeting Date: September 13, 2016

Location: Town Council Chambers

TOWN COUNCIL MEETING MINUTES

5:00 pm - Worksessions

- Stott's Mill Land Use Application – Introduction to Land Use application including Applicant presentation (James Lindt)
- Habitat for Humanity Proposal for Constructing Housing on the School District's Property south of High School (James Lindt)

5:45 pm - Break

1. Call to Order (Mayor Whitsitt)

The regular meeting of the Basalt Council was called to order at 6:10 pm by Mayor Jacque Whitsitt on Tuesday, September 13, 2016.

2. Roll Call (Pam Schilling)

Council members present were Jennifer Riffle, Mark Kittle, Bernie Grauer, and Gary Tennenbaum. Council members Auden Schendler and Katie Schowerer were absent.

3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: (i) August 9, 2016; (ii) August 11, 2016; (iii) August 23, 2016

M/S COUNCILORS GRAUER AND SCHENDLER THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 5-0.

Council Comments, Reports, Disclosures

4A. Council Comments

Bernie Grauer reported on the great meeting he had with the Board of TACAW, their general manager, Town staff and Mayor last week. They were all frustrated by the development agreement and all agreed to let it expire naturally on September 30. Ryan Honey, TACAW General Manager, agreed to supervise all financial requests and provide a complete accounting

from the beginning of TACAW's accounts. They all agreed to work together to move the process forward. Bernie said he felt comfortable with the new approach to their fiscal responsibility and that this was a worthwhile investment. The group agreed that Council would use the RETA funds from Willits to hire an Arts Feasibility Study in addition to releasing additional funds of \$11,000 once the CPA report was received, and releasing funds in monthly amounts up to \$100,000 overall, for the budget commitment Council had made to TACAW. Bernie said that he was comfortable with Ryan Honey taking TACAW forward, and he hoped by May, that they would be ready to sign a lease for the .7 acre lot at Willits. Mayor Whitsitt thanked the TACAW Board and Finance Committee for meeting to work things out. Bernie hoped this work would help to make a fiscally sound performing arts center a Willits a reality

Jennifer Riffle said she had met with Rob Holmes and Pete Tramm of Roots Rx.

Jennifer Riffle offered a short invitation to citizens, council and staff "...to focus on collaboration so we can be a town that is able to deal effectively and efficiently with routine business and most importantly community priorities. Basalt, let's keep our goals by keeping town culture and character intact, and recognize it's going to take us all to recognize our potential. With everything we say and do, we are influencing positively or negatively the community we care about. The ideal is to do this with consideration and intention."

4B. Kitchen Cabinet – Creating a Common Vision for the Town of Basalt (Jon Fox-Rubin and Julie Kolar)

Mayor Whitsitt introduced Julie Kolar and Jon Fox Rubin who described how, as part of a leadership class, started weaving project ideas together for a Vision of Basalt. They want to create a community vision statement, making it participatory and inclusionary that helps keep the community aligned.

This draft, working document is: "Basalt is an inclusive, sustainable mountain community that boasts historic charm and progressive vision. It is an engaging place to live, work and play while offering an abundance of creative professional, educational and recreational outlets." Council hopes to have some means for the community to comment, create and share their thoughts and words for the creation of a Basalt Community Vision Statement.

5. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

Steve Chase – invited the community to continue the discussion on the Pan and Fork property which he started last Thursday at the Basalt Library, and offered a the schedule for upcoming discussions.

Susan Philp summarized Bennett Bramson's email to the Council related to the installation of benches/chairs and picnic tables in the new park adjacent to the library.

6. FIRST READINGS OF ORDINANCES:

6A. Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and

Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment

Planning Director Susan Philp outlined the history, the initial goals and guiding principles of the CSC Zone District.

Mayor Whitsitt opened the public hearing at 6:45. Doug MacDonald and Tim Belinski spoke. The public hearing was closed at 6:50 pm. Council discussion followed.

M/S COUNCILORS KITTLE AND GRAUER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 21, SERIES OF 2016, ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR SEPTEMBER 27, 2106. THE MOTION CARRIED 5-0.

6B. Public Hearing and First Reading of Ordinance No. 24, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Portions of Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Primarily Concerning Marijuana Stores

Assistant Planning Director James Lindt led the discussion.

Mayor Whitsitt opened the public hearing at 7:40 pm.

Stephanie Scavullo, Rob Holmes, Marge MacDonald and Norm Classen spoke.

Bernie Grauer excused himself from the meeting at this time.

The public hearing was closed at 7:52 pm. Council discussion followed.

Motion on item 6B related to the zoning of marijuana stores:

M/S COUNCILORS RIFFLE AND KITTLE TO APPROVE ORDINANCE NO. 24, SERIES OF 2016, AND SET THE PUBLIC HEARING AND SECOND READING FOR ORCTOBER 11,2016. THE MOTION CARRIED 4-0.

6C. Public Hearing and First Reading of Ordinance No. 25, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Amending Article V of Chapter 6, Business Licenses and Regulations, of the Municipal Code of the Town of Basalt, Colorado, Amending License Requirements for Retail Marijuana Stores and Amending the License Requirements for Medical Marijuana Centers and Facilities.

M/S COUNCILORS TENNENBAUM AND KITTLE TO CONTINUE ORDINANCE NO. 25, TO OCTOBER 11, 2016. THE MOTION CARRIED 3-1 WITH COUNCILOR RIFFLE OPPOSED.

INFORMATION AND CORRESPONDENCE:

NO ACTION REQUIRED BY THE TOWN COUNCIL

- a. Accounts Payable
- b. Whitewater Park Update
- c. Advanced Agendas
- d. Correspondence to the Town

M/S COUNCILORS TENNENBAUM AND RIFFLE TO ADJOURN THE COUNCIL MEETING.

The quorum was lost and the meeting adjourned at 8:04 p.m.

The minutes of the September 13, 2016 meeting were read and approved this 27th day of September, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk

This meeting can be viewed at:
http://basalt.ompnetwork.org/shows/basalt-council-meeting-091316?iframe_mode=true

This resolution supports the Basalt Regional Library Ballot Question

A RESOLUTION OF THE TOWN OF BASALT, COLORADO, TAKING A POSITION OF ADVOCACY REGARDING BALLOT ISSUE 4A OF THE BASALT REGIONAL LIBRARY DISTRICT

**Town of Basalt, Colorado
Resolution No. 38
Series of 2016**

RECITALS

WHEREAS, the boundaries of the Town of Basalt, Colorado (the "Town") overlap with the Basalt Regional Library District (the "District") and residents of the Town receive library services from the District; and

WHEREAS, the District has certified a ballot issue for consideration at the general election held on November 8, 2016, which ballot number 4A reads as follows:

SHALL BASALT REGIONAL LIBRARY DISTRICT TAXES BE INCREASED \$350,000 ANNUALLY FOR A LIMITED SEVEN-YEAR PERIOD (WITH SUCH VOTER AUTHORIZATION TO EXPIRE AFTER TAX COLLECTION YEAR 2023), THROUGH A TAX LEVY IMPOSED AT A RATE SUFFICIENT TO PRODUCE THE AMOUNT STATED ABOVE, WHICH TAXES SHALL BE USED FOR THE PURPOSE OF SUSTAINING AND MAINTAINING DISTRICT OPERATIONS AND SERVICES, AND BUILDING RESERVES FOR SCHEDULED CAPITAL MAINTENANCE?

WHEREAS, the Town Council of the Town of Basalt, Colorado, supports the Basalt Regional Library District's ballot issue to increase taxes for the purpose of maintaining District operations, services and capital reserves.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO:

- 1. The Basalt Town Council supports Ballot Issue 4A of the Basalt Regional Library District and hereby encourages all qualified persons to vote in favor of the ballot issue.

ADOPTED AND APPROVED this ___ day of _____, 2016.

TOWN OF BASALT

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pamela K. Schilling, Town Clerk

This resolution supports the Pitkin County's Open Space and Trails Ballot Questions

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, EXPRESSING
SUPPORT FOR THE PITKIN COUNTY'S OPEN SPACE AND TRAILS BALLOT
QUESTIONS**

**Town of Basalt, Colorado
Resolution No. 39
Series of 2016**

RECITALS

WHEREAS, the Town Council of Basalt finds that the Pitkin County Open Space/Trails Program, approved by the electorate and established in 1990, has successfully acquired, protected, improved and maintained critical open space and trails properties of immeasurable and lasting value to the citizens of Pitkin County and the Town of Basalt; and

WHEREAS, pursuant to Section 7 of Resolution No. 098-2006, the property tax levy of up to 3.75 mills imposed to fund the Pitkin County Open Space/Trails Program terminates in 2019 (for collection in 2020); and

WHEREAS, the Pitkin County Open Space Trails Program has enabled partnerships between the Town of Basalt and Pitkin County and among many other partners including Eagle County, GOCO and the Mid Valley Trails Committee which have preserved hundreds of acres of agricultural land and important riparian areas and allowed family ranch operations to continue, and small scale agricultural farming operations to start up. These partnerships have also allowed for access to the public lands near the Town of Basalt and contributions to the Town's efforts for safe routes to our other pedestrian and bicycle trails and schools such as the Pitkin County commitment to the Basalt Underpass; and

WHEREAS, The Town Council of Basalt finds that the continued acquisition and preservation of open space and trails pursuant to that Program in and around Basalt will continue to have a significant beneficial impact on the future of the Town of Basalt; and

WHEREAS, the Town wishes these programs to continue and acknowledges that additional public funds must therefore be secured which are earmarked for open space and trail acquisition, improvement, management and preservations; and

WHEREAS, the Town Council of Basalt finds that, in light of the overwhelming public interest in the mission of the Pitkin County Open Space/Trails Program, a property tax should continue to be levied for this purpose; and

WHEREAS, the Town Council of Basalt also supports the amendment to the Pitkin County home rule charter.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

That the Town Council does support the Pitkin County Ballot Question and encourages our residents in Pitkin County to vote "YES" on November 8, 2016, in favor of passing the ballot questions.

READ AND ADOPTED by a vote of __ to __ on the 27 day of September, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pamela K. Schilling, Clerk

SUBJECT: Public Hearing and 2nd Reading on Ordinance No. 21 Series of 2016, Amending the CSC Zone District and other Changes to the Zoning Code to Implement the Our Town Planning Master Plan Amendment

RECOMMENDATION: Approve Ordinance No. 21, Series of 2016 at 2nd Reading

DETAIL:

The purpose of this agenda item is for the Council to adopt an ordinance amending the Zoning Code by revising the Community Serving Commercial Zone District (CSC) Zone District, adding and revising definitions used in the Amended CSC Zone District, and changing the language which outlines the intent of the CSC Zone District.

This is an important step in implementing the Town's goals for the 4 Our Town Planning Area Parcels. The principles for the four Our Town Planning Area parcels are incorporated in the Our Town Subarea Plan: An Amendment to the 2007 Town of Basalt Master Plan ("Our Town Planning Area Master Plan Amendment").

The P&Z has developed an amended CSC Zone District as directed by the Town Council. On June 14th the Council gave the P&Z additional direction regarding the zoning code amendments. See Staff's take aways from the Council's input at that meeting summarized on in the attachment entitled "Staff's Take Aways from the Council's Input to P&Z on June 14th" (and also appear starting on page 3 of the July 5th Memorandum from Staff to the P&Z).

Questions for Council Consideration for September 13th meeting:

1. Is the Council comfortable with the anchor uses and thresholds as recommended by the P&Z?
2. Does the amended definition for "condominium hotel" provide sufficient assurances that the condominium hotel would be providing "hot beds" as compared to free-market condominium units?
3. Dimensional requirements – Does the Council agree with the P&Z's recommended standards?
4. The current regulations encourage combining and re-organizing property lines on the BCC parcel rather than significantly more intense development on current building footprints (i.e. lot ownership). Is the Council ok with this strategy?
5. *New question re CDC parcel* - The CSC Zone District as recommended by P&Z included affordable housing units as a permitted secondary use for the CDC parcel while the language in the ballot question includes public purpose buildings but not residential uses. What is the Council's intent?

Nothing restricts an owner from applying for a different zone district, a PUD, an amendment to this District or proposing a new District to be created as the CDC did earlier.

September 27th meeting

Following the discussion and public input session of the September 13th meeting the Council approved the ordinance on 1st reading and set the 2nd Reading for September 27th meeting. Attached are Staff's conclusions from that meeting.

Staff Take Aways from the Council's September 13th meeting are provided below.

Anchor Uses

A. Individual Councilors had concerns with anchor uses for the CDC parcel but ultimately the Council accepted the anchor use concept for the CDC parcel after condominium hotel uses were removed as an anchor use for that parcel.

B. Town Hall was added as an allowable anchor use for the BCC property.

Dimensional Requirements

A. The overall consensus was to amend the requirements for the BCC property to remove some of the barriers to redevelopment. The requirement of constructing buildings up to Two River's Road or have a commitment to do so before building four-story buildings in the center was seen as an obstacle. Staff was asked to bring back some language for the Council's review.

Residential uses

A. Although some affordable housing seemed acceptable on the CDC property, Councilors did not want to permit affordable housing on the CDC property which was not related to the affordable housing mitigation requirements for the CDC parcel such as free-standing affordable housing. Whether all of the mitigation AH could be located on the parcel would be determined during the development review process for a specific application.

The attached ordinance includes edits as developed by Don Elliott, Clarion, and Staff to address the Council's discussion at the September 13th meeting. Staff also made a minor change to the definition of eligible applicants for a rezoning application to CSC to cover the situation when the entire Our Town Parcel does not come in initially for rezoning (which seems likely on the BCC property). Another change was made to require a model to be submitted by the Applicant as part of a development review application in the CSC District which was a request made by Councilor Grauer.

Board Recommendations: The P&Z recommended approval of the Zone District changes on July 5th. The draft zoning code amendments as presented and included for the September 13th meeting reflected the P&Z's recommendations. The P&Z minutes of the meeting are attached. The P&Z had several Worksessions on the Code Amendments leading up to its public hearing. The P&Z also provided updates and checked in with the Town Council. The amended CSC Zone District now allows the POST committee to review a specific development plan at sketch plan level and final plan to minimize conflicts and encourage vitality consistent with adjacent parks where appropriate.

Related Town Statute and or Town Actions: DAAC Report, 2014 Town of Basalt "Our Town" Planning Survey; See list of OTP Resolutions included on page 8 of the document Entitled "Our Town Planning – this is where we are: Prior Direction from Town Council; *Our Town Subarea Plan: An Amendment to the 2007 Town of Basalt Master Plan* ("Our Town Planning Master Plan Amendment)

Attachments:

Attachments for September 27th meeting

1. Proposed Ordinance as amended to address Council comments from its September 13th meeting.
2. Excerpts from Compare document showing changes

The Following documents were attached to the Council's packet for September 13th

Staff's Takeaways from the Council's Input to P&Z on June 14th

Draft Ordinance No. 21, Series of 2016

July 5 Staff Memorandum to P&Z on the Amended CSC Zone District

P&Z July 5th Minutes

Excerpts from document entitled "Our Town Planning – This is where we are: Prior Direction from Town Council"

OTP Master Plan Map

Excerpts from Our Town Planning Survey

Correspondence received by the P&Z;

Current definition for condominium hotel;

Current CSC Zone District;
Correspondence received by the Council

Other information: Additional information can be obtained by reviewing the P&Z packet materials for its January 19, February 2, February 23 and May 3rd, June 21st and July 5th meetings found on the Basalt website <http://www.basalt.net/AgendaCenter> and on the OTP project website www.ourtownplanning.org.

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, APPROVING AMENDMENTS TO CHAPTER 16, ZONING, OF THE
MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO, AMENDING THE
COMMUNITY SERVING COMMERCIAL (CSC) ZONE DISTRICT, ADDING AND
REVISING DEFINITIONS AND OTHER CHANGES TO CHAPTER 16, ZONING, IN
ORDER TO IMPLEMENT THE OUR TOWN PLANNING MASTER PLAN
AMENDMENT**

Ordinance No. 21, Series of 2016

RECITALS

1. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

2. The Planning and Zoning Commission (Commission) adopted the Our Town Subarea Plan: an amendment to the 2007 Town of Basalt Master Plan ("Our Town Planning Master Plan Amendment") on October 20, 2015 and the Town Council adopted the Our Town Planning Master Plan Amendment on November 24, 2016.

3. The Basalt Town Council has directed the Commission to prepare zoning for the Our Town Planning Properties.

4. The Commission recommended using the Community Serving Commercial (CSC) Zone District as the best tool for achieving the desired goals of the Our Town Planning Master Plan Amendment. The Commission then had several Worksessions where it refined the amendments to the CSC Zone District and other supporting revisions to Chapter 16, Zoning.

5. At a public hearing on July 5, 2016, the Planning and Zoning Commission heard evidence and testimony from the Town Staff, and members of the public. The Commission recommended approval of the code amendments on July 5, 2016.

6. The Council continued the public hearing on the ordinance at its meetings on August 9, August 23 and September 6, 2016 without discussion. At a public hearing on September 13, 2016, the Town Council considered this ordinance for first reading. The Council approved the ordinance on first reading and continued and scheduled a public hearing and second reading of this Ordinance for September 27, 2016, at a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

7. At a public hearing and second reading on September 6, 2016, the Town Council heard evidence and testimony from the Town Staff, and members of the public.

8. The Town Council finds and determines that it is in the best interests of the Town to amend the Town Code as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Basalt, Colorado, as follows:

A. Findings. The Town hereby conclusively finds and concludes as follows:

1. The Town has adopted the following core values from the Our Town Planning Master Plan Amendment as included in the Downtown Area Advisory Committee Report:

- a) Don't lose our Small Town charm
- b) Bring the Rivers to the forefront of the Town's identity
- c) Promote Vitality and Sustainability (Physical & Economic)

2. The Our Town Master Plan amendment concentrates around a set of five guiding principles:

- a) Connect the Town to the Rivers
- b) Preserve significant physical and visual access to the Rivers
- c) Improve Lions Park
- d) Allow density to drive revitalization
- e) Provide a "There-There" destination for residents and guests alike

3. The Our Town Planning Master Plan Amendment included a revised Future Land Use Map and revised Typology Map and Typology Descriptions to apply to the four Our Town Planning Area Parcels.

4. The Town Council wishes to adopt a zone district which property owners can request to apply to the four Our Town Planning Area parcels in order to further implement the Our Town Planning Master Plan Amendment.

B. **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Basalt Colorado that the following amendments are adopted to the Town Code of the Town of Basalt.

1. Section 16-30, in Article II, of Chapter 16 of the Town Code entitled CSC Zone District is hereby deleted and is replaced with the language shown in **Exhibit "A"**.

2. Section 16-4, Definitions in Article I, Chapter 16 of the Town Code is amended as shown in **Exhibit "B"** to add definitions to the Zoning Code, and to delete the current definition for a condominium hotel and to replace it with the language included in **Exhibit "B"**.

3. Section, 16-21. The language in the section entitled, Intent of individual districts, Article II, Chapter 16, of the Town Code is amended to read as follows (language underlined is added and language ~~struck through~~ is deleted).

(10) Community Serving Commercial Zone District. The intent of the CSC zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 zone district 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). ~~The zone district offers certain incentives to encourage qualifying non-profit organizations to create projects that might not occur through pure free market development. These incentives include reductions in certain mitigation standards and a review process that is better tailored to non-profit applicants. The goal is to foster partnerships between non-profit organizations and private entities to address important community goals.~~

C. Applicability. The regulations shall take affect according to law.

D. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

E. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON September 27, 2016 by a vote of 5 to 0 on September 13, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of ___ to ___ on September 27, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

Pamela K. Schilling, Town Clerk

Ord21- Amended CSC Zone District and other changes

First Publication: Thursday, _____, _____
Final Publication: Thursday, _____, _____
Effective Date: Thursday, _____, _____

EXHIBIT A
PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

Sec. 16-30. CSC Zone District

(a) Intent and applicability.

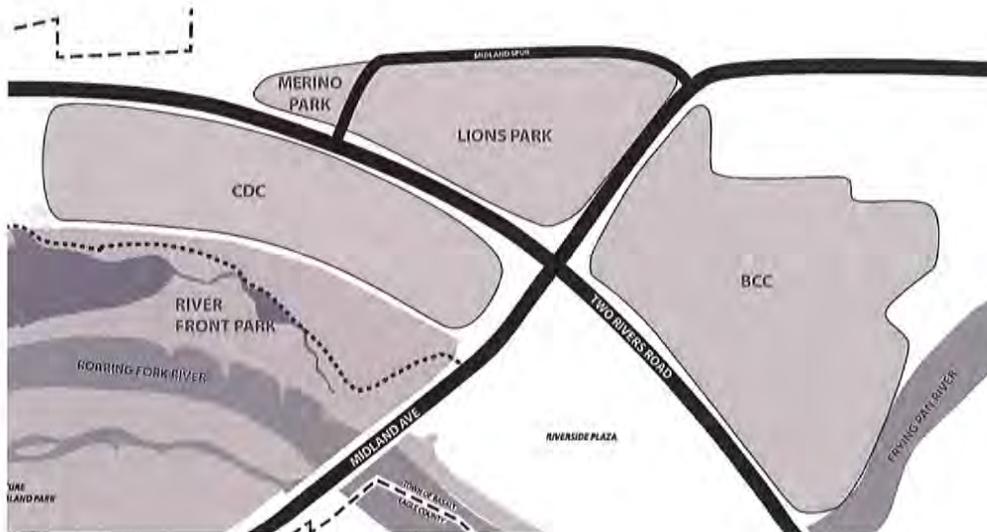
(1) Statement of intent. The intent of the CSC Zone District is to combine the social capital objectives of the Town's Master Plan with the vitality objectives of the C-2 Zone District to produce tailored zoning controls for four key redevelopment parcels in downtown Basalt in order to implement the 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 general boundaries of these 4 parcels are shown on the following map. The exact boundaries of each parcel shall be established at the time the CSC Zone District is applied to that parcel.



(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.

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

- (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, 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. Notwithstanding the requirements above, after an anchor use has been established on a parcel listed in section 16-30(a)(2) above, later applications for rezoning a different portion of the same parcel to the CSC Zone District may be filed with any person or entity authorized to file a rezoning application under Chapter 16 of the Basalt Municipal Code.
- (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.

	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]	●		●		
Condominium 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 least 30 guest rooms. Guest rooms may include small kitchens.					

- 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 exceptions 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 and a condominium hotel shall not be designated for the CDC parcel.

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

- c. If an approved anchor use begins operation but later discontinues operation for a period of 3 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 that meets the minimum size requirements listed in the table above. 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.

(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) or by section (C)(1)(b) above.
- 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. A local business chamber.
- d. 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).
- e. Other commercial, office and retail uses allowed in the C-2 Zone District (but not including a condominium hotel on CDC parcel).
- f. Fully-deed restricted community housing units meeting the requirements of this Chapter. On the CDC parcel, only fully-deed restricted community housing required to satisfy the commercial mitigation requirements of the CDC parcel is permitted.
- g. Free-market multifamily residential uses (only on BCC and Lions Park parcels) where no unit exceeds 1,400 total square feet.
- h. Makerspace/Craft Industry.
- i. Public parking garage (on the BCC parcel only).
- j. Public or private open space and park uses.
- k. Day care that complies with state requirements regulating day care.
- l. Accessory uses approved pursuant to CSC Development Plan Review Process
- m. 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

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

the Town Planner or Technical Review Committee to avoid unnecessary additional meetings before the Planning and Zoning Commission and Town Council.

(d) Dimensional requirements.

- (1) 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						
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. [1]	4 stories; 45 ft. [2] [3] [4]	2 stories; 25 ft.	4 stories; 45 ft.	2.5 stories means a third story is allowed if it is set back as required in applicable table notes.	
Front Yard Setback (along Two Rivers)	Min.	0 ft.	0 ft.	0 ft.	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	
	Max.	10 ft.[6]	10 ft. [5] [6]	10 ft.[6]		N/A
Front Yard Setback (along Midland Avenue and Midland Spur)	Min.	N/A	0 ft.	0 ft.		0 ft.
	Max.	N/A	N/A	10 ft.[6]		
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] A 2.5 story building is allowed if the third story is set back at least 10 ft. from the lower						

Table 16-30-2: Dimensional Requirements					
Dimension	Standard				Comments
	CDC Parcel	BCC Parcel	Lions Park Parcel	Merino Park Parcel	
<p>façade facing Two Rivers Road street frontage, from Riverfront Park, and from the park on the east portion of the CDC parcel.</p> <p>[2] Any portion of the building containing a grocery store may have a maximum height of 49 ft.</p> <p>[3] Each building shall not exceed 2.5 stories or 38 ft. in height within 50 ft. of Two Rivers Road or Midland Avenue, or within 100 ft. of the Frying Pan River.</p> <p>[4] No new building shall exceed 2.5 stories or 38 feet in height until (a) at least 150 linear feet of the Two Rivers Road frontage is occupied by buildings meeting the minimum and maximum setbacks, or (b) the Town Council has approved a development plan showing that at least 150 linear feet of the Two Rivers Road frontage will be occupied by buildings meeting the minimum and maximum setbacks, or (c) the building is set back at least 50 feet from Two Rivers Road and Midland Avenue and at least 100 feet from the Frying Pan River, and at least 60 percent of the ground floor of the building or combination of buildings is occupied by a full service grocery store or hotel (including condominium hotel)¹</p> <p>[5] Maximum building setback shall not apply to the 150 ft. of the BCC parcel along the Two Rivers Road frontage closest to Midland Avenue, measured from the light pole existing on March 31, 2016, at the intersection of the Two Rivers Road and Midland Avenue.</p> <p>[6]. At least 80% of any street facing building must be built between the minimum and maximum front setbacks except for building located behind another street facing building or as provided in Notes [4] and [5] above.</p>					

- (2) Town Council can reduce or waive in its entirety the requirement for a full 10 foot third floor setback on the park sides of the CDC parcel after a recommendation of the Planning and Zoning confirming that at least one of the following findings has been made.
 - a. An equivalent setback is provided on the first floor to provide a porch or deck that lessens the visual massing of the building by park users;
 - b. Requiring the setback would require the first floor of the building to be so large that it would negatively impact views required by Section 16-30(e)(1)
 - c. There is sufficient fenestration in the building to reduce the visual mass of the building so that the full top floor setback is not necessary
 - d. The third floor setback is in an area not seen by park users because of vegetation, terrain change, intervening structures, or other factors
 - e. The second floor of the building is set back from the first floor façade at least 10 feet or more on those frontages where a third floor setback is required in the table above.

- (3) A land use application must demonstrate to the satisfaction of the Town Council that the height requested is compatible with or complements the adjacent uses and heights of adjacent structures. The Town Council can allow a building height to exceed the maximum height requirements by no more than 8 feet after a recommendation of the Planning and Zoning confirming that at least one of the following additional findings has been made.

¹ Staff and Clarion prefer this option, but as an alternative the clause could be revised to read “occupied by one or more anchor uses.”

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

- a. Permitting the additional height allows for greater views or wider pedestrian-through connections to the river than otherwise would be achieved or the Applicant is willing to grant wider views to the river in exchange for the additional height;
 - b. The height is the minimum necessary to hide mechanical equipment that must be on the roof;
 - c. The additional height is necessary to allow underground parking. However no more than 4 feet of underground parking structure height above approved grade may be exempted from the maximum height limitations.
 - d. The additional height will permit the addition of a feature improving the architectural interest of the building. However, no more than 6 feet of additional height to accommodate the feature may be approved.
- (4) The approved grade from which maximum height will be measured and first floor elevation(s) for the buildings within any CSC parcel will be proposed in the sketch plan application and established at Final Plan review based on each building's relationship to any adjacent street, sidewalk, public area or buildings, while factoring in other environmental considerations such as the water table.
- (e) Other Site Development Standards.²
- (1) Openings to the river.

The following openings shall be preserved for views to Roaring Fork River and for pedestrian passage by employees, occupants, or patrons of adjacent properties, and no new building shall be constructed in the areas designed as a view protection/pedestrian access zone.

- a. Required View/Pedestrian Opening 1: On the Lions Park parcel and CDC parcel, buildings shall be sited so as to preserve views and pedestrian access 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 and pedestrian access 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. This view opening shall be located so that building frontages along Two Rivers Road comply with the building façade articulation standard in Section 16-30(f)(4) below.

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



- (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 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.

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

- 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 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.
 - 6. Locating all required parking on the BCC parcel at least 50 feet from the Two Rivers Road frontage, to the extent feasible, to allow for future buildings along that frontage.
 - 7. Providing pathways, and requiring compliance with the landscaping standards of section 16-95 and the streetscape standards in section 16-30(e)(15) below, in any parking area on the BCC parcel.
 - 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.
 - d. Building design and landscape features for the CSC development must take into consideration adjacent public park uses. CSC development shall complement but not detract from public park activities. Development outside of any designated vitality zone adjacent to a public park shall be designed to minimize the intrusion of the CSC development activities or impacts from private lands onto public parks and trails. Development within any designated vitality zone should be designed to optimize integrated public and private uses and activities.
- (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 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 (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.
 - (12) Development in the CSC Zone District shall meet or exceed the accessibility requirements of the Americans with Disabilities Act.

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

- (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.
 - (16) Community Housing. Development within the CSC Zone District shall comply with Article XIX (Housing Mitigation)
- (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 shall be designed to reflect the general 20-30 ft. width of street facing building facades in older areas of downtown Basalt. Building facades wider than 30 ft. shall include vertical projections or insets from grade level to the eave of a pitched roof or the top of a flat roof or parapet at a linear spacing of no less than 20 feet and no greater than 30 ft. unless waived or modified by the Town Council after recommendation by the Planning and Zoning Commission. This standard shall not prohibit the extension of an awning across the vertical projection or inset.
 - (5) Building facades 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 30 feet is of uniform materials, color, and appearance unless waived or modified by the Town Council after recommendation by the Planning and Zoning Commission.
 - (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 may occur at a jointly held public hearing. 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.
 2. With the exception of proposals for the Merino Park parcel, Sketch Plan review shall require a review by the Town's Parks, Open Space and Trails Committee. The Committee shall make recommendations on how the project satisfies Section 16-30 (e)(1)(2) and (5) along with the Committee's findings of the project's consistency with the parks, open space and trails sections of the Town's master plan and the project's impact on any other adopted park plans.
 - a. Sketch plan review will then require 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. With the exception of proposals for the Merino Park Parcel, the initial step in the Final Plan review will be a review by the Parks, Open Space and Trails Committee. The Committee shall make recommendations on how the project satisfies Section 16-30 (e)(1)(2) and (5) along with the Committee's findings of the project's consistency with the parks, open space and trails sections of the Town's master plan and the project's impact on any other adopted park plans. Final Plan review shall require a review by the Planning Commission. The Commission is authorized to recommend approval, approval with conditions, or denial of the Final 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. The Town Planner may schedule a joint meeting of the Planning Commission and Town Council prior to the initial Final Plan review by the Commission.
 - c. Community Serving Subdivision. A property which is zoned CSC is eligible to be subdivided as a Community Serving Subdivision pursuant to the provisions of Section 17-84.5 of this Code provided no more than four initial lots are created by the Owner. The Community Serving Subdivision shall be processed concurrently with the CSC Development Plan. However, nothing herein requires the qualifying non-profit organization to use the Community Serving Subdivision process if the owner would rather utilize another eligible subdivision process in the Code at the time of the subdivision.

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

- (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 and physical model (at a scale identified by Town Planner) 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 in context with adjacent development. The Town Planner may allow an applicant to submit a computer model in lieu of the physical model.
 - h. Narrative addressing relationship of the project to neighboring properties and consistency with the Town's Master Plan, the River Master Plan; Streetscape Plan and any other long range planning documents as deemed appropriate by the Town.
 - i. Narrative description of how utilities are to be provided to and through the site by a licensed professional engineer along with an assessment as to the feasibility of the applicant's proposal. Describe whether any existing utilities or easements will need to be relocated or vacated, and generally the plan for accomplishing this. The engineer's assessment at a minimum must address potable water, sanitary sewer, drainage and storm sewer, electrical power, natural gas power, and flood protection where applicable. Describe whether the power lines will be below ground or overhead. The applicant may include maps depicting the alignment of utilities but it is not required at Sketch Plan. The engineer's assessment shall outline any known engineering and utility issues and generally describe how they will be addressed in the final site plan review.
 - j. Proof of ability to apply the CSC Zone District.
 - k. General statements describing how the elements of the development will satisfy the criteria required for the CSC Zone and explanation for any reductions in requirements allowed through the site plan process.
 - l. Statements addressing how the development intends to satisfy requirements that apply to the development found in other sections of the Code applicable to the type of development being proposed, including but not limited to: any annexation requirements; school and parkland dedication; floodplain development permit and regulations, and community housing, including any need for relocation housing.
 - m. Description of how the development addresses the Town's goals toward sustainable building, energy efficiency and waste reduction.
 - n. A study of the shading or shadow impacts that the proposed buildings may cause on public or private rights-of-way or other public spaces within or surrounding the project.

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

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

PROPOSED AMENDED CSC ZONE DISTRICT – 7th Draft

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 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 take into consideration the project's compliance with the approval documents applicable to the development, relevant standards applicable to buildings, final subdivision plats and other Town code requirements for approval before building permit. The TRC may refer any portion of its review to the Planning Commission or Town Council for final action. In addition, in its final approval the Town Council may require that the Planning Commission or Council review specific items of the approval.
- (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.

EXHIBIT B

PROPOSED AMENDED CSC ZONE DISTRICT

Sec 16-4 Definitions – *the following definitions are added to the Town Code except for the definition of condominium hotel, which is revised by deleting the current definition and replacing it with the definition for condominium hotel as shown below.*

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.

Condominium Hotel (or condotel or condo-hotel) -- A hotel or motel operated under a condominium form of ownership. A condominium hotel must satisfy the following requirements:

- a. Be advertised and marked with signage as a hotel or motel and be subject to the complete control and management of a single hotel or motel operator for operation as a hotel or motel.
- b. Be created, sold and maintained under documentation, including condominium declaration, bylaws, sales brochures and pre-construction agreements, in form and content approved by the Town Attorney that adequately discloses and ensures that the facility will in all respects be permanently and exclusively operated as a hotel or motel and will not be occupied as a dwelling.
- c. Except for dwelling units to be used by a manager or employees or any deed-restricted affordable housing, condominium hotels shall contain only individual sleeping units that are sold as a condominium hotel unit and are permanently dedicated to rental to the public for transient occupancy. Individual sleeping units may contain small kitchen facilities.
- d. Be managed to ensure that:
 - (i) At least fifty (50) percent of the units are available for rental to the general public at all times; and
 - (ii) That no unit owner may occupy their unit for more than sixty (60) days out of a calendar year; and
 - (iii) That no owner may occupy their unit more than twenty-nine (29) consecutive days; and
 - (iv) That no owner may store an automobile on site when they are not occupying a unit.
- e. Contain and maintain standardized furniture, furnishings and decor in all individual sleeping units.

If a proposed development does not meet requirements a through e above, the Town Council may determine that a proposed development nevertheless qualifies as a Condominium Hotel if it finds that the proposed development, together with any related covenants, conditions, restrictions, or agreements between the developer and the Town, will ensure that at least the same number or a greater number of the condominium hotel units will be occupied for the same or a greater number of days each year as a Condominium Hotel that meets all of the requirements in subsections a through e above.

PROPOSED AMENDED CSC ZONE DISTRICT – 6th Draft

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, food, beverages, and culinary products. Products 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.

COMPARE DOCUMENT SHOWING CHANGES TO SEPT 13 CSC ORDINANCE

- (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, 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. Notwithstanding the requirements above, after an anchor use has been established on a parcel listed in section 16-30(a)(2) above, later applications for rezoning a different portion of the same parcel to the CSC Zone District may be filed with any person or entity authorized to file a rezoning application under Chapter 16 of the Basalt Municipal Code.
- (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.

Staff change

(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]	●		●		
Hotel or Condominium 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 least 30 guest rooms. ~~includes condominium-hotel~~ Guest rooms may include small kitchens.

Changes to Eliminate Condominium hotel from CDC property

STAFF ADDED

- 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

designated for the eastern portions of the CDC and Lions Park parcels and a condominium hotel shall not be designated for the CDC parcel.

- c. If an approved anchor use begins operation but later discontinues operation for a period of 3 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 that meets the minimum size requirements listed in the table above. 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.

(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-) or by section (C)(1)(b) above.
- 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. A local business chamber.
- d. 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).
- e. Other commercial, office and retail uses allowed in the C-2 Zone District: (but not including a condominium hotel on CDC parcel).
- f. Fully-deed restricted community housing units meeting the requirements of this Chapter. On the CDC parcel, only fully-deed restricted community housing required to satisfy the commercial mitigation requirements of the CDC parcel is permitted.
- g. Free-market multifamily residential uses (only on BCC and Lions Park parcels) where no unit exceeds 1,400 total square feet.
- h. Makerspace/Craft Industry.
- i. Public parking garage (on the BCC parcel only).
- j. Public or private open space and park uses.
- k. Day care that complies with state requirements regulating day care.
- l. Accessory uses approved pursuant to CSC Development Plan Review Process
- m. 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

Other changes to clarify condo hotel is not permitted on CDC property

add limitations on AH on CDC parcel

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.

- (1) 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					
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. [1]	4 stories; 45 ft. [2] [3] [4]	2 stories; 25 ft.	4 stories; 45 ft.	2.5 stories means a third story is allowed if it is set back as required in applicable table notes.
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.	10 ft.[6]	10 ft. [5] [6]	10 ft.[6]	N/A	
Front Yard Setback (along Midland Avenue and Midland Spur)					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.	N/A	0 ft.	0 ft.	0 ft.	
Max.	N/A	N/A	10 ft.[6]	10 ft.[6]	
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

Table 16-30-2: Dimensional Requirements					
Dimension	Standard				Comments
	CDC Parcel	BCC Parcel	Lions Park Parcel	Merino Park Parcel	
					Section 16-30(e)(5)(b)
	<p>[1] A 2.5 story building is allowed if the third story is set back at least 10 ft. from the lower façade facing Two Rivers Road street frontage, from Riverfront Park, and from the park on the east portion of the CDC parcel.</p> <p>[2] Any portion of the building containing a grocery store may have a maximum height of 49 ft.</p> <p>[3] Each building shall not exceed 2.5 stories or 38 ft. in height within 50 ft. of Two Rivers Road or Midland Avenue, or within 100 ft. of the Frying Pan River.</p> <p>[4] No new building shall exceed 2.5 stories or 38 feet in height until (a) at least 150 linear feet of the Two Rivers Road frontage is occupied by buildings meeting the minimum and maximum setbacks, or (b) the Town Council has approved a development plan showing that at least 150 linear feet of the Two Rivers Road frontage will be occupied by buildings meeting the minimum and maximum setbacks, <u>or (c) the building is set back at least 50 feet from Two Rivers Road and Midland Avenue and at least 100 feet from the Frying Pan River, and at least 60 percent of the ground floor of the building or combination of buildings is occupied by a full service grocery store or hotel (including condominium hotel)</u>¹</p> <p>[5] Maximum building setback shall not apply to the 150 ft. of the BCC parcel along the Two Rivers Road frontage closest to Midland Avenue, measured from the light pole existing on March 31, 2016, at the intersection of the Two Rivers Road and Midland Avenue.</p> <p>[6]. At least 80% of any street facing building must be built between the minimum and maximum front setbacks except for building located behind another street facing building or as provided in NoteNotes [4] and [5] above.</p>				

Changes to allow some 4-story buildings adjacent to Two Rivers Road on BCC Property - see note below

- (2) Town Council can reduce or waive in its entirety the requirement for a full 10 foot third floor setback on the park sides of the CDC parcel after a recommendation of the Planning and Zoning confirming that at least one of the following findings has been made.
 - a. An equivalent setback is provided on the first floor to provide a porch or deck that lessens the visual massing of the building by park users;
 - b. Requiring the setback would require the first floor of the building to be so large that it would negatively impact views required by Section 16-30(e)(1)
 - c. There is sufficient fenestration in the building to reduce the visual mass of the building so that the full top floor setback is not necessary
 - d. The third floor setback is in an area not seen by park users because of vegetation, terrain change, intervening structures, or other factors
 - e. The second floor of the building is set back from the first floor façade at least 10 feet or more on those frontages where a third floor setback is required in the table above.

- (3) A land use application must demonstrate to the satisfaction of the Town Council that the height requested is compatible with or complements the adjacent uses and heights of adjacent

¹ Staff and Clarion prefer this option, but as an alternative the clause could be revised to read "occupied by one or more anchor uses."



- 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 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.
 - 6. Locating all required parking on the BCC parcel at least 50 feet from the Two Rivers Road frontage, to the extent feasible, to allow for future buildings along that frontage.
 - 7. Providing pathways, and requiring compliance with the landscaping standards of section 16-95 and the streetscape standards in section 16-30(e)(15) below, in any parking area on the BCC parcel.

added additional language regarding parking lot on BCC property

- 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

Complete document

- (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 and physical model (at a scale identified by Town Planner) 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 in context with adjacent development. The Town Planner may allow an applicant to submit a computer model in lieu of the physical model.
 - h. Narrative addressing relationship of the project to neighboring properties and consistency with the Town's Master Plan, the River Master Plan; Streetscape Plan and any other long range planning documents as deemed appropriate by the Town.
 - i. Narrative description of how utilities are to be provided to and through the site by a licensed professional engineer along with an assessment as to the feasibility of the applicant's proposal. Describe whether any existing utilities or easements will need to be relocated or vacated, and generally the plan for accomplishing this. The engineer's assessment at a minimum must address potable water, sanitary sewer, drainage and storm sewer, electrical power, natural gas power, and flood protection where applicable. Describe whether the power lines will be below ground or overhead. The applicant may include maps depicting the alignment of utilities but it is not required at Sketch Plan. The engineer's assessment shall outline any known engineering and utility issues and generally describe how they will be addressed in the final site plan review.
 - j. Proof of ability to apply the CSC Zone District.
 - k. General statements describing how the elements of the development will satisfy the criteria required for the CSC Zone and explanation for any reductions in requirements allowed through the site plan process.
 - l. Statements addressing how the development intends to satisfy requirements that apply to the development found in other sections of the Code applicable to the type of development being proposed, including but not limited to: any annexation requirements; school and parkland dedication; floodplain development permit and regulations, and community housing, including any need for relocation housing.
 - m. Description of how the development addresses the Town's goals toward sustainable building, energy efficiency and waste reduction.
 - n. A study of the shading or shadow impacts that the proposed buildings may cause on public or private rights-of-way or other public spaces within or surrounding the project.

Require
model
to be
submitted

TOWN OF BASALT
Action Item

Date: September 27, 2016
From: James Lindt AICP, Assistant
 Planning Director

SUBJECT: Resolution No. 40, Series of 2016, approving a Pre-Application Agreement with Habitat for Humanity for Construction of Affordable Housing on the RE-1 School District's Property South of Basalt High School

DETAILS: Habitat for Humanity is looking to partner with the RE-1 School District to construct approximately 27 units of housing on the School District's Property to the south of Basalt High School (see attached site plan and concept sketches). Staff has identified that the appropriate first step in the review process is for Habitat for Humanity to enter into a Pre-Application Agreement (Staff changed the name of the Pre-Development Agreement in response to previous Council concerns) with the Town as it has been the Town's practice for developers proposing significant development projects within the Town.

At the last meeting, representatives from Habitat for Humanity introduced the proposal and the Council discussed whether there was interest in considering a change to the Urban Growth Boundary (UGB) to incorporate the High School Property into the UGB. The Council members in attendance expressed a willingness to consider a request to change the Town's UGB to include the subject property.

As discussed above, the Town has requested that Habitat for Humanity enter into a Pre-Application Agreement. The draft agreement does the following:

- 1) Establishes the Applicant as the Developer on behalf of the School District; and,
- 2) Establishes that Town Staff and the Applicant will work on establishing a review schedule at the beginning of the review process; and,
- 3) Establishes that the Town may contract to have a financial analysis completed before finalizing the development review to determine the financial impact of the proposed application on the Town, at the cost of the Applicant up to \$2,500; and,
- 4) Establishes that the Town has no obligation to approve the Application.

RECOMMENDATIONS FROM OTHER BOARDS: A recommendation from the P&Z is not required prior to the entering into a pre-application agreement.

RELATED TOWN STATUTE AND TOWN ACTIONS: Town Code Chapter 16, Zoning; 2007 Town Master Plan; Basalt High School Annexation and Water Service Agreement

ATTACHMENTS: A) Draft Resolution No. 40, Series of 2016 and Pre-Application Agreement, B) Concept Drawings and Descriptive Narrative

RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING A PRE-APPLICATION AGREEMENT WITH HABITAT FOR HUMANITY REGARDING THE HABITAT FOR HUMANITY/RE-1 SCHOOL DISTRICT HOUSING PROPOSAL ON THE BASALT HIGH SCHOOL PROPERTY

**Town of Basalt, Colorado
Resolution No. 40
Series of 2016**

RECITALS

Whereas, Habitat for Humanity and the RE-1 School District are working on a potential project to construct approximately 27 affordable housing units on the southern portion of the Basalt High School Property.

Whereas, the Town is willing to consider an application for affordable housing south of Basalt High School on the Basalt High School Property.

Whereas, the Town is willing to consider amending the Town's Urban Growth Boundary to development on the southern portion of the Basalt High School Property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO:

Section 1. The Town Council approves a Pre-Application Agreement with Habitat for Humanity related to the Habitat for Humanity Basalt High School Affordable Housing Development Application. The Pre-Application Agreement attached hereto as **Exhibit A** is hereby approved.

Section 2. The Town Council directs Staff to prepare a schedule that outlines the process of converting the attached Pre-Application Agreement into a Final Development Agreement.

RESOLUTION NO. 40, SERIES OF 2016, IS HEREBY ADOPTED by a vote of ___ to ___, this 27th day of September, 2016.

TOWN OF BASALT, COLORADO

ATTEST:

by _____
Jacque R. Whitsitt, Mayor

Pamela K Schilling, Town Clerk

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

PRE-APPLICATION AGREEMENT
Town of Basalt and Habitat for Humanity for the Basalt High School
Affordable Housing Project

THIS PRE-DEVELOPMENT AGREEMENT (this "Agreement") is entered into as of the ___ day of _____, 2016 (the "Effective Date"), between the Town of Basalt, Colorado, a Town of the State of Colorado (the "Town"), and Habitat for Humanity, (the "Developer") (the Town and Developer are hereby collectively referred to as the "Parties").

RECITALS

- A. The Parties desire to enter into this Pre-Application Agreement in order to set forth matters that need to be included in any Final Development Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Town and the Developer agree as follows:

1. **DEVELOPER OF RECORD.** The Town acknowledges that there are risks and costs of preliminary planning activities and other requirements associated with the preparation for a Project Plan for the Town and the Developer. The Town acknowledges that Habitat for Humanity intends to submit an application on behalf of the Roaring Fork School District ("Owner") for the project described in the application.

2. **BASIC TERMS OF FINAL DEVELOPMENT AGREEMENT.** The Parties agree that a Final Development Agreement, satisfactory to both Parties and the Property Owner in their sole absolute discretion, is required to proceed with development of the final amended project described in the application. The specific terms of such Final Development Agreement must be negotiated between the Parties. It is presently believed that such terms must necessarily address, at a minimum, the following matters, to-wit:
 - A. The Developer is proposing the Basalt High School Affordable Housing Application ("Application") and the Developer has permission from the owners of property included in the Application to seek the necessary development approvals. The Property is

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

generally bordered by the Grace-Shehi Meadows Open Space on the west side and the Rio Grande Trail on the north.

- B. The Developer is interested in obtaining the necessary development approvals to construct approximately 27 affordable housing units on the Basalt High School Property and wishes to define the general land-use application and submittal requirements prior to proceeding towards development review approvals and agreements.
- C. The Parties shall agree on a land-use application submittal and review process by which the Project will be undertaken and completed. It is anticipated that the process will include the following:
 - a. Rezoning to either the R-4 or R-4 MD for the portion of the proposed affordable housing development
 - b. Potential subdivision of the property to subdivide the development property from the Basalt High School Property and allow further subdivision of units
 - c. Site Plan and Special Review Approval for Multi-Family Housing
 - d. Amendments the existing Basalt High School Annexation Agreement and Water Service Agreement
 - e. Amendments to the Town's Urban Growth Boundary to incorporate the Basalt High School Property
- D. The Parties shall agree on the plans and specifications of the infrastructure that will serve the development.
- E. The Parties agree to examine whether it is feasible to relocate the Fiou House or a build a new recreation facility in the Project.

3. **OBLIGATION OF THE PARTIES TO PROCEED.**

The obligations of the Parties to proceed beyond this Pre-Application Agreement are dependent upon the Parties entering into a Final Development Agreement. Nothing contained herein shall (i) obligate the Town to create or approve the Development (ii) obligate the Town to create or approve a development plan for the Project Area, (iii) obligate either party to enter into a Final Development Agreement, or (iv) obligate either party to enter into property exchanges or other agreements anticipated by the Developer's request.

4. **MISCELLANEOUS.**

- A. Financial liability. The Town shall not be liable for any expenses or private debt associated with or incurred by the development or marketing of, or future management of the facility(ies).
 - B. Development Review Costs. If the Developer proceeds with the Application, the Developer will proceed with the land use applications noted above and be liable to pay all applicable application fees, including Reimbursement Fees as provided for in the Basalt Municipal Code.
 - C. Financial Investment Costs. Developer agrees to reimburse for any financial analysis of the development project deemed advisable by the Town Manager. Developer agrees to pay \$2,500 for a financial capability report if determined necessary by the Town Manager. Any amount over \$2,500 that relates to additional financial analysis regarding the capability and public/private partnerships will require written approval by the Developer.
 - D. Assignability. Neither party shall assign this Agreement without the written consent of the other party.
 - E. Amendments. This Agreement may be supplemented or amended only by written instrument executed by the Parties.
 - F. Applicable Law. The interpretation, enforcement or any other matters relative to this Agreement shall be construed and determined in accordance with the laws of the State of Colorado. The Parties agree that the sole and exclusive jurisdiction and venue for any disputes arising hereunder shall be in any trial court located in Pitkin County, Colorado to the extent that any of the terms of this agreement may be binding.
 - G. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon the Parties.
 - H. Non-liability of Town Officials and Employees. No member of the Town Council, official, employee, or agent of the Town shall be personally liable to Developer, or any successor in the interest to Developer, pursuant to the provisions of this Agreement, nor for any default or breach of the Agreement by the Town.
 - I. Not A Partnership. The provisions of the Agreement are not intended to create, nor shall they in any way be interpreted or construed to create, a joint venture, partnership, or any other similar relationship among the Parties.
5. Term and Termination. This agreement shall remain in effect until December 31, 2017. However, any party may terminate with or without cause, upon sixty (60) days prior written notice. In the event of termination, Parties shall be responsible for fulfilling all obligations through the date of termination.

IN WITNESS WHEREOF, the Parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

Town of Basalt, Colorado

By: _____
Jacque R. Whitsitt, Mayor

Developer

By: _____
Scott Gilbert, Habitat for Humanity



B) Concept Drawings + Narrative

September 2, 2016

James Lindt
Town of Basalt- Assistant Planning Director
101 Midland Ave
Basalt, CO 81621

Dear James,

Thank you for your time and guidance on the proposed land use process for the Basalt High School/Habitat Housing project. Per our discussions, Habitat would like to engage in a pre-development agreement with the Town of Basalt. The project is proposed for the undeveloped land along the south side of the Basalt High School parcel, between the school and the base of the hill, which is approximately four acres in size. The land is currently a part of the Roaring Fork School District High School property. The land is located within the Town Boundaries, but outside of the Urban Growth Boundary, at this time. Concurrent to this development application, we are working with the School District to finalize the underlying land ownership for the project. A letter approving Habitat to act on behalf of the RFSD in this pre-development agreement and land use application is attached.

The project has been in the conceptual planning phases since the summer of 2015. In November 2015, the CCY design team presented an initial site plan which contemplated 46-50 units of housing (see attached plan). This plan was reviewed with the School District and Town of Basalt staff. Since that time, Habitat has engaged in significant due diligence to test the feasibility of this site plan. We discussed this with all necessary utility providers and all conceptually represented that serving a development in this location and of this size would be feasible. The site was drilled to test the suitability of the soils and we engaged a geologist to review the hillside above. In addition, we spoke with community members including school board members, BACH and the Basalt Education Foundation. The combination of the resulting soils and geological assessment along with community feedback (questions about parking capacity) led us to reduce the total project to its current iteration of approximately 27 units.

The revised project (site plan attached) is proposed as a mix of duplex and triplex units. Habitat for Humanity would act as the master developer for the project. Pitkin County has expressed interest in funding the infrastructure for the project. This would include all roads, utilities, building pads and master site grading. Following completion of this work, Habitat would be responsible for all vertical construction on the site using our traditional model of building in partnership with Habitat labor, local trades, community volunteer groups

and future homeowners. Approximately 50% of our labor to build a home is volunteer based. This model, combined with favorable sub and supplier pricing, allows Habitat to build at a cost which is significantly less than market rate construction. In addition, we act as a non-profit developer in all cases- homes are typically sold at a price less than their cost to construct with the balance of funding made up through proceeds from sales at our ReStores, donations and grants. Habitat currently has the capacity to construct approximately four to six units per year. While we hope to grow this and gain efficiency in process by building on the same site and similar unit types, this pace would lead to a five year phasing plan to full build out. Following infrastructure, development will start at the eastern side of the site and work towards the west so as to minimize impact to homeowners as they start to occupy units.

The project will be 100% Community Housing. Residency in the project will be split between RE-1 School District employees and other local workforce families selected through Habitat for Humanity’s traditional family selection process. The homeowners will be required to help build the home- contributing “sweat equity” to the project. In this process, families earning less than the average area median income will be encouraged to apply for a home. This project aligns extremely well with the Town’s stated goals in section 16-411 of the Municipal code:

Goal stated in Town Code Section 16-411	Response
<i>The goal of these regulations is to require new development to provide community housing attainable by persons having lower and median incomes paying no more than approximately thirty percent (30%) of their household income for total housing expense.</i>	Habitat for Humanity's typical pricing model limits housing expense (for principal, interest, insurance, taxes and HOA dues) to 30%.
<i>Community housing should be dispersed throughout the community and, where possible, integrated into the existing community fabric.</i>	This project is an extension of the existing Southside neighborhood and will be designed and constructed to invite the community to participate both during construction and when completed by retaining existing community amenities such as the sledding hill and access to the hiking trail.
<i>The Town will emphasize programs that will result in the creation of community housing units - by units being constructed or by existing units being permanently restricted for community housing, either through deed restrictions or other methods.</i>	The units will carry permanent deed restrictions to maintain long-term affordability, while also providing some equity benefit to the owners.
<i>Community housing will be transit friendly, integrate with intermodal transportation connections and perpetuate the Town's history of pedestrian walkability and ease of mass transit use.</i>	The site is located adjacent to the Rio Grande Trail and within quick walking/biking distance to the new BRT station and the upcoming Hwy 82 Under pass.
<i>The Town will look at the total costs for all housing, including life cycle costs, such as painting, building materials and energy costs. The Town will work toward a zero energy footprint for all housing.</i>	Habitat for Humanity builds “green” homes in order to help with affordability for the homeowners. We are also exploring opportunities for a community solar farm to further lower operating costs.

<p><i>The Town's housing program should acknowledge regional issues and encourage coordination among jurisdictions, including community housing standards and requirements. The Town will seek out partnerships with other entities supporting community housing and develop reciprocal agreements.</i></p>	<p>Habitat for Humanity is collaborating with Roaring Fork School District, the Town of Basalt and Pitkin County to successfully complete this project. Participation regionally will be required to make this project a reality. In addition, to garner community support we are opening this project to public review and comment when it could conceptually be approved via a State process due to the underlying land ownership</p>
<p><i>The Town will support creative housing solutions, including projects that include sweat equity by those benefiting from the housing subsidy.</i></p>	<p>Habitat's model is based at the core in homeowner and community involvement. Each homeowner will be required to contribute at least 250 hours of "sweat equity" into their home both individually and in coordination with their friends and families.</p>

In summary- Habitat believes strongly that this project has the opportunity to be an example of community collaboration and cooperation at its best. We are aware of the several details will need to be resolved before this project can become a reality. We stand ready to push through those details and other requirements the Town requests to make this project successful. Receiving Council input on this project, and formalizing the review process is a key step in moving forward.

Please let us know any further information you may need to process this request for a predevelopment agreement. We look forward to hearing the Council's input on 9/13/16 and moving towards our eventual goal to break ground following the last day of school in June 2017.

Thank you for your consideration,

Dana Dalla Betta
 Construction Manager
 Habitat for Humanity of the Roaring Fork Valley

**ROARING FORK RE-1 SCHOOL DISTRICT
1405 GRAND AVENUE
GLENWOOD SPRINGS, CO 81601
Ph: (970) 384-6000**

September 2, 2016

Town of Basalt
James Lindt, Assistant Planning Director
101 Midland Avenue
Basalt, CO 81621

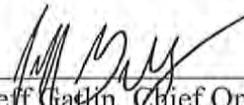
Re: ***Pre-Development Agreement/Land Use Application – Basalt High School/Habitat Housing Project***

Dear Mr. Lindt:

Roaring Fork RE-1 School District (“RE-1”) is the owner of the real property which is the subject of the Pre-Development Agreement/Land Use Application for the Basalt High School/Habitat Housing project. RE-1 hereby authorizes Dana Dalla Betta, Construction Manager, and Habitat for Humanity of the Roaring Fork Valley to act in all respects as the authorized representatives of RE-1 to submit and prosecute the above-referenced Agreement and Application. RE-1 may unilaterally revoke this authorization at any time.

Very truly yours,

Roaring Fork RE-1 School District

By: 

Jeff Gathin, Chief Operating Officer

Basalt High
 School Habitat
 Housing Project:
 Original Site Plan



CONCEPTUAL SITE DIAGRAM
 HABITAT TEACHER HOUSING - BASALT, CO | CHARRETTE SUMMARY - 2016.01.05

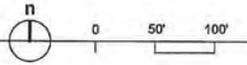
Basalt High School Habitat Housing- Current Site Plan

exist'g dirt access road

parking / mail pull-off

exist'g 36" conc. irrigation pipe (buried) access easement, re: civil

habitat for humanity
basalt high school housing



27 residential units + 87 parking spaces
5 unit types, 2 spaces per unit.

triplex (3)

(2) uphill
(2) unit A - 3 bdrm, 1,500 sf
unit C - 4 bdrm, 1,700 sf

(1) downhill
(2) unit B - 3 bdrm, 1,500 sf
unit D - 4 bdrm, 1,700 sf



duplex (6)

(4) uphill
(2) unit A - 3 bdrm, 1,500 sf

(2) downhill
(2) unit B - 3 bdrm, 1,500 sf



accessible duplex (3)

(3) uphill / downhill
unit E - 3 bdrm, 1,500 sf
unit C - 4 bdrm, 1,700 sf



streetscape

two seven ink | 08.24.2016

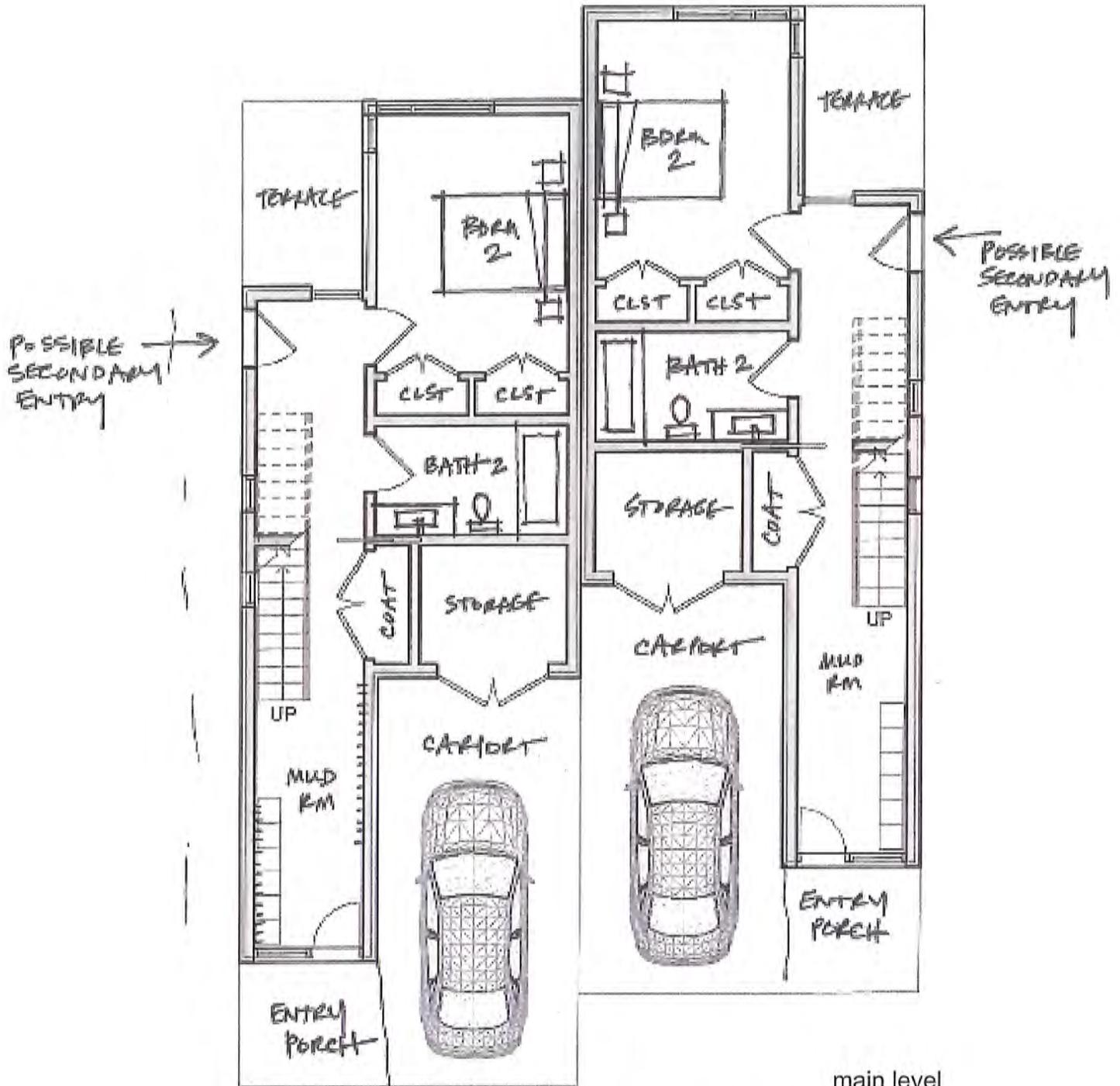


Basalt High School Habitat Housing- Conceptual Rendering



Basalt High School Habitat Housing Conceptual Rendering



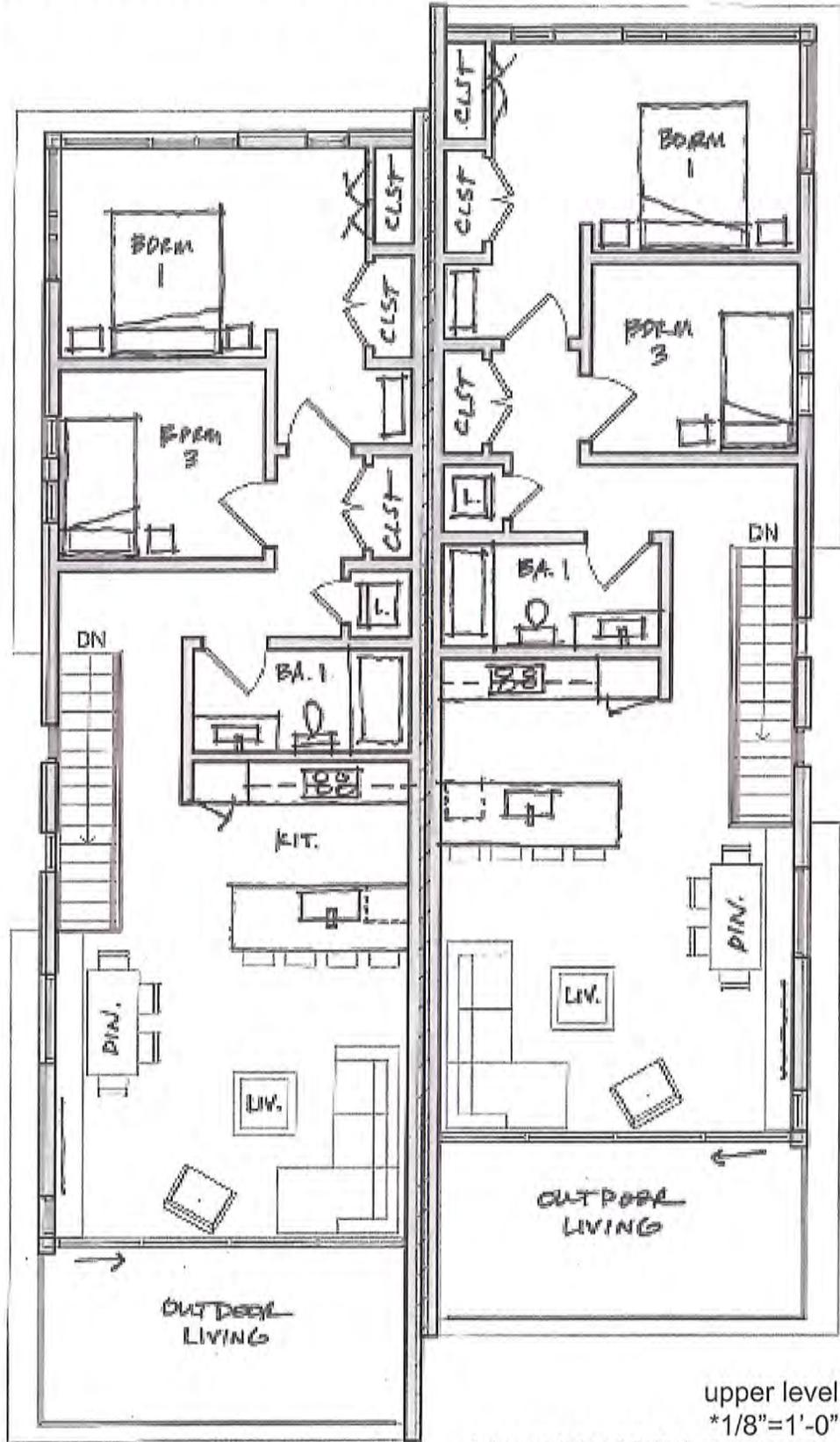


main level

*1/8"=1'-0"

*when printed on 8.5x11 sheets w/ no scaling

Basalt High School Habitat Housing- Conceptual Unit Plans



TOWN OF BASALT Action Item	Date: September 27, 2016 From: Susan Philp, AICP Planning Director
---	---

SUBJECT: Consideration of Resolution No. 41, Series of 2016 approving a process for the Arts Campus at Willits To Lease and Develop an arts campus on the Town-owned property known as the Town Park-Arts Tract at Willits Town Center.

RECOMMENDATION: Staff recommends Council approve the Resolution.

DETAILS/BACKGROUND:

The purpose of this item is for the Council to consider adopting a resolution which creates a process and framework by which (1) the Town may obtain an independent economic and feasibility analysis of the requirements for the building, maintenance and supporting of the Arts Center, (2) TACAW may continue to design and plan for the development of the Arts Center, (3) the Town and TACAW may identify accounting processes and procedures for future expenditures of the Arts RETA, and (4) the Town and TACAW may plan for the ultimate development of the Arts Center including the lease of the Arts Parcel to TACAW.

The Arts Campus at Willits ("TACAW") is an Internal Revenue Code Section 501(c)(3) entity that is registered with the state of Colorado as a non-profit corporation. TACAW was created specifically for the purpose of creating, managing and supporting a multi-disciplinary arts campus at the center of the Roaring Fork Valley to provide diverse programming in the arts. TACAW anticipates providing a venue for film, music, education, culinary arts, performing arts and special events at the Arts Center.

The Town of Basalt, Colorado ("Town") owns a parcel of land in the Willits Town Center PUD ("WTC") comprised of approximately .78 acres and designated as the "Town Park - Arts Tract" ("Arts Parcel") on the Plat of WTC. The initial developers of WTC dedicated the Arts Parcel to the Town for the purposes of a town park and arts center.

The WTC development approvals established a real estate transfer assessment ("RETA") whereby a certain percentage of the sales price of properties within portions of the Sopris Meadows PUD and WTC are assessed at closing and the proceeds are set aside for certain public purposes benefitting the properties assessed. Specifically, 50% of the RETA is set aside to build, maintain and provide an endowment for an arts or cultural center (the "Arts Center") to be located at the Arts Parcel (the portion of the RETA set aside for such purposes is herein referred to the "Arts RETA").

The Town Council is responsible for managing and administering the RETA, including the Arts RETA.

Staff and individual Councilors have met with TACAW's team on several occasions to outline items that need to be satisfactorily addressed map a good path forward.

Related Town Statute and or Town Actions: 2015 Predevelopment Agreement
Attachments Draft Resolution

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING A
PROCESS FOR THE ARTS CAMPUS AT WILLITS TO LEASE AND DEVELOP AN
ARTS CAMPUS ON THE TOWN-OWNED PROPERTY KNOWN AS THE TOWN
PARK - ARTS TRACT AT WILLITS TOWN CENTER**

**Town of Basalt, Colorado
Resolution No. 41
Series of 2016**

RECITALS

- A. The Town of Basalt, Colorado ("Town") owns a parcel of land in the Willits Town Center PUD ("WTC") comprised of approximately .78 acres and designated as the "Town Park - Arts Tract" ("Arts Parcel") on the Plat of WTC. The initial developers of WTC dedicated the Arts Parcel to the Town for the purposes of a town park and arts center.
- B. The WTC development approvals established a real estate transfer assessment ("RETA") whereby a certain percentage of the sales price of properties within portions of the Sopris Meadows PUD and WTC are assessed at closing and the proceeds are set aside for certain public purposes benefitting the properties assessed. Specifically, 50% of the RETA is set aside to build, maintain and provide an endowment for an arts or cultural center (the "Arts Center") to be located at the Arts Parcel (the portion of the RETA set aside for such purposes is herein referred to the "Arts RETA"). The Town Council is responsible for managing and administering the RETA, including the Arts RETA.
- C. The Arts Campus at Willits ("TACAW") is an Internal Revenue Code Section 501(c)(3) entity that is registered with the state of Colorado as a non-profit corporation. TACAW was created specifically for the purpose of creating, managing and supporting a multi-disciplinary arts campus at the center of the Roaring Fork Valley to provide diverse programming in the arts. TACAW anticipates providing a venue for film, music, education, culinary arts, performing arts and special events at the Arts Center.
- D. As of July 26, 2016, the Arts RETA had approximately \$759,000 of restricted revenue that has been raised for the specific purpose of creating the Arts Center at the Arts Parcel. Expenditure of these funds for the allowed purposes requires approval of the Town Council.
- E. In 2015 the Town Council approved the expenditure of \$130,000 of the Arts RETA

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

by TACAW for start up costs for the Arts Center. For 2016, the Town Council budgeted and approved \$100,000 from the Arts RETA for start up expenses related to the Arts Center. Of such approved expenditures, TACAW spent \$47,850 in 2015 and \$76,529.48 so far in 2016. TACAW has provided the Town accounting records related to the expenditures made prior to this Resolution and the Town is satisfied that such expenditures were made in accordance with the requirements of and in furtherance of the purposes of the Arts RETA, including the building of an Arts Center.

- F. The Town and TACAW share the goal of creating a vibrant and financially viable Arts Center at the Arts Parcel for the benefit of the properties within Sopris Meadows and WTC, and all of the Basalt and Roaring Fork Valley community including visitors and tourists.
- G. The Town and TACAW desire to create a process and framework by which (1) the Town may obtain an independent economic and feasibility analysis of the requirements for the building, maintenance and supporting of the Arts Center, (2) TACAW may continue to design and plan for the development of the Arts Center, (3) the Town and TACAW may identify accounting processes and procedures for future expenditures of the Arts RETA, and (4) the Town and TACAW may plan for the ultimate development of the Arts Center including the lease of the Arts Parcel to TACAW.
- H. The Basalt Town Council considered this Resolution at a public meeting held on September 27, 2016. Throughout the meeting, evidence and testimony was offered by the TACAW, staff and members of the public.
- I. The Basalt Town Council finds that the resolutions described herein to be consistent with the applicable provisions of the Town Code, the Arts RETA, the WTC PUD land use approvals and the Basalt Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Basalt, Colorado, as follows:

The Basalt Town Council incorporates the above recitals and all exhibits herein as references, as findings and determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein.

Based on the evidence, testimony, exhibits, and comments from TACAW, the public, Applicants and Town Staff, the Basalt Town Council hereby approves the following.

1. TACAW may continue to draw funds from the Arts RETA in 2016 up to a maximum of the budgeted \$100,000. The Town intends to pay for its costs of evaluating the TACAW proposal in 2016 through the appropriate budget process. The Town intends to make a 2017 Arts RETA allocation for TACAW operating expenses in the 2017 Town Budget. The Town's intention is that TACAW could submit additional monthly invoices up to a \$230,000 cumulative total since 2015 to cover operating expenses of TACAW including salary, benefits, and rent for TACAW until and unless: (1). Council determines at a public hearing that the performing arts facility is not feasible pursuant to Paragraph 3 of this resolution or (2), the Council enters into a lease or other agreement formalizing the release of Arts RETA funds pursuant to Paragraph 5 of this resolution.

Each request for Arts RETA from TACAW to the Town shall include a detailed invoice of reimbursable expenses backed up by receipts in a form that is acceptable to the Town's Finance Director. Requests for Arts RETA funds shall be no more frequently than monthly. Annual Financial Statements will also be provided by TACAW to the Finance Director. In the event Town Council determines that the Arts Center is not economically feasible and viable in the current market, there shall be no additional funding of the Arts RETA for TACAW.

2. The Town Council (or a committee thereof) will select an independent, third party economist with expertise in arts and nonprofit organizations to perform an economic and feasibility analysis ("Analysis") of the proposed building and future use and maintenance of the Arts Center. The Analysis will include, but not limited to, a review and analysis of (1) anticipated arts programming and market opportunities in the Roaring Fork Valley; (2) the proposed size and development plans for the Arts Center; (3) anticipated development costs and long range operating expenses including any required reserves; (4) anticipated funding sources at all stages of the Arts Center (pre-construction, construction and long range operations), including revenue generated from programming, Arts RETA, debt, donations, grants, and other sources; and (5) the prospective feasibility and sustainability of the Arts Center. The Town will pay for the Analysis with funds from the Arts RETA. The Town staff shall contact appropriate experts and request proposals to perform the Analysis. The Town will select the expert to perform the Analysis in a timely manner with the goal of having the Analysis in a final form on or before January 31, 2017. TACAW will cooperate with and, as appropriate, assist the expert performing the Analysis, provided that the expert agrees to maintain and protect the confidentiality of donors to TACAW. Moreover, TACAW will work with the expert to clarify all assumptions, plans and programming that TACAW has developed for the Arts Center, and

TACAW will be given an opportunity to adjust its plans and program to address any concerns identified by the preliminary Analysis. In addition, the Town may hire any other expert necessary to complete the Town's evaluation of the feasibility of the performing arts facility and operation, such as additional traffic or parking experts, and such costs will be paid for out of the Arts RETA.

3. After the Analysis is prepared and delivered to the Town, the Town Council will review the Analysis in a public hearing with TACAW. If the Town Council concludes that the Arts Center is not reasonably feasible or viable in current market conditions, then no additional funding will be provided to TACAW from the Arts RETA and the Town will not enter into a lease of the Arts Parcel with TACAW at this time. In the event that after review of the Analysis the Town Council concludes that the Arts Center is reasonably feasible and viable, then the Town Council and TACAW will negotiate in good faith for the entry into a long-term lease of the Arts Parcel to TACAW for the construction and operation of the Arts Center on the Arts Parcel ("Lease").
4. TACAW previously filed with the Town an application for Sketch Plan Review for land use entitlements to allow the construction of the Arts Center on the Arts Parcel ("Application"). TACAW and the Town agreed that was appropriate to allow the public notices for the Application to lapse. In the event that after review of the Analysis the Town Council determines that the Application should be amended (for example, by making the Arts Center larger to accommodate larger musical events), TACAW will consult with the Town staff and, if appropriate, amend the Application to accommodate the findings of the Town Council after its review of the Analysis. The Application, as amended if necessary, will be processed by the Town in a reasonably expeditious manner.
5. The Town and TACAW desire and intend that prior to May 1, 2017, the Analysis will be complete and the Council's review of the feasibility of the proposal as outlined under paragraph 3 of this Resolution will have been completed. The Town and TACAW further intend that, if the Town Council determines the Arts Center is feasible and desirable, the Town and TACAW will enter the Lease on or before May 31, 2017. In addition to standard lease terms, the Lease will include a description of the processes and documentation required for future use of Arts RETA; benchmarks and requirements prior to commencement of construction; a timeline for construction and the commencement of operation of the Arts Center; and a description of future availability and usage of the Arts RETA after the commencement of operation of the Arts Center.

6. This resolution does not appropriate funds, obligate the Town to approve a budget favorable to TACAW, grant a lease, or grant any land use approvals. Those actions be considered in accordance with the Town Charter and municipal code.
7. In the event that the Town Council finds that TACAW is not providing information as required by this agreement, the Town may withhold payment.
8. This Resolution shall be recorded with the Offices of the Clerk and Recorder of Eagle County.

READ AND ADOPTED by a vote of ___ to ___ on September 27, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pamela K. Schilling, Clerk

Council Reso 41- TACAW

**A RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO,
SUPPORTING THE PASSAGE OF BALLOT ISSUES 2F AND 2G**

Town of Basalt, Colorado

Resolution No. 42

Series of 2016

RECITALS

WHEREAS, the Town of Basalt, Colorado (the "Town") is a home rule municipality and political subdivision of the State of Colorado (the "State"), duly organized and operating under the State Constitution (the "Constitution") and the Charter of the Town of Basalt, Colorado (the "Charter"); and

WHEREAS, beginning in 2014, the citizens of the Town actively participated in the Our Town Planning process to help shape the future of four parcels in and adjacent to the Town's historic downtown core; and

WHEREAS, most common among the visions for the future of the Our Town Planning parcels included commercial and public purpose building development, a river park and supporting uses on that certain 2.317 acre parcel of real property located in the Town and currently owned by the Roaring Fork Community Development Corporation (the "CDC Property"); and

WHEREAS, the Town Council believes a mix of commercial, public purpose buildings and park and supporting uses represent the best use of the CDC property and such use is in the best interest of the Town, its downtown core and its citizens; and

WHEREAS, the Town has entered into a Purchase and Sale agreement with the Roaring Fork Community Development Corporation for the acquisition of the CDC Parcel contingent upon voter approval of the financing of such acquisition; and

WHEREAS, the Town Council directed the Basalt Open Space and Trails Committee to develop plans for the Basalt River Park which frames the development of a park from the downtown to the Roaring Fork River in sufficient detail to develop cost estimates; and

WHEREAS, the Town has engaged DHM Design, Sopris Engineering, and Harry Teague Architects to provide plans for the development of a town river park; and

WHEREAS, such river park improvements likely will include a new Basalt River Park, a children's play area, a band shell structure with amenities, restroom facilities and improvements to Two Rivers Road; and

WHEREAS, the specific objectives of these improvements are more thoroughly described agenda packets on file with the Town; and

WHEREAS the Town of Basalt Staff and Financial Advisor have developed a set of economic and tax scenarios which the Town Council reviewed as part of its overall decision making process with respect to the CDC Property; and

WHEREAS, pursuant to Section 2.3 of the Charter the Town has called a special election to be held on November 8, 2016 (the "Election"); and

WHEREAS, pursuant to Section 10.2 of the Town Charter, as well as Article XI, Section 6 and Article X, Section 20 of the State Constitution, no bonds or other evidence of indebtedness payable in whole or in part from the proceeds of ad valorem taxes may be issued by the Town until the question of their issuance has been submitted to a vote of the electors of the Town and approved by a majority of those voting on the question; and

WHEREAS, in furtherance of the Town's goals, the Town has submitted to the eligible electors of the Town at the Election ballot issue 2F to authorize general obligation bonds and property taxes to pay such bonds for the purpose of acquiring the CDC Property, 1.0 acres of the western portion of the CDC Property to be made available for commercial or public purposes building development and the remaining acres of the CDC Property to be used for a Town river park and supporting uses; and

WHEREAS, in furtherance of the Town's goals, the Town has submitted to the eligible electors of the Town at the Election ballot issue 2G to authorize general obligation bonds and property taxes to pay such bonds for the purpose of financing a portion of the costs of the Basalt River Improvement Project; and

WHEREAS, the Town Council believes the total cost associated with the acquisition of the CDC property and the associated park improvements are fiscally responsible; and

WHEREAS, ballot issues 2F and 2G will not increase property tax rates based on the Town's current assessed value, tax collection rate and financial plan; and

WHEREAS, pursuant to § 1-45-117(b)(III)(a), C.R.S., the Town Council may pass a resolution or take a position of advocacy on any ballot issue; and

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO:

1. The Town hereby supports ballot measures 2F and 2G and urges the passage of these measures at the November 8, 2016 special election.

READ AND ADOPTED on a vote of __ to __ this 27th day of September, 2016.

TOWN OF BASALT

By _____
Jacque R. Whitsitt, Mayor

ATTEST:

By _____
Pamela K. Schilling, Town Clerk

TOWN OF BASALT
Action Item

Date: September 27, 2016
From: James Lindt AICP, Assistant
 Planning Director

SUBJECT: First Reading of Ordinance No. 26, Series of 2016, Approving of the Stott's Mill Reinstatement for the Single-Family Section of the Development Plan and Sketch Site Plan Review and Associated Reviews for Multi-Family Residential Section

DETAILS: MSP1 LLC. ("Applicant") is requesting approval for the following actions on the 18-acre Stott's Mill Property directly north of Basalt High School and east of Southside Drive: 1) Reinstatement of the 2009 Stott's Mill PUD approvals for the majority of the single-family section of the proposed development, and 2) Sketch Site Plan Review for the multi-family section of the proposed development to construct 156 dwelling units on the Stott's Mill Property.

More specifically, the Applicant has applied to annex the property into the Town and construct 60 single-family dwelling units and 96 multi-family dwelling units and two (2) parks in the same configuration as the parks that were included in the 2009 approvals. The Applicant has also agreed to provide a core and shell daycare space to be leased to a daycare provider at the average lease rate for the other daycares in the mid-valley. Also, an indoor tennis group has requested consent from the Applicant to construct an indoor tennis center in the South Park portion of the proposed development.

During the P&Z's review, Staff identified the following discussion items that are more specifically analyzed in the P&Z Memos attached in the 9/13/16 Council Packet:

1. Density
2. Childcare Contribution
3. Traffic Mitigation (Staff plans on having a worksession with Council regarding the southside traffic mitigation on September 27th)
4. Southside Drive Cross-Section
5. Sufficiency of Parks and Open Space
6. Indoor Tennis Center
7. Southside Drive Traffic Calming
8. Allison Lane Connection/Traffic-Calming
9. Vested Rights

The Council conducted a worksession at the last meeting to introduce the project to the Council. At the conclusion of the introduction to the proposal, the Council provided direction on what types of additional information the Council needed to conduct the review of the project. Council members expressed that there was a need to demonstrate how the necessary traffic mitigation was going to work and for the Applicant to provide financial information for review by the Town's consulting financial analyst. Updates on those items are addressed below:

Traffic Report and Traffic Mitigation: A worksession is scheduled earlier in the Council meeting with the Town's Consulting Engineer, SGM. The traffic study will be presented to the Council and discussion of the potential traffic mitigation solutions will occur. The draft condition included in ordinance requires the Applicant

to pay their fair share for the Cody Lane Mini-Roundabout Improvement at the time of building permit submittal on each of the residential units, with the caveat that the Applicant would have to pay the remainder of their fair share if the Town determined the need for the Cody Lane roundabout was needed earlier than expected and before the Stott's Mill project is built out. Additionally, there is a requirement that the Applicant pay a transportation improvement fee that could be used on engineering design for the Midland Avenue/Southside Drive Underpass.

Financial Analysis: The Applicant is working on providing the necessary financial information that will go to Bruce Kimmel of Ehlers Public Finance. Staff is hopeful of having the results of Kimmel's review before second reading to allow a more informed discussion at second reading.

Multi-Family Design Detail: After the September 13th worksession, Council members commented about the need for additional design detail on the multi-family portion of the project in order to get a better sense of scale and massing and the relationship of the development to streetscape. The Applicant has supplied Staff with the Sketch-Up Video that was not able to be played at the worksession due to technical issues. The Sketch-Up Video will be played at the Council meeting. Additionally, the Applicant has indicated they are working on more detail on the multi-family design and have provided an additional sketch with concept floor plans (attached).

RECOMMENDATION: Staff recommends that the Council hear a presentation from Staff and the Applicant, ask questions, take public comments, and then provide discussion. If the Council is comfortable, the Council could approve the Ordinance on first reading with the understanding that additional information is to be provided at second reading on the items identified in this memo.

RELATED TOWN STATUTE AND TOWN ACTIONS: Town Code Chapter 15, *Annexation*, Town Code Section 16-267, *Amendment Procedure*; Town Code Chapter 16, Article VI, *Site Plan Review Requirements and Standards*; Chapter 16, Article XIX, *Housing Mitigation*; Town Code Section 16-65, *Approval Procedures for PUD Amendment*; Town Code Section 16-31, *Supplemental Requirements for the R-4 Mixed Density Residential District*.

ATTACHMENTS: A) Draft Ordinance, B) Applicant Addendum Letter, C) Additional Correspondence from Tennis Center Group

Items Provided in September 13th Council Packet: Excerpts from Application, P&Z Memos, P&Z Minutes, Excerpts from Traffic Report, Public Correspondence

TOWN OF BASALT, COLORADO
ORDINANCE NO. 26
SERIES OF 2016

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, REINSTATING AND AMENDING THE 2009 STOTT'S MILL DEVELOPMENT APPROVALS FOR THE SINGLE-FAMILY PORTION OF THE STOTT'S MILL DEVELOPMENT, INCLUDING UP TO 61 DWELLING UNITS, A PUBLIC FACILITY/DAYCARE, AND THE DEDICATION AND IMPROVEMENT OF RIGHTS-OF-WAY AND PARKS ON THE SINGLE-FAMILY PORTION OF THE STOTT'S MILL PROPERTY AND GRANTING SKETCH SITE PLAN APPROVAL FOR THE MULTI-FAMILY PORTION OF THE DEVELOPMENT FOR UP TO 96 ADDITIONAL DWELLING UNITS, TOGETHER WITH EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF BASALT AND PROVIDING INITIAL TOWN ZONING FOR THE SINGLE-FAMILY PORTION OF THE STOTT'S MILL DEVELOPMENT

RECITALS:

A. On or about February 8, 2016, a Petition for Annexation (the "Petition") and an Annexation Map were filed with the Town of Basalt by MSP 1 LLC. ("Applicant") on behalf of Alice Stott, owner ("Petitioner") of 100% of the land area described in the Petition and known as Stott's Mill. The legal description of the Property is attached hereto and incorporated herein by this reference as **Exhibit A** (the "Property").

B. The Town Council is considering the reinstatement and amendment of the approval granted in 2009 pursuant to Ordinance No. 18, Series of 2009 for the single-family portion of the development and a Sketch Site Plan review for the Multi-Family portion of the Development proposal.

C. The Planning and Zoning Commission considered the requests at a public hearing beginning on July 15, 2016, and continuing through August 16, 2016. Throughout the meetings, evidence and testimony was offered by the Applicant, Staff and members of the public. The Planning and Zoning Commission recommended that Town Council approve the reinstatement of the Final PUD Plan for the single-family portion of the development and approve the sketch site plan review for the multi-family portion of the development.

D. At a public hearing held on September 27, 2016, the Town Council considered the application on first reading and continued and set a public hearing and

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

second reading for the ordinance for October 11, 2016.

E. At a continued public hearing and second reading on _____, 2016, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public.

F. The Town Council finds and determines it is in the best interests of the Town to approve the application. The Town Council finds and determines the annexation of the Property and approval of this ordinance is reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

G. The Town Council finds that the Property is eligible for annexation in accordance with the Municipal Annexation Act and including the following findings:

1. The applicable requirements of §§ 31-12-104 and 31-12-105, C.R.S., have been met and satisfied including the following:

a. Not less than one-sixth of the perimeter of the Property is contiguous to the Town of Basalt, Colorado;

b. A community of interest exists between the Property and the Town of Basalt, Colorado;

c. The Property is urban in character or will be urbanized in the near future;

d. The area proposed for annexation is integrated with or capable of being integrated with the Town;

e. In establishing the boundaries of the area proposed for annexation, no land held in identical ownership whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate has been divided into separate tracts or parcels.

f. No tract or parcel of real estate comprising twenty (20) acres or more with an assessed valuation including buildings and improvements in excess of two hundred thousand dollars (\$200,000.00) for ad valorem taxes for the previous year has been included within the area proposed for annexation without the written consent of the land owner; and

g. The proposed annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of the current municipal boundary except with respect to a parcel of property held in identical ownership at least 50% of which is within the three mile limit.

2. The Petition has been signed by the owners of more than 50% of the Property.

3. No additional terms or conditions with regard to the requested annexation are imposed except pursuant to an annexation agreement approved and agreed to by 100% of the owners.

4. An annexation election is not required and the Town is authorized pursuant to § 31-12-111, C.R.S., to annex the area described in the Petition by Ordinance.

5. Pursuant to Sections 31-12-108 & 31-12-109, C.R.S., notice and hearings were conducted.

6. The property subject to the application is located completely within the Town's Urban Growth Boundary established in the 2007 Basalt Master Plan.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Basalt:

1. The Town Council incorporates the recitals and all exhibits as references, findings of fact, determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein and a determination pursuant to C.C.R. 29-20-301 that there is adequate water supply.

2. The Property described as the single-family portion of the development in the Petition and described on **Exhibit A** attached hereto is hereby annexed to and made a part of the Town of Basalt, Colorado; the Annexation Map of the Property and including other tracts annexed simultaneously herewith is approved; and the Mayor and Town Clerk are authorized to execute the Annexation Map. The multi-family portion of the development will not be approved for annexation until it receives final development approvals.

3. The annexation of the Property is expressly conditioned on the execution and recording of the Annexation Agreement between the Town and MSP 1 LLC,. If the Annexation Agreement shall not be executed and recorded within 180 days of the effective date hereof, this Ordinance shall be void and of no further effect and the Property shall not be annexed. The Annexation Agreement is incorporated herein by reference and is hereby approved with such reasonable changes and modifications as are not inconsistent herewith and as are expressly approved by the Town Planner and the Town Attorney to effectuate the intentions of the parties or to comply with applicable law. The Mayor or Mayor Pro Tem of the Town are hereby authorized and directed to execute, and the Town Clerk or any deputy Town Clerk are authorized to authenticate and affix the seal of the Town to the Annexation Agreement, and the Town Manager is

further authorized to execute and authenticate such other documents, instruments or certificates as are deemed necessary or desirable in connection therewith. The execution of any instrument by said officials shall be conclusive evidence of the approval by the Town of such instrument in accordance with the terms of such instrument and this Ordinance.

4. The Town Clerk of the Town of Basalt, Colorado, on behalf of the Town shall comply with the filing and recording requirements of Section 31-12-113, C.R.S.

5. The Town hereby approves the land use approvals necessary to reinstate and amend the 2009 approvals on the Single Family portion of the development, including the parks, the daycare, and the roads. The Single Family portion of the Project is rezoned as follows and is hereby approved subject to the conditions set forth in **Exhibits B-K** attached hereto:

- a. R-3 TN with a PUD overlay shall apply to all of the single-family lots.
- b. P Public Zone District/R-3 TN with a site plan approval shall apply to Lots 37 and 38, Block 4 that are to accommodate the 4,000 square foot public facility and associated outdoor play area, with potential reversion to dwelling units.
- c. P Public Zone District for the two public parks.

6. An approval packet comprised of the Stott's Mill Annexation Agreement; this Ordinance No. __, Series of 2016; the Stott's Mill Master Subdivision Improvements Agreement, a copy of the Final Plat for Stott's Mill; and each of the documents approved by this Ordinance and Exhibits thereto shall be assembled by the Applicant, reviewed for completeness by the Town Planner and when determined complete, shall be noted as such in writing by the Applicant and the Town Planner and labeled "Final Development Approval" for the single-family portion of the development, which shall be available for review at the office of the Town and is incorporated herein by this reference as if set forth in full. The Applicant shall comply in all respects with the Final Development Approval.

7. The Official Zoning Map for the Town shall be and is hereby amended to show the zoning designation of the Property as described herein.

8. The approvals and conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant and the owners of the Property.

9. This Ordinance, after fully executed, shall be recorded in the office of the County Clerk and Recorder.

10. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON TUESDAY, _____, 2016, by a vote of __ to __ on September 27, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of __ to __ on _____, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pamela K. Schilling, Town Clerk

Ord__-AnnexStottsMill.doc

First Publication: Thursday, _____, 2016
Final Publication: Thursday, _____, 2016
Effective date: Thursday, _____, 2016

EXHIBIT A

Area Included in Land Use Approvals:

A PARCEL OF LAND SITUATED IN GOVERNMENT TRACT 59, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 86 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF PITKIN, STATE OF COLORADO LYING NORTHERLY OF THE DENVER AND RIO GRANDE WESTERN RAILROAD NORTHERLY RIGHT-OF-WAY, SOUTHERLY OF THE HOME SUPPLY DITCH CENTERLINE, WESTERLY OF THE EASTERLY BOUNDARY OF SAID TRACT 59, AND EASTERLY OF THE EASTERLY BOUNDARY OF GOVERNMENT TRACT 62, ALSO LOCATED IN SAID SECTION, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT ANGLE POINT NO.7 OF SAID TRACT 59, A BRASS CAP FOUND IN PLACE; THENCE N 00°48'57" E 468.71 FEET ALONG SAID TRACT 59 EASTERLY BOUNDARY TO A POINT ON SAID DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT-OF-WAY, THE POINT OF BEGINNING; THENCE LEAVING SAID BOUNDARY N 57°19'47"W., ALONG THE NORTHERLY BOUNDARY LINE OF SAID DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT-OF-WAY A DISTANCE OF 1080.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SOUTH SIDE DRIVE; THENCE LEAVING SAID RAILROAD RIGHT-OF-WAY N 00°56'41"E ALONG THE EASTERLY RIGHT-OF-WAY OF SOUTH SIDE DRIVE A DISTANCE OF 617.68 FEET TO A POINT IN THE CENTERLINE OF THE HOME SUPPLY DITCH; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING TWENTY-TWO (22) COURSES ALONG THE CENTERLINE OF SAID DITCH:

1. S71°30'44"E A DISTANCE OF 56.82 FEET
2. S52°47'38"E A DISTANCE OF 45.26 FEET
3. S71°16'14"E A DISTANCE OF 45.18 FEET
4. S77°30'53"E A DISTANCE OF 51.82 FEET
5. S55°29'58"E A DISTANCE OF 42.09 FEET
6. S64°52'48"E A DISTANCE OF 35.10 FEET
7. N77°18'12"E A DISTANCE OF 44.99 FEET
8. N84°16'01"E A DISTANCE OF 47.61 FEET
9. N62°06'35"E A DISTANCE OF 31.56 FEET
10. N38°04'24"E A DISTANCE OF 78.37 FEET
11. N50°24'51"E A DISTANCE OF 50.37 FEET
12. N44°49'09"E A DISTANCE OF 50.79 FEET
13. N54°25'44"E A DISTANCE OF 33.75 FEET
14. S70°22'45"E A DISTANCE OF 50.06 FEET
15. S77°27'06"E A DISTANCE OF 60.23 FEET
16. S76°09'47"E A DISTANCE OF 44.40 FEET
17. S50°00'52"E A DISTANCE OF 30.88 FEET
18. S28°25'48"E A DISTANCE OF 51.32 FEET
19. S26°14'19"E A DISTANCE OF 98.77 FEET

20. S31°09'46"E A DISTANCE OF 51.73 FEET
21. S58°48'51"E A DISTANCE OF 51.97 FEET
22. N82°37'03"E A DISTANCE OF 82.93 FEET TO A POINT

ON THE EASTERLY BOUNDARY OF SAID TRACT 59; THENCE LEAVING THE CENTERLINE OF SAID DITCH S00°48'57"W ALONG SAID TRACT BOUNDARY A DISTANCE OF 1015.25 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 18.014 ACRES, MORE OR LESS.

Area Approved for Annexation by this Ordinance:

To be Added before Second Reading (Includes Single-family Lots, Parks and Roads within the Development)

EXHIBIT B

DEVELOPMENT PLAN AND COMMUNITY BENEFITS

1. Final approval of the Reinstatement and Amendment of the 2009 Stott's Mill approvals for the portion of the 2016 Final Development Plan which includes the 60 individual lots on Blocks 1-5 (whether used for Single family dwellings, a child care or manager's unit); the north park and south parks; and the public street network
2. Sketch Plan approval of up to 96 multi-family units.
3. The development shall satisfy annexation requirements for park and trail improvement and dedication improvements as described further in Conditions No 1 of Exhibit "G". A public bathroom shall be provided in South Park which can also be used by users of the RFTA valley wide trail and designed to accommodate winter use of the Nordic trail. This bathroom may be incorporated into the Tennis Center provided an exterior entrance is provided.
4. *Dependent on Applicant's final negotiation with the School District* - The development shall provide a community housing program that provides teacher housing in lieu of land dedication, in the form of two (2) deed-restricted Category 3 units as further described in Condition No. 8 under "Attainable Housing" and Condition No. 1 under "Phasing and Approval Documents"
5. The Applicant shall construct and receive a core and shell CO on a daycare facility of at least 4,000 square foot core and shell daycare space on the first floor of the building on Lots 37 and 38, of Block 4, with the associated fenced playground space as generally shown as the Option B Preferred Layout on the Peak Architects (Anderson's) site concept plan dated 8-4-2016.
6. The Applicants shall lease the space to a daycare based on the following:
 - a. The daycare use will be the priority use for the facility; and,
 - b. The Applicant shall lease the space to a daycare provider at the market lease rate (considering the lease rates for Growing Years, Blue Lake, Learning Curve, and Honey Tree) for mid-valley daycare space as determined by the Town Manager; and,
 - c. If a licensed and qualified daycare provider cannot be found to lease the space at the terms identified in 4(b) above within ninety (90) days of the issuance of a core and shell certificate of occupancy on daycare building, the Town

Council may choose to put another public use in the space for the lease rates described above. If the Council chooses not to put another public use in the space based on those terms, the Applicant may convert the space into two additional free-market dwelling units.

Similarly, if a daycare provider occupies the space and then vacates the space and the building sits vacant for a period of one year or greater, the Town Council may choose to put another public use in the space for the lease rates described above. If the Council chooses not to put another public use in the space based on those terms, the Applicant may convert the space into two additional free-market dwelling units.

d. The minimum lease term for a daycare shall be five (5) years, unless waived by the Town Council.

5. The development shall satisfy the annexation policy for a minimum 1% Real Estate Transfer Assessment to be used for community benefits. Dwelling units which sell for \$1 Million or more shall have an additional 1% RETA so that the RETA is a total of 2% for those dwelling units.

6. *(To be deleted once FEMA approves the changes to the floodplain map for southside and eliminated the need for river improvements.)* The Applicant, his successors and assigns shall agree to be in a special district to help fund river and flood prevention improvements. River improvements are needed to ensure better vehicle exiting for all of Southside in the event the south side flooding occurs. While the district is not established at the present time, the requirement is that all annexations contribute to the funding of needed river improvements. This type of project would be assessed at a lesser extent than properties in the floodplain or adjacent to the river which benefit to a much greater extent by the improvements. This requirement shall be documented in the PUD control document, subdivision covenants, annexation agreement, or other type of development agreement, as determined by the Town Attorney.

7. The development shall comply with the Town's Sustainable Building Regulations and all other applicable building codes in effect at the time of building permit. Each single-family residential unit shall have a minimum Home Energy Rating System (HERs) rating index of lower than 80 points (equates to a score of 90 points on the old HERs Scoring System) that will be verified at building permit by the Town's Building Official and meet any green building and energy conservation regulations adopted by the Town at the time of building permit issuance.

8. The Applicant shall identify two (2) parking spaces for use of the carshare program once initiated on the final PUD plan to be recorded. The TRC shall review and approve of the location of the spaces. The Applicant or successors shall pay \$200 per

dwelling unit at the time of building permit to the Town for use in implementing a carshare program or other green initiatives at the discretion of the Town's Green Team Advisory Board.

EXHIBIT C

ATTAINABLE HOUSING

1. As represented in the application, the dwelling unit breakdown for the project shall be as follows:

Type of Units	Deed-Restricted, Price-Capped Units	Free-Market Units
	31 Dwelling Units plus 2 for dedication to the School District (Note- Applicant still in discussions with School District)	123 Dwelling Units

- a. The Community Housing units developed in Stott's Mill shall meet the requirements established in the Community Housing Guidelines as in effect on the effective date of this ordinance.
- b. The category-level units shall have a maximum initial sales price that does not exceed an average price that would be affordable to an individual or household making 100% of Basalt's Weighted AMI as defined by using the sales price formula established in the Basalt Community Housing Guidelines.
- e. The Applicant shall identify which multi-family units are to be deed-restricted as Category-level units prior to submitting a Final Site Plan Application on the

Multi-Family portion of the development. Additionally, the 10 lots within the development may be used to meet the affordable housing mitigation requirements and shall be deed-restricted for the construction of Category units satisfying the following requirements:

- i. First priority to purchase the ten (10) vacant lots shall be provided to the School District and Habitat for Humanity unless another entity is approved for priority by the Town Council.
 - ii. The maximum sales price for the 10 lots to be used for affordable housing mitigation shall be further discussed and defined between Staff and Applicant prior to the Council's review.
- f. In the event that the Applicant only receives final approval to reinstate the single-family development portion of the project and does not receive final approval on the multi-family development, the Applicant would be required to meet the Town's affordable housing mitigation requirements of 20% of the units and 25% of the residential square footage being deed-restricted at a maximum Category 3 rate in the single-family portion of the development.
2. The Applicant shall participate with the Town's designated housing administrator or other similar entity to participate in down payment assistance programs.
3. Up to one floor of development may occur above the daycare may be used as the Multi-family's Management Office and a dwelling unit for the Applicant's Resident Manager may be located on above a daycare facility.
4. The initial HOA dues and assessments and changes to the HOA dues and assessments over time for the Category housing units shall be as required by the Community Housing Guidelines, as amended from time to time. The Applicant shall provide a revised draft initial HOA budget for review and approval by the TRC prior to recording the necessary annexation documents. The revised HOA budget shall include a sufficient capital improvement fund. The HOA dues and assessments for the category-level units are based on assessed value as discussed in the Town's Community Housing Guidelines and in no instance shall the HOA dues and assessments for the Category-level units be more than 80% of the HOA dues and assessments for the free-market units.
5. The small lots (28-foot wide and 42-foot wide) shall be permitted to provide one of their required parking spaces on the street as requested by the Applicant. Each of the small lots includes parking on-site for two cars and the parking requirement for a three-bedroom dwelling unit is rounded up to three parking spaces for these lots. The other uses shall be code compliant in terms of parking.

6. The live/work and home occupational aspects of the Stott's Mill development are approved as represented in the Application, as further clarified herein. The inhabitants of the multi-family dwelling units shall be permitted to use up to 15% of their allowable square footage as home occupation space. The single-family lots to be zoned R-3 TN PUD shall permit home occupations that do not employ more than 1 FTE that does not live on the premises and shall be allowed to use up to 30% of their allowable square footage as home occupation. All home occupations shall also comply with the remainder of the home occupation requirements set forth in the Town Code.
7. The Applicant shall construct a chain link fence (consistent in design and materials with the existing chain link fence between the High School and the Cerise property) at the eastern boundary of the property to protect the adjacent agriculture land prior to commencing any construction activities on the site. The fence shall be maintained after construction, but the abutting property owners may construct an internal fence meeting the guidelines in the PUD.
8. *Dependent on Applicant's final negotiation with the School District.* The Applicant shall deed restrict two (2) units, consisting of one studio and one 1-bedroom unit, as Category 3 Units and then deed the Units to the RE-1 School District. The two (2) units for School District employees shall obtain Certificates of Occupancy (CO) and be deeded to the School District before the issuance of COs prior to the completion of half of the units within the development. The School District units shall be part of the HOA and the School District will pay the HOA dues and assessments applied to comparable community housing units in the development.
9. The apartment units proposed to be category-level rental units shall be rented at no more than the maximum rental rates and pursuant to the rental provisions established in the Community Housing Guidelines, as may be amended from time to time. The Applicant shall grant 1/10th of one percent ownership interest in each such rental unit to the Town of Basalt and hold the Town harmless for any liability incurred related to the Town's ownership. The Applicant, for itself and its successors and assigns, agrees that the limitations on rent contained in this ordinance is the result of a voluntary agreement between the Applicant and the Town within the meaning of CRS 38-12-301(2), and that the Applicant, for itself and its successors and assigns, hereby waives any claim that the rental housing required by this ordinance is in violation of CRS 38-12-301.

In the event that the Applicant wishes to sell any of the rental category units, the Town shall deed the Town's ownership interest back to the Applicant and the category-level community housing units would be required to be sold according to the provisions in the Community Housing Guidelines for sale units in affect at the time and the Applicant must record a new deed restriction to meet the

requirements in the Community Housing Guidelines for owned units. If at any time, a court of competent jurisdiction finds that the Applicant's agreement to rent the multi-family units at below market-rate rents violates a state or federal law, or if the Town determines that the rental deed restrictions are unenforceable, then the units shall be sold to qualified buyers as defined in the Town's Community Housing Guidelines at the maximum initial sales prices specified for the category of unit (Category 1, 2, 3) that they are designated, and the Applicant must execute a new deed restriction to meet the requirements of the Community Housing Guidelines for owned units.

10. One of the Category 3 units shall be first offered for rent for a 60-day period to full-time daycare employees employed within the town limits of Basalt and if the unit is ever condominiumized and sold, it shall be first offered for sale for daycare employees working in the town limits of Basalt for 60-days each time it is offered for sale. In the event that qualified employee that works within a daycare cannot be found to rent or purchase the unit, it shall be offered for rent or sale subject to the rental and sale provisions for a Category 3 unit in the Community Housing Guidelines.
11. The Applicant shall include language in the Master Declaration of Covenants generally consistent with the following:

If any Property or Unit is sold as a foreclosure sale or otherwise acquired by any person or entity in lieu of foreclosure, the Town, Pitkin County, or Eagle County, shall have the option to enter into an agreement to acquire such Property or Unit within sixty (60) days after the following:

- (i) the issuance of a public trustee's deed to the purchaser, or
- (ii) receipt by the Town of written notice from such person or entity of the acquisition of such Lot or unit in lieu of foreclosure, as applicable, for an option price not to exceed
 - (a) in the event of a foreclosure, the redemption price on the last day of all statutory redemption periods and any additional reasonable costs incurred by the holder during the option period which are directly related to the foreclosure, or
 - (b) in the event of a transfer in lieu of foreclosure, the amount paid, or the amount of debt forgiven, by the transferee plus the reasonable costs incurred by the transferee with respect to its acquisition of such Property or Unit.

Except for persons or entities having a lien on a Property or Unit as provided herein, only "Qualified Buyers" as that term is defined herein or the Town, Pitkin County, or Eagle County may acquire an interest in a Property or Unit at a foreclosure sale or in lieu of foreclosure. If any person or entity having a lien on a Property or Unit is not a Qualified Buyer and acquires an interest in such Property or Unit in a foreclosure sale or in lieu of foreclosure, the provisions in the Master Declaration of Covenants for non-qualified transferees shall apply. It is the Town's intent that the terms and provisions of this Agreement shall remain in full force and effect with respect to the Property and all Units until modified, amended or terminated in accordance with the terms of the applicable Master Declaration of Covenants.

In the event that the Town, Pitkin County, or Eagle County, exercise the option described above, the entity purchasing the unit, may sell the Property or Unit to Qualified Buyers as that term is defined herein, or rent the Property or Unit to qualified tenants who meet the income, occupancy and all other qualifications, established in the Basalt Community Housing Guidelines, until a sale to a Qualified Buyer is affected.

However, in the event of foreclosure by the holder of the first deed of trust on such Property or Unit, if the holder of such deed of trust is the grantee under the public trustee's deed and the Town, Pitkin County, or Eagle County does not exercise its option to purchase as provided in the applicable Master Declarations of Covenants, then the Town agrees to release the Property or Unit from the requirements of this Deed Restriction."

EXHIBIT D

SITE PLAN, DESIGN, AND DEVELOPMENT PROGRAM

1. The Applicant shall abide by the design guidelines dated August of 2008. The design guidelines shall be incorporated into the PUD approval documents and enforced by the Town in building permit review. This shall not preclude the ability of the development to have a design review board in addition to the Town's review purview over the design guidelines.

Each building permit application submitted to the Town for a new single-family or duplex residence within the development shall have first been reviewed and approved by the subdivision's design review board for compliance with the subdivision design guidelines. In the event that there is a disagreement between a building permit applicant and the Building Official, the building permit applicant may appeal the Building Official's determination to the Town Council to be considered at a duly noticed public hearing.

The design guidelines shall be amended prior to being included in the PUD approval documents to include the following:

- a. A requirement that front yard fences shall meet all requirements in the Town Code for front yard fences and front yard fences shall be setback at least 12 inches from the back of the sidewalk.
 - b. The Applicant shall also provide a variety of designs and contract with at least four (4) different local architect firms to design the units to be constructed by the developer to ensure variety in design.
2. The dimensional requirements for the narrow lots (28-foot wide and 42-foot wide) zoned R-3 TN PUD shall be as follows:

Dimensional Requirement	Approved Measurement
Min. Lot Area	3,360 SF
Building Height	24 Ft. to midpoint
Ridge Height	28 Ft.
# of Stories	2
Lot Width	28
Front Yard Setback	10 Ft. Porch 16 Ft. Living Area
Rear Yard Setback	7 Ft.
Side Yard Setback	5 Ft.
Floor Area	• 1,328 Total

	Square Feet for 28 Ft. wide lots <ul style="list-style-type: none"> • 2,000 Total Square Feet for 28 Ft. wide lots • 2,376 Total Square Feet for 42 Ft. wide lots
Max Lot Coverage	70%
Min Landscape	20%
Parking	Per Town Code. The small lots that have three-bedroom units shall be permitted to provide one of their required parking spaces on the street as requested by the Applicant.
Maximum No. of Bedrooms in a Unit	3 Bedrooms

3. The dimensional requirements for the multi-family residential buildings in a zoned R-4 MD PUD shall be as follows:

Dimensional Requirement	Approved Measurement
Min. Lot Area	NA*
Building Height	33 Ft. to midpoint
Ridge Height	35 Ft.
# of Stories	3
Lot Width	50
Front Yard Setback	10 Feet
Rear Yard Setback	20 Feet
Side Yard Setback	10 Feet
FAR of Building	.69:1
Max Lot Coverage	NA
Min Landscape	20%
Parking	Meet Code Requirements

*- A total of 96 dwelling units shall be permitted on the multi-family Property. (Note: This density is permitted for the sketch plan approval on the multi-family and is subject to change at Final Plan Review). The maximum unit sizes allowed on the parcels to be zoned R-4 MD PUD are as follows:

Unit Type	Maximum Unit Size
Studio	700 Total SF
1-Bedroom	800 Total SF
2-Bedroom	965 Total SF
3-Bedroom	1,135 Total SF

4. Multi-Family Design to be reviewed as part of the Final Site Plan Review.

EXHIBIT E

IMPACT FEES AND DEDICATIONS

1. The Applicant shall participate in or contribute on a proportional basis to the future cost of making the transportation improvements that will be necessary to mitigate the cumulative impacts of traffic growth from this and other expected projects. The Applicant shall pay a transportation fee at the time of building permit issuance for each of the individual units based on the following schedule:

Type of Unit	Fee
Free-Market Residential	
Detached	\$.85 per total square foot
Attached (Includes duplexes)	\$.70 per total square foot
Community Housing	
Detached	\$.45 per total square foot
Attached (Includes duplexes)	\$.35 per total square foot

(Note: Staff did not grow this fee because there are significant transportation improvements required of this development application, but other Applications that are proposed are expected to have an increased fee.)

2. The Applicant shall contribute on a proportional basis to the cost of implementing the new water storage tank using the methodology and timing of payment in the Town Code and adopted fee schedule (as adopted in Ordinance No. 18, Series of 2008). The Stott's Mill project is subject to certain surcharges, as provided in the Municipal Code, for connecting to the existing water distribution system.
3. The plans for a Southside Traffic Roundabout or an Alternative Traffic Calming Mechanism on Southside Drive adjacent to Stott's Mill must be approved by the Town Council before or concurrent with the Final Plan approval of the multi-family portion of the development. The Applicant's responsibilities for construction of this improvement will be addressed in the Final Plan review for the multi-family housing. However, the Applicant shall also dedicate the land area necessary for the implementation of a mini-roundabout at the intersection of Southside Drive and Running Brook Drive as proposed in the Application prior to recording the final plat for the Subdivision.
4. The Applicant shall conduct a traffic study acceptable to the Planning Director upon the completion of the pedestrian underpass to establish new baseline conditions or pay the Town for the cost to complete the study as further described below. The Applicant shall pay a fee in the amount \$904 for each of

the multi-family units and \$1,304 for each of the single-family units at the time of building permit for each unit in order to equal one-third of the construction costs, of a mini roundabout at Cody Lane and Basalt Avenue ("Mini Roundabout Improvement"). This is in addition to the impact fees included in Condition No. 1, of Exhibit "E".

At any time after completion of this traffic study the Town Manager may determine that the Mini Roundabout Improvement is necessary to be installed before the Stott's Mill Development is completed or the Town has the other funds to construct the mini-roundabout, the Town Manager may provide 60 days written notice to the Applicant, at which time the Applicant shall provide the remainder of their share of the Mini Roundabout Improvement costs.

The Town is assuming a conservative \$500,000 for the cost of the Mini Roundabout Improvement until final plans and cost estimates are prepared and certified by an engineer for Improvement and accepted by the Town Engineer. Therefore, until the Town Engineer certifies a lower cost, the Applicant's share of the cost of the Mini Roundabout Improvement is \$165,120.

Upon completion of the pedestrian underpass and an updated traffic study that is acceptable to the Planning Director for adequacy of the required information, a check-in with the Town Council will be conducted. The purpose of the updated traffic study is to determine the effectiveness of the pedestrian underpass and associated lane age changes with regards to reducing the queuing time and providing an acceptable level of service at the Basalt Avenue/Highway 82 traffic signal. The updated traffic study would identify whether the mini-roundabout is needed to be constructed before additional development is permitted or define how many more units in Stott's Mill could be built without triggering the need for the mini-roundabout. This condition may be refined during final plan review of the multi-family units.

5. The Applicant shall prepare and submit for the Town an updated access permit with CDOT. Alternatively, at the Town's sole decision, the Town shall prepare and submit the access permit and be reimbursed by the Applicant. The required permit application shall be submitted before or concurrent with the Final Plan application unless waived by the TRC.
6. The Town will use its best efforts to seek funds from other Developments in the Southside for the necessary studies and improvements needed to accommodate the pedestrian and vehicular traffic through the area. The Town will use its best efforts to reimburse the Applicant when other funds are received so that the Applicant is only paying for its fair share of the studies and infrastructure.

EXHIBIT F

WATER RIGHTS

1. The Stott's Mill developer shall dedicate by special warranty deed all of its 1.57 cfs, absolute, decreed in the Grace & Shehi Ditch, 0.644 cfs under Priority 142 and 0.926 cfs under Priority 302, which have been historically used to irrigate 12.29 acres of the 17.976 acres proposed for annexation into the Town as more further described in the Memorandum from Tom Kinney, Town of Basalt Water Attorney, to Susan Philp and Larry Thompson dated April 30, 2007.
2. The Town shall lease back to the Applicant, portions of these Grace & Shehi Ditch water right priorities for continuation of raw water irrigation within the Stott's Mill PUD Parcel.
3. The Applicant shall be required to provide a cash-in-lieu payment reflecting the cost of the Town's obtaining water rights sufficient to meet the full build-out municipal water service demand occurring during the non-irrigation season (currently anticipated 18.2 acre-feet).
4. As part of constructing the irrigation water storage pond on the property, the Applicant shall abide by the following requirements:
 - a. The out-of-priority stream depletions resulting from pond evaporation should be incorporated by the Town into the Town's augmentation plan, which augmentation plan is and shall continue to be solely owned and maintained by the Town.
 - b. The Applicant shall make a cash payment to the Town in lieu of the dedication of additional water rights and in an amount appropriate to compensate the Town for the legal and engineering costs associated with either amending the Town's augmentation plan or obtaining Water Court approval of an additional augmentation plan, to incorporate the operational pond as an augmented structure.
 - c. The declaration of covenants and the subdivision improvements agreement shall contain language prohibiting the use of treated water for outdoor irrigation purposes, except between November 1st and March 31st when homeowner's may use treated water for irrigation.
 - d. Applicant shall continue to use the dedicated 1.57 cfs Grace & Shehi Ditch water described herein above at Condition No. 1 of Exhibit F pursuant to the annual lease-back agreement described herein below at Condition No.

5 of Exhibit F for the purpose of irrigating 12.29 acres of historically irrigated acreage within the Stott's Mill PUD Parcel until development construction begins and shall thereafter continue to use a portion of said 1.57 cfs Grace & Shehi Ditch water right to continuously irrigate the maximum portion of said 12.29 acres historically irrigated within the Stott's Mill PUD Parcel practicable during construction of the Stott's Mill PUD.

5. The Town's former Water Attorney has drafted a municipal water service agreement, water rights dedication deeds, and an annual lease agreement by which the Town will lease back to the developer and/or home owners' association(s) a portion of the 1.57 cfs of dedicated water rights in the Grace & Shehi Ditch for raw water irrigation. The Applicant shall execute these documents prior to or in conjunction with recording the final annexation plat and agreement.

EXHIBIT G

PARKS, TRAILS, AND OPEN SPACE

1. The Applicant shall comply with the annexation requirements for parkland dedication and park improvements by:
 - a. Dedicating ownership of 4.5 acres of improved park land to the Town as shown on the Final plat and and improving the two parks as shown on the landscape plan prepared by Mt. Daley Enterprises with a revision date of 11/17/09.
 - b. For South Park, the Tennis Group represented by Diana Elliot shall be able to construct an indoor tennis center comprised of three (3) tennis courts in the event that they are able to raise the necessary funding as determined by the Town Manager by ____ (*two years after the final project approval date*). If the Tennis Group has not obtained enough funds to build the tennis facility by (*two years after the final project approval date*), the Applicant will resume control of installing an active park consistent with the park plan in the 2009 approvals to include a public bathroom in the vicinity of the Denver and Rio Grande Trail, storage space incorporated into the bathroom design for use by the Public Works Department, drinking fountain, trails, signage, bicycle parking facilities, 2 basketball courts, and 4 tennis courts, and the historic cabin in the configuration generally shown on the landscaping plan dated 6/8/09 (with the exception that no nordic storage is required to be constructed). As the Town will own the storage space, the Town will be able to use it if the Tennis Center is not built, conditions c-i below will also apply.
 - c. A revised landscape plan shall be submitted for review by the TRC prior to recording the Master plat and SIA that demonstrates the ability for and the location of a 14-foot wide Nordic ski loop in South Park that is free of landscaping barriers.
 - d. The Applicant shall erect the proposed pole and rail fence between the Rio Grande Trail ROW and the Stott's Mill property prior to commencing construction activities on the entire site.
 - e. The Applicant shall enter into a license agreement with RFTA to construct sidewalk connections to the Rio Grande Trail prior to recording a Master Plat and SIA.

- f. The trails on the Landscape Plan in the North and South Park shall be asphalt.
- g. The Applicant shall relocate the historic cabin to South Park and make it structurally sound for use as a recreational feature in South Park. This shall be completed as part of the required improvements.
- h. The Town will conduct the routine park maintenance on North and South Park, but the Applicant shall enter into a perpetual maintenance agreement with the Town requiring that the HOA will maintain the raw water irrigation system at its sole expense. The Town Attorney and Public Works Director shall review the maintenance agreement prior to recording it at the Pitkin County Clerk and Recorder's Office. The agreement shall be recorded in conjunction with recording final annexation plat and agreement.
- i. The Applicant shall provide an irrigation plan for irrigation in the Town's right-of-ways for review and approval by the Town's Assistant Planning Director prior to issuance of any building permits for the development.

EXHIBIT H

FIRE DISTRICT CONDITIONS

1. The declaration of protective covenants shall require that fire apparatus access roads within the development shall not be obstructed in any manner, including the parking of vehicles so that the minimum widths and clearances established in the Section 503.4 of the International Fire Code are maintained. Language shall also be added to the declaration of protective covenants shall also prohibit the parking of recreational vehicles or boats in the on-street parking spaces within the development.

The declaration of protective covenants shall provide that these requirements are enforceable by the HOA and by the Basalt and Rural Fire Protection District.

EXHIBIT I

TECHNICAL CONSIDERATIONS

1. The Applicant shall comply with all of the geo-technical recommendations provided by HP Geotech, including the basement recommendations made by HP Geotech in their letters dated October 23, 2007 and April 3, 2008, requiring that basements for the single-family lots not extend more than six (6) feet below existing grade and that basements not be provided in the multi-family buildings. This shall be a requirement of the declaration of protective covenants.

2. The Applicant shall only be required by the Town to remove a small area of willow vegetation on the westernmost extent at which the Home Supply Ditch is on the Stott's Mill property before it reaches Southside Drive and a small area of willow vegetation at the easternmost extent at which the ditch is located on the Stott's Mill property. These small areas of removal shall be revegetated with a native low-lying species approved by the Public Works Director. The Applicant shall have finalized an agreement with the Home Supply Ditch Company to enable the Applicant to construct Alexander Lane across the ditch prior to recording the Master Plat dedicating the parks to the Town.

The Applicant shall prepare a revised landscaping plan for North Park for review by the TRC and the Assistant Planning Director that includes an area of dense vegetation adjacent to the irrigation pond that may replace some bird habitat that might be lost if the ditch company or the Applicant removes all of the vegetation on the south side of the Home Supply Ditch within the ditch easement. Four water birch specimens that were identified on the site visit between representatives of the Home Supply Ditch Company and Town Staff on 11/12/09 are to be preserved on the south side of the ditch upon final approval by the Home Supply Ditch Company Board of Directors.

3. There shall be no designated parking spaces, except for handicap spaces on the public streets, spaces on the individual single-family lots, and carshare spaces. This shall be a requirement of the declaration of protective covenants.

4. The Applicant shall apply for and be annexed into the Basalt Sanitation District prior to the issuance of the first building permit in the development. Acceptance into the Basalt Sanitation District shall be contingent on obtaining final annexation approval.

5. The Town contracted with Economic and Planning Systems (EPS) to develop an economic model to study the fiscal impacts of the development on the Town. The Applicant shall reimburse the Town for the cost of having EPS conduct the study.

6. The Applicant shall dedicate the alleyways to the Town on the Master Plat, but the Applicant shall also enter into a perpetual maintenance agreement requiring the HOA to maintain the alleyways, including but not limited to snowplowing and resurfacing. This maintenance agreement shall be drafted by the Applicant and reviewed by the Town Attorney and Public Works Director and recorded prior at the County Clerk and Recorder's Office in conjunction with recording the PUD control document.

7. Development in the rights-of-way shall occur as approved in the Final PUD plan, but the Town reserves the right to make future improvements in the rights-of-way as deemed appropriate and shall not be bound by limits established in the PUD.

8. The Applicant shall install removable bollards in the Allison Lane vehicular connection with a Knox box meeting the Fire District's requirements. The area between the bollards shall be maintained for a through access during the winter by the Town.

EXHIBIT J

PHASING AND APPROVAL DOCUMENTS

1. The Applicant shall enter into a PUD control document with the Town within 180 days of the effective date of the Final Plan ordinance for Phase I, adopting the terms and conditions of the development and providing security for the common public improvements associated with the development. The Applicant shall also record a Master Plat/Annexation Map and Final PUD Development Plan with the Pitkin County Clerk and Recorder's Office within 180 days of the effective date of the Final Plan ordinance. The Town Planner may extend the approvals in writing if the Applicant chooses to try and obtain a final approval on the multi-family portion of the development prior to commencing development on the single-family portion of the development. In the event that the Applicant does not execute and record the necessary documents in the allotted timeline established herein or obtain a written extension from the Town Planner, the approvals established herein shall be void.

A note shall be included on the Final Annexation Map indicating that the area of annexation has been refined from the legal description included on the original annexation petition, yet represents the development proposed in the annexation petition that was approved for annexation eligibility pursuant to Resolution No. 14, Series of 2016.

The PUD control document, Master Plat/Annexation Map, and PUD Development Plan shall be reviewed by the Town Attorney for approval of form and content prior to recording. The PUD control document, Master Plat, and PUD Development Plan shall be recorded prior to commencing the installation of infrastructure and prior to the issuance of the first building permit in the development. The Applicant shall also prepare deed restrictions for the community housing units for review and approval by the Town Attorney prior to the recording of the PUD Control Document.

An individual subdivision plat shall be submitted for each phase prior to closing on the sale of any lots or developing on any of the lots in each phase.

2. The Applicant shall complete all of the proposed park improvements (including all landscaping, trails, one stormwater detention facility, the ditch improvements, pond, irrigation piping, and adjacent sidewalk and parking) in North Park within three (3) years of final approval.

3. In the event that the Tennis Center is not built, the Applicant shall complete all of the proposed park improvements (including all landscaping, trails, one stormwater detention facility, the ditch improvements, the adjacent sidewalk and parking, the public

facilities/storage, and the courts) in South Park prior to the Applicant obtaining a building permit on half the units in the development.

4. The Applicant shall construct a chain link fence (consistent in design and materials with the existing chain link fence between the High School and the Cerise property) at the eastern boundary of the property to protect the adjacent agriculture land prior to commencing any construction activities on the site. The fence shall be maintained after construction, but the abutting property owners may construct an internal fence meeting the guidelines in the PUD.

5. *Dependent on Applicant's final negotiation with the School District.* The two (2) units for School District employees shall obtain COs, be deed restricted as Category 3 units, and then be deeded or prioritized (in the case of a rental unit) to the School District before the issuance of COs on half the units in the development.

6. The category level units shall be constructed at a proportional rate with the free-market units). For example, since the number of category-level equal at least 20 % of the units within the project, at least two (2) category-level units shall be constructed and obtain COs out of every ten (10) total units developed within the project.

7. The multi-family shall remain in a single ownership until such time as the last of the multi-family buildings on these blocks is completed and obtains a CO. Any future subdivision will be subject to the then-current subdivision regulations.

8. The timing and Applicant's responsibilities or proportional costs for construction of the roundabout or traffic-calming improvements determined necessary by Town Council for Southside Drive shall be determined during Final Plan review of the multi-family units.

9. The irrigation pond and irrigation piping shall be installed in the 1st phase of improvements and prior to the issuance of the first building permit within the development.

10. Up to four (4) model units that are not inhabited may be exempted from the phasing requirements by the TRC.

11. If there are any insubstantial changes to the project's phasing plan during construction, a revised phasing plan shall be submitted for review by the TRC. Any minor deviations from the requirements of the approved phasing plan require approval by the TRC and shall be documented by the issuance of a TRC Certificate. If the TRC finds that a change is not insubstantial, the change shall require approval by the Town Council.

12. The Applicant shall provide financial security in a form acceptable to the Town Attorney, in an amount sufficient to secure all of the improvements within both North

and South Parks (2009 Landscape Plan) within the development plus a ten (10%) percent contingency in conjunction with filing the master plat and PUD plan. Prior to the issuance of the first building permit or closing on the sale of any lots in an individual block, whichever is earlier, the Applicant shall prepare and record a subdivision plat for the individual block or blocks that are being developed.

In conjunction with filing the subdivision plats on the development phases-the Applicant shall be required to put up a letter of credit for the public improvements in the phase. If the Applicant is proposing to develop multiple phases at once, they shall be allowed to record multiple phase subdivision plats at once, but they would need to put up security for the public improvements on all of the phases being platted.

The Town may draw on the financial security posted for the public improvements to install any incomplete public improvements or restore the site to an acceptable condition if at any time after the commencement of construction activities the Town Engineer determines that the project or a portion of the project has been abandoned. Abandonment for the purpose of administering this condition shall mean that the Applicant has started improvements, but has stopped all construction activities on the site for a period of more than six (6) months.

No more frequently than once every quarter, Applicant shall be entitled to partial releases or reductions of the Performance Guaranty as portions of the Improvements are completed and approved. In order to obtain a partial release or reduction of the Performance Guaranty, Applicant shall submit a Certificate of Partial Completion signed by an engineer licensed in the State of Colorado or other appropriate professional acceptable to the Town describing the portion of the Improvements completed, and the cost allocation associated with such completed improvements.

EXHIBIT K

VESTED RIGHTS AND CONTRACTUAL PHASING

1. Vested property rights shall be granted for a period of three (3) years from the effective date of the ordinance approving the final annexation. The Applicant may request an extension of vested rights and an amendment to the contractual phasing requirements pursuant to the process for extending vested rights as established in the Town Code. The Town Council may consider the strength of the local housing market and construction lending environment in considering a request to extend the vested rights and contractual phasing time period.

All of the public improvements required in the development with the exception of South Park, shall be completed within the three (3) year vested rights period. Additionally, if the Applicant does not complete the Town's required improvements within the three (3) year vested rights period, the Town reserves the ability to unilaterally rezone the property or change the allowable uses within the PUD. Buildout shall occur in seven (7) years after infrastructure installation with the ability for the Applicant to come back and ask for an extension from the Town Council.

September 22, 2016

James Lindt, Assistant Planning Director
Town of Basalt
101 Midland Avenue
Basalt, CO 81621

RE: Stott's Mill – Issue Status for 9-27 Meeting

Dear James:

Thanks for your discussion regarding Stott's Mill and some of the items brought up at the September 13 meeting. We are continuing to move forward on a number of issues and hope to have information for further discussion either September 27 or for the 2nd Reading in October. We would like to point out the following:

Financial: Financial issues were briefly discussed on September 13. Stott's Mill is putting together information on estimated infrastructure costs; development related fees such as surcharges, impact fees; revenues from sales and rents; as well as other development and review related costs. It is our understanding that we will be providing this information and working directly with the Town's financial analyst. We are waiting for sample format and contact information from the Town's financial consultant (Mr. Kimmel). Job cost to date and cost history record have been provided to staff.

Traffic. It is our understanding that the updated Southside Traffic Information will be forwarded to us shortly. We will have our Project Engineer review and be ready for discussion on the 27th.

School District Housing. We have met with Jeff Gatlin, COO for RE-1 and the District is looking at a number of options related to housing at Stott's Mill in lieu of School District Fees.

Affordable Housing. The Stott's Mill team is working on finalizing what the "lot price" would be for offering an affordable housing lot that is construction ready – utilities available but no structures on the lot. This will allow us to finalize our final rental and Deed restricted unit percentages/mix.

Multi-Family Housing. We are at the Sketch Plan level for the R-4 MD Multi-family housing review. It is our understanding that there is interest in having more detail on the layout of the units themselves, exterior quality, nature the open space etc. Unfortunately, the "flyover" was not working properly at the September 13 meeting and

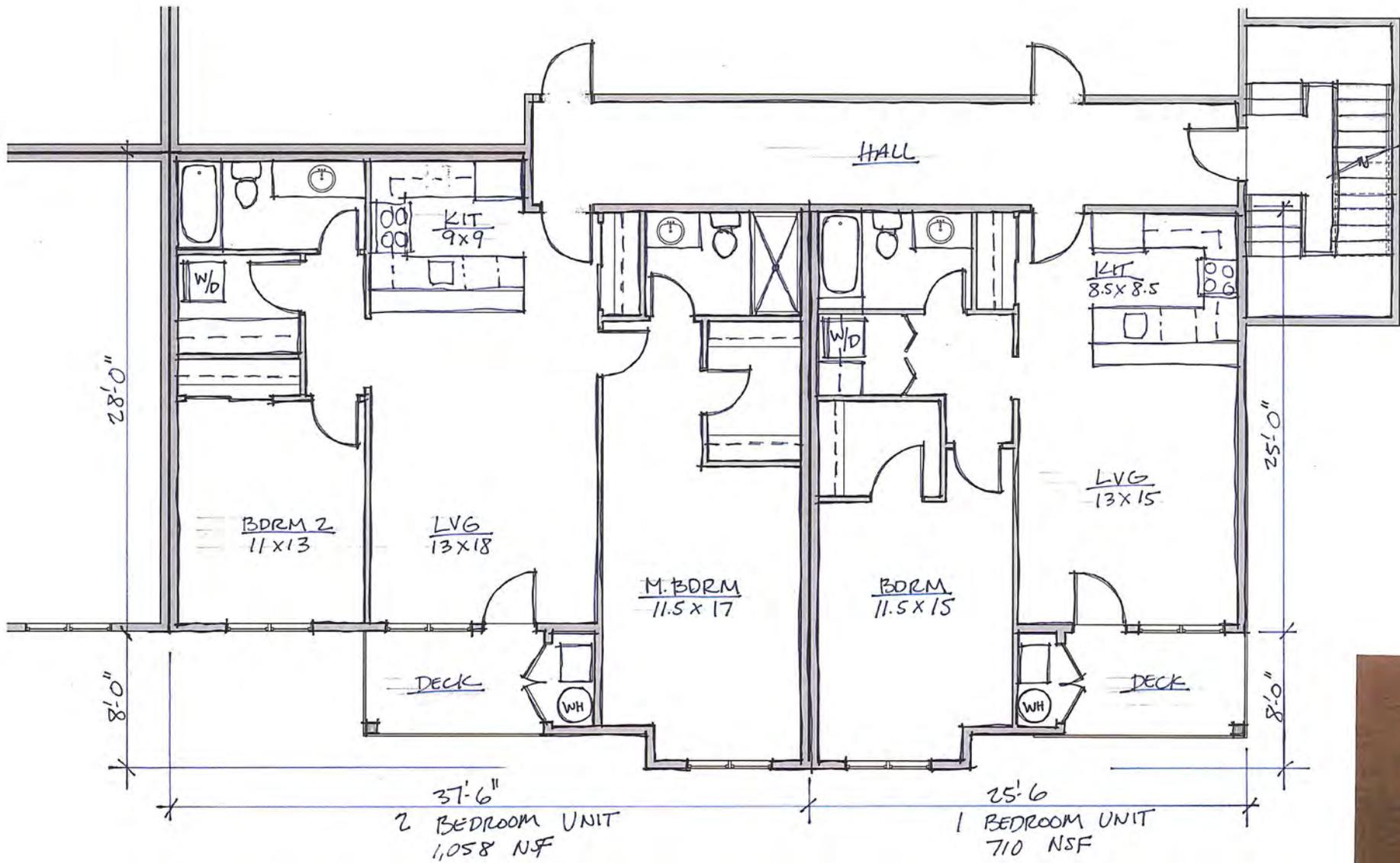
we feel that provides some of the details and quality related items that people wish to see. That should be operational for the meeting of September 27. We have also provided additional exterior concepts and sample floor plans in the last few days which we hope will be useful.

In summary, we are working at providing additional information that you feel is necessary for the continued review over the next few weeks. We hope to make steady progress from now through second hearing scheduled. Please contact us if you need additional information or wish to discuss.

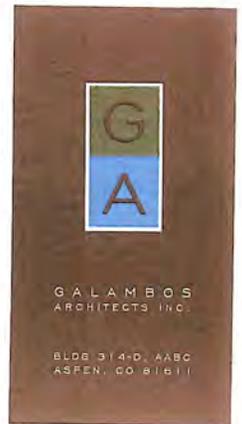
Sincerely,

Mark Chain

Mark Chain, Planner



STOTT'S MILL
CONCEPT PLANS
9/22/16





STOTT'S MILL
CONCEPT
9/22/16



GALAMBOS
ARCHITECTS INC.
BLDG 314-D AABC
ASPEN, CO 81611



STOTTS MILL
CONCEPT
9/22/16



GALAMBOS
ARCHITECTS INC.

BLDG 314+D, AABC
ASPEN, CO 81611



STOTT'S Mill
CONCEPT
9/22/16



GALAMBOS
ARCHITECTS INC.
BLDG 014-D, AABC
ASPEN, CO 81611



C) Additional Correspondence from Tennis Center Group

FAQ's about the Public Indoor Tennis Center

Why does the Roaring Fork Valley need a public, indoor tennis facility?

The Roaring Fork Valley currently does not have any public, indoor tennis courts. By building such a facility, the RFV can host tournaments and draw visitors to town that will help our economy grow. The Center will also make Basalt and the surrounding community a better place to live by giving its residents a year-round place to exercise, gather and play. The summer Park and Recreation leagues will be able to continue their programs during the cold weather months. The facility will also give kids the opportunity to play tennis in the winter who wouldn't otherwise have that option.

Location

Why was this location chosen?

The location of the facility will be part of the Stotts Mill Neighborhood and adjacent to the Basalt High School sports complex off of Highway 82. This creates a great opportunity for all tennis players in the Roaring Fork Valley to have a mid-valley location to play tennis year round.

Is the site on a flood plain?

No, this site is not on a flood plain.

Why should the facility be near other sports venues?

We believe that by having the indoor tennis center near the other sports fields, it will increase awareness and usage of the tennis facility. Parents may also find it less hectic to have their kids walk to practices after school for different sports because they are housed near each other. Visitors will locate the facility easier with restaurants and hotels near by that will meet their needs and make their visit to the mid-valley and Basalt more convenient.

Type of Structure

What type of structure will be built?

The plan is to build a 4 court, steel structure. Steel buildings can be insulated more effectively, providing more efficient energy utilization and lower costs. They are durable and they require little maintenance. These buildings have an indefinite useful life if properly maintained.

Project Costs

What is the total cost of the project?

The cost of the project is estimated to be \$1,300,000.00

How do you plan on raising the funds for the project?

The AD-IN! group will raise funds for the facility by asking for support from individuals, businesses, foundations and other sources of revenue.

What if the the required funding in not achieved?

All donations are held in a bank account until necessary funding level is reached. If the funding is not achieved with in two years of approval from the Town of Basalt, all donations will be re-funded in full.

How much will it cost to run the facility?

It will cost approximately \$130,127. a year to run the facility with. This includes staffing, office supplies, equipment and building utilities. Our business plan calls for the facility to be self-sufficient operationally in the first year,

Covering the Existing Courts

How big is the structure and how many courts will it cover?

This facility will be one building 128' wide 250' long steel structure that will cover four indoor courts. Building specifications will be set at the highest standards.

Why did you choose four courts?

According to USTA figures, with three courts you are sustainable, with four courts you can run two courts open for the public, two courts for programs and lessons and use all four courts for tournaments. This allows the tennis center to make a profit for the Town of Basalt. Four courts will also allow for the development of a substantial tennis center.

When would you like to break ground?

Once the necessary funds are raised, the center will take approximately six months to complete. Our goal is to break ground in the Spring of 2017 or when Stotts Mill is annexed into the Town of Basalt. Ground-breaking is contingent upon successful fundraising efforts.

When would the facility open its doors? When can I play there?

If ground breaking takes place in the Spring of 2017 the facility would most likely open in the Fall of 2017.

Will local contractors build the center?

Yes. In fact, the AD-IN! group is engaged in discussions with local firms that could do the work such as the foundation, lighting and heating. We are planning on working closely with C.O.R.E. to make the tennis center as green and efficient as possible.

Management of the Facility

Who will own and manage the facility?

The Town of Basalt and the Basalt Recreation Department will own the building and will hire personnel to operate the facility and programs.

Is the facility public or private?

The facility will be public.

Do you have to be a member to play?

You will not need to be a member to play, but club memberships will be available. Membership benefits will include the ability to make a court reservation 7 days in advance instead of a 4-day advance reservation.

What court hours would be available to the general public?

The facility will be open 7 days/week, from 9:00 in the morning until 9:00 in the evening. It is understood that sometimes courts would be used for tournaments, RFSD school matches, Inter -club leagues, USTA leagues and special events. All which will generate money for the TOB coffers.

What would court fees be?

Court fees are planned to be \$24 per court hour in the winter and \$20. per court hour in the summer. This court fee is divided among the number of players on the court for the reserved time period. Private lesson fees are anticipated to cost \$60 per hour. Junior lesson program fees would be similar to our parks and recreation fees and range in price from \$40 - \$75 for a five week session. Our lessons are kept very affordable in order to reach a wide variety of the population.

Can Basalt and the Roaring Fork Valley support indoor courts year round?

Basalt and the Roaring Fork Valley are drastically underserved by a shortage of indoor courts. We currently have six indoor courts that are located at private facilities. The USTA states that in cold weather climates a population of 15,000 can sustain one indoor court. The Roaring Fork Valley Area, which includes Aspen to Glenwood (we have included all the way to Rifle and New Castle), had a population of 79,216 in 2013. Using the USTA formula, the Roaring Fork Valley with the towns of Rifle and New Castle could support at least 3 indoor courts. When adding in high school tennis matches and practices that would support a 4th court.

Are four indoor courts enough?

With the addition of the two middle school courts in Basalt, this will provide six courts from which to run tournaments and serve the public. With four courts at Crown Mountain this will now make the mid-valley the premier public tennis destination.

Programming

What will the Center offer? Lessons? Leagues?

The Basalt indoor tennis center plans on offering group and individual lessons, leagues for kids and adults, as well as clinics, drills and special events. The goal of the facility will be to provide people of all ages, with and without tennis experience, a place to play. It will also host the Basalt High School tennis matches and server as their practice courts. This also opens up an opportunity to continue with the tennis program offered though Basalt Middle school and continue at the high school level.

Will there be programs for disadvantaged youth?

The Basalt indoor tennis center will be a community tennis facility serving tennis players of all ages and incomes and encouraging these students to develop tennis, academic, and life skills in a safe, healthy environment.

My work schedule doesn't allow me to play during the week. Will there be league play on weekends?

The goal of the Basalt indoor tennis center is to provide programming that will be meet the needs of all players and so if the demand is there there will be league play on weekends. In addition we will have inter-club leagues.

Will the Crown Mountain indoor courts have USTA teams?

The tennis center will continue to allow USTA teams to use the Basalt facilities for summer USTA leagues. It will also open up the opportunity for a year round USTA Junior Team tennis league for the youth of the valley.

Donations

Why should I contribute?

We hope that you will contribute to the AD-IN! campaign because it is good for the community, our kids and good for growing the sport of tennis. It will help make the mid-valley an even better place to live.

How can I contribute?

Please send your contributions to:

AD-IN!
218 E. Valley Rd. Suite 104
PMB 309
Carbondale, CO 81623

I can't make a big donation. Do small donations make a difference?

Yes, every contribution, no matter the size, will help build the Basalt indoor tennis center. Please contribute today.

How can I find out about different giving levels and naming opportunities?

Please contact us at advantageindoortennis.org for information about giving levels, benefits to donors and naming opportunities.

How will my donations be treated?

The AD-IN! group shall utilize contributions only for the purpose and in furtherance of the Basalt public indoor tennis court project and facility to be located in Basalt, CO at the Stotts Mill neighborhood adjacent to the BHS sports complex.

Does the AD-IN! group have tax-exempt status?

Yes, the AD-IN! group is a tax-exempt charitable organization as described in and pursuant to I.R.S. 501 (c) (3) and eligible to receive tax-deductible contributions. Please consult your accountant for further guidance on tax exemptions.

Answers to Stott's Mill Developer for concerns that were raised at Council Work Session 9/13/16

1. **Open Space at Stotts Mill:** In your plat you have both open space by Building 4 and open space at the North Park which has a pond. I live in River Ranch and we have a pond and tennis courts. When our residents our spending time in the neighborhood they spend it at the pond and tennis courts. This is the gathering place for the neighborhood and you will find that the residents of Stott's Mill will spend most of their time at the park that has the pond, when they are not at the tennis center. If you have ever been to the high school during the summer weeks or on the weekends, you will see people using the track and the soccer field. What you do not see, is people in the park along Southside drive that Southside provided for their neighborhood to use. Most of the time this open space park is under utilized.

2. **Parking at Stott's Mill:** You mentioned the parking at South Park. Most of the use for this facility will be on the weekends, early morning or in the evening time. The tennis center is supported by the Roaring Fork School District and parking at Basalt High School will be available. In fact, you can restrict the parking to BHS should you choose to do so, and this would allow park users to park at South Park only. There are plenty of parking spots at BHS that would accommodate the 16 cars (that would be the total number of doubles players at any given time on the courts if they drove separately) that the tennis center would generate.

3. **Tennis Center as Proposed:** We would be willing to reduce the size of the tennis center to 3 courts in order for it to be more accommodating to your neighborhood. We are willing to work with you on this and if you would like we can bring in Loretta Conway from Steamboat Springs or Christina Kika from River Valley Ranch to inform you about the success of their tennis programs. We feel that having an active indoor tennis center would actually enhance your selling of the neighborhood lots.

It is appropriate for all walks of lives to have access to tennis and not reserve it for the people who can "afford" the sport of tennis. This is a public indoor tennis center and pricing will reflect public tennis courts and not private tennis facility pricing. If you have ever been to River Valley Ranch in Carbondale, you would see first hand how many residents participate in tennis programs there.

In addition I would like to point out that when winter and colder temperatures arrive, south park will have little to no activity in it as a passive park. The indoor tennis center will provide a gathering place for the neighborhood year round as families will participate in family tennis days and nights during the cold winter months.

4. **Recreation Dept. Offices:** We fully support having Basalt's recreation department's office in the tennis center. This only makes sense since Dorothy would oversee the hiring of the tennis director for this position and it would allow her to have an office by the fields and basketball courts that she uses in her programs. I do not believe there would be space for any other Town offices in this building as we do not want to make it any larger than what we have proposed. As to the three vs four courts, the USTA has weighed in that with three courts you can sustain a tennis center, but with four indoor courts you will actually make a profit. This is due to the fact that two courts can be used for open play while the other two courts are used for lessons, clinics and tennis programs. In addition having four courts allows you to run successful tennis

tournaments both high school and community. It is up to the Town of Basalt we believe, to determine what is best for Town coffers.

5. Appropriate Mid-Valley Location: We strongly feel that this is the most desirable location for a tennis center in the mid-valley. Having it by Basalt High School allows it to be part of a sports complex that includes the football field, the soccer field, the baseball and softball field and the basketball gym. It will be used by the girls and boys basalt high school tennis team, the PE classes at BHS, the Stotts Mills Residents, the Basalt Community and the communities of Aspen, Eagle, Pitkin, Carbondale and Glenwood Springs. Supporters of ours that will also benefit are the Buddy Program, Town of Basalt Recreation dept., Basalt Middle and High School tennis clubs and the Roaring Fork School district.

I would like to further discuss the merits of having a tennis center at Stotts Mill. This will be a asset to the Stott's Mill neighborhood and will make it the most desirable place to purchase a lot and live in the Mid-Valley. Thank you again for your time.

Diana C. CordovaElliott
President
Advantage Indoor Tennis Group
970-927-4693

Global Warming and Residential Developments in the Roaring Fork Valley

Hello.

Current data suggest that the rate of global warming is accelerating. An ice-free summer Arctic is now projected to occur by 2020, 80 years ahead of the last prediction of the IPCC. Arctic continental shelves and tundra soils, by 2012, had begun releasing large quantities of methane (CH₄), a greenhouse at least twenty times more potent than CO₂. In 2014, atmospheric CO₂ concentrations had exceeded 400 ppm. All of these were long-feared tipping points. And, the last few years, 2014-2016, the hottest on record, exhibit yearly increases suggestive of exponential growth.

As a result of this and other data, a growing proportion of climate scientists are hinting, or saying outright, that both industrial civilization and perhaps humanity itself may be extinct or well on the way to extinction by 2050.

One consequence of accelerated warming is that northern hemisphere weather will become increasingly unpredictable and extreme. As a further consequence, within 15 years, the productive capacity of mid-latitude northern hemisphere agricultural lands may decrease by as much as 40%. Most of the world's food is grown in these regions.

Similarly, the water supply of the Roaring Fork Valley is likely to become increasingly unpredictable and variable, and it is probable that Valley residents will increasingly rely on locally grown food. This raises severe doubts about the wisdom of building a residential development, like Stott's Mill – which might consume water soon needed for agriculture or by existing residents – on flat, easily tilled bottom land adjacent to an already existing irrigation trench, the Home Supply Ditch. Maps of projected temperatures suggest that the southern Rockies will be one of the few places where humans might survive for several decades past 2050. Increased residential development may place this possibility at risk.

Should you contest the information succinctly presented above, please peruse the following authoritative, but easily accessible, corroborative sources.

[1] For a general overview, see the presentation given by Peter Wadhams (Professor of Ocean Physics and Head of the Polar Ocean Physics Group of Cambridge University) at University College London in November 2015: <https://www.youtube.com/watch?v=O854kS0-AYw> (1:35:07). Wadhams' Cambridge University department includes the physicist Stephen Hawking.

[2] For some sense of the gravity of Arctic methane release, see these extracts from a Q&A session with Natalia Shakhova (Doctor of Marine Geology and Lead Scientist on the major Russian studies of Arctic soils and Arctic methane for the past decade) at the European Geophysical Union Conference of 2012 in Vienna, Austria: <https://www.youtube.com/watch?v=kx1Jxk6kjbQ> (8:36),

[3] If you wish to see the hard data, or follow references to the original papers in which it was published, then peruse the data and the analyses provided at <http://arctic-news.blogspot.com/>, particularly that under the site's 'Threat' and 'Extinct' tabs.

[4] For the existential import of current data, see these extracts, dramatizing recent findings and fears, from a 2013 episode of Aaron Sorkin's 'The Newsroom': <https://www.youtube.com/watch?v=NpdLwHMeQ0> (8:02).

[5] For a graphic that nicely shows the recent lift-off in temperatures, see <http://www.climate-lab-book.ac.uk/2016/spiralling-global-temperatures/>.

[6] For a pair of maps that illustrate the likely effect on humanity of a large increase in mean global surface temperature, see the maps of existing and projected wet-bulb temperatures presented at <http://web.science.unsw.edu.au/~stevensherwood/wetbulb.html>. Interpretation of these maps requires you to know that at or above a wet bulb temperature of 35° C even a human in perfect health and optimal conditions will rapidly die of heat stroke.

[7] If interested in just how Arctic warming affects the jet stream, and how its decreased velocity and increased meandering in turn affects northern hemisphere weather, see the presentation by Jennifer Francis (Research Professor at the Rutgers Institute of Marina and Coastal Sciences) given in Breckenridge, Colorado in January 2016: <https://www.youtube.com/watch?v=wE53Or56eNM> (1:30:30). The evidence for the connections between Arctic warming and northern hemisphere weather anomalies, though at the moment predominantly statistical, is entirely convincing. Francis is the lead researcher in this area.

Best regards,

Leonard S. Lutomski

TOWN OF BASALT
Action Item

Date: September 27, 2016
From: Jim Wilson, Building Official

SUBJECT: Consideration of Ordinance to amend Chapter 18, Building Code to adopt by reference the 2015 Edition of the International Energy Conservation Code

RECOMMENDATION: Staff recommends Council approve the ordinance on 1st Reading and set the 2nd Reading and Public Hearing for October 25th.

DETAILS/BACKGROUND:

This code amendment is being processed at the request of the Basalt Green Team.

2006 was the last time that the Town comprehensively adopted building codes. There is a menu of codes which the Town adopts to regulate construction and building activity in the Town of Basalt.

The Town adopted amendments to its sustainable building regulations in the Town of Basalt earlier this year. Adoption of the 2015 energy code should result in significant improvements to creating energy efficient buildings in the Town of Basalt.

The Building Department plans on bringing the other codes to the Council for adoption in the first quarter of 2017. The current work load has not allowed the review of the other codes which is advisable before their adoption.

Related Town Statute and or Town Actions: 2015 Work Plan goals to create a net zero downtown.

Attachments Draft Ordinance; Sustainability Matrix developed by CORE August 2016

Town of Basalt
Ordinance No. 27
Series of 2016

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, REPEALING AND READOPTING SECTION 18-41 ADOPTION OF IECC
BY REFERENCES IN CHAPTER 18, BUILDING REGULATIONS, OF THE
MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO, AND ADOPTING BY
REFERENCE THE 2015 EDITION OF THE INTERNATIONAL ENERGY
CONSERVATION CODE**

A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to the Home Rule Charter for the Town of Basalt and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

B. The Town Council desires to adopt, for the benefit of the Town, by regulating construction activity and the business of developing and improving real property within the Town, the 2015 edition of the International Energy Conservation, Code.

C. The International Energy Conservation code adopted by reference is an update of the International Energy code currently in effect.

D. At a public meeting held on September 27, 2016, the Town Council considered the following amendments to Chapter 18 of the Town Code on first reading and scheduled a public hearing and second reading for the ordinance for October 25, 2016, for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

E. At a public hearing and second reading on October 25, 2016 the Town Council heard evidence and testimony as offered by the Town Staff and members of the public.

F. The Town Council finds and determines it is in the best interests of the Town to amend the Town Code as provided herein and is reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
BASALT, COLORADO AS FOLLOWS:**

1. Article III, Section 18-41 of the Basalt Municipal Code, is hereby repealed and reenacted to read as follows:

Article III Energy Code

Section 18-41. Adoption of IECC by Reference.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., The International Energy Conservation Code, 2015 Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 is hereby adopted, by reference thereto subject to the following deletions, amendments, additions and modifications:

(1) Section C101.1, Title, is amended by the insertion of "Town of Basalt" as the name of jurisdiction.

(2) Section R101.1, Title, is amended by the insertion of "Town of Basalt" as the name of jurisdiction.

2. Severability. If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have passed this Ordinance, and each part, section, subsection, sentence, clause, or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses, or phrases be declared invalid.

3. Effective Date. This ordinance will take effect 14 days after publication.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON October 25, 2016, by a vote of ___ to ___ on _____, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of ___ to ___ on _____, 2016

This ordinance will take effect 14 days after final publication.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

Pamela K. Schilling, Town Clerk

First Publication: _____
Final Publication: _____
Effective Date: _____

TOWN OF BASALT Action Item	Date: September 27, 2016 From: James Lindt, Assistant Planning Director on Behalf of the Basalt Green Team
SUBJECT: First Reading of Ordinance No. 28, Series of 2016, establishing curbside recycling regulations for the Town of Basalt and amending the Town's fee schedule to establish a fee for a waste hauler permit.	
RECOMMENDATION: Staff recommends that Council approve the ordinance on first reading and continue and set the public hearing and second reading of the ordinance for October 11, 2016.	
<p>DETAILS: In October of last year, Waste Management notified Staff that they were going to have to shut down the public recycling component of their facility at the corner of Willits Lane and Park Avenue unless the Town or other entities could help them offset the cost of keeping the public recycling facility open. The Town decided to split the \$3,600 per month cost of keeping the public recycling facility open with Pitkin County.</p> <p>In analyzing whether to pay the costs to keep the Waste Management public recycling facility open, Staff and the Green Team thought it important to plan for the future of recycling in Basalt and require that trash haulers accept recycling at no additional charge with their trash service. Therefore, Staff worked with the Green Team to formulate the proposed language that is modeled after Carbondale's requirements with some adjustments.</p> <p>The highlights of the proposed language in the draft ordinance are as follows:</p> <ol style="list-style-type: none"> 1) Requires trash haulers to provide residential recycling service at no additional cost with residential trash service; 2) Requires trash haulers to accept glass, aluminum, tin, paper, cardboard, brown paper bags, and plastic containers numbered 1-7; 3) Requires haulers to obtain a trash hauler permit to be administered by the Town for a nominal fee; 4) Requires volumetric collection and billing for trash ("pay as you throw") to encourage reduction of trash going to landfill; 5) Establishes hours of operation for trash haulers in Basalt with no Sunday collection permitted. 	
RECOMMENDATIONS FROM OTHER BOARDS: Basalt Green Team helped initiate and supports the proposed curbside recycling language.	
RELATED TOWN STATUTE AND TOWN ACTIONS: Town Code Chapter 7, <i>Health, Sanitation, and Animals</i> ; Town Fee Schedule	
ATTACHMENTS: A) Draft Ordinance No. 28, Series of 2016	

A) Draft
Ord.

Town of Basalt
Ordinance No. 28
Series of 2016

**ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO,
APPROVING AMENDMENTS TO THE MUNICIPAL CODE OF THE TOWN OF
BASALT, COLORADO AMENDING CHAPTER 7, HEALTH, SANITATION,
AND ANIMALS BY CREATING A NEW ARTICLE ENTITLED RECYCLING
AND WASTE REDUCTION; AND AMENDING THE TOWN'S FEE SCHEDULE**

RECITALS

A. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

B. The Basalt Green Team has held several meetings and has heard testimony on the need to institute mandatory curbside recycling in light of the financial issues that have surfaced with regards to the operation of the Willits public, drop-off recycling facility. The Green Team is recommending that the Town institute a pay as you throw, curbside recycling ordinance.

C. The Basalt Green Team has researched curbside recycling regulations from other jurisdictions and formulated this draft ordinance.

D. At a public hearing on September 27, 2016, the Town Council approved this Ordinance on first reading and continued and set a public hearing and second reading for this Ordinance for October 11, 2016 for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

E. At a public hearing and second reading on October 11, 2016 the Town Council heard evidence and testimony as offered by the Town Staff, the Applicants, and members of the public.

F. The Town Council finds and determines it is in the best interests of the Town to amend the Town Code and adopted the attached regulations as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Basalt, Colorado, as follows:

A. Findings. The Town hereby conclusively finds and concludes as follows:

1. The Town has adopted the following Goal and objectives from the 2007 Basalt Master Plan:

Goal: Protect and enhance the natural environment, recognizing that it is the source of the community's physical and economic health. Minimize the adverse impacts associated with solid waste disposal, wastewater disposal, water and energy use, and noise and light pollution. Maintain the ecological integrity of the natural landscape, streams, surface waters and wildlife habitat areas, riparian areas, big game migration corridors and critical habitats such as critical winter range and production areas.

4.8.1 Establish policies and programs designed to address point and non-point source pollution and support the Roaring Fork Conservancy's efforts in this area;

4.8.5 Support the Roaring Fork Conservancy, CDOW and other entities that establish public education programs that foster the value of the river and wildlife lands (from CDOW), that promote ways to prevent pollution and minimize the impacts of human activities on water quality, wildlife corridors and that address the benefits of wise product use, disposal and recycling.

4.8.7 Aggressively pursue improvements to the recycling program, including relocation of the collection bins. Examine ways to increase the participation of commercial and curbside residential pick up, with the goal to recycle 30% of the total solid waste generated in the community;

2. The Town wishes to further the implementation of the Basalt Master Plan by adopting regulations which address recycling and reducing waste anticipated by the Town of Basalt Master Plan.

B. Article IX, of Chapter 7 Health, Sanitation, and Animals of the Town Code titled *Recycling and Waste Reduction* is hereby added to the Town Code as included in Exhibit "A".

C. In accordance with Section 2-381, the Fee Schedule for the Public Works Department is amended as shown on Exhibit "B".

D. The Town Manager shall be responsible for implementing the Recycling Ordinance. The Town Manager also is granted the authority to establish administrative procedures to implement this ordinance.

E. The Town Manager shall be responsible for monitoring the effectiveness of the recycle and waste reduction measures adopted by this ordinance and shall recommend to the Town Council any changes for their consideration which the Town Manager feels would better meet the goals of the Town. The Town

Manager may obtain advice from any Town Committee, such as the Basalt Green Team, valley environmental groups, staff or consultants hired by the Town. The Town Manager could recommend possible changes for future action.

F. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

G. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter. Residential waste haulers shall have sixty (60) days from the effective date of this Ordinance to apply for a waste hauler permit and ninety (90) days from the effective date of this Ordinance to comply with the terms set forth in this Ordinance. The Town Manager, at his sole discretion, may extend the deadlines set forth above on a case by case basis.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON October 11, 2016 by a vote of ___ to ___ on _____, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of ___ to ___ on _____, 2016.

TOWN OF BASALT

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

Pamela Schilling, Town Clerk

Ord__-Recycling_Ordinance

First Publication: Thursday, _____, 2016
Final Publication: Thursday, _____, 2016
Effective Date: Thursday, _____, 2016

The following language is proposed to be added to the Town Code

Exhibit A

Chapter 7, Article IX Recycling and Waste Reduction.

Sec 7-185. Purpose. The Town wishes to further the implementation of the Basalt Master Plan through the implementation of the Recycling and Waste Reduction regulations in this Article in order to recycle a significant percentage of the solid waste generated by the Community.

Sec 7-186. Definitions.

For the purposes of this Article, the following terms, phrases, words and their derivations shall have the meanings given in this Section. Collectively, these items may be referred to as *trash* or *rubbish*.

Ashes means the residue from the burning of wood, coal, coke or other combustible materials.

Compostable material or compostables means any organic material that will naturally degrade including, but not limited to:

1. Animal or vegetable based food scraps resulting from the preparation, cooking and serving of food;
2. Organic materials including paper products and products designed to completely break down in a commercial composting facility;
3. Organic material that has been completely segregated from trash by the generator for the purpose of being composted or otherwise processed through natural degradation into soil amendment, fertilizer or mulch.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Litter means all rubbish, waste material, refuse, garbage, trash, debris or other foreign substances, solid or liquid of every form, size, kind and description (*litter* and *refuse* shall be used interchangeably).

Recyclables means glass, aluminum, tin, plastic containers Nos. 1 through 7, paper (including magazines and newspaper), corrugated cardboard, and brown paper bags, either separated by material or commingled according to the trash hauler's directive.

Refuse means all putrescible and non-putrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes (*refuse* and *litter* shall be used interchangeably).

Rubbish means non-putrescible solid wastes (excluding ashes), consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, leaves, yard clippings, tree limbs, wood, glass, bedding, crockery and similar materials. However, *rubbish* shall not include compost piles for home use that are properly maintained and contained on private property.

Wildlife-resistant means a trash enclosure that meets the requirements of Town Code Section 7-166, *Acceptable Wildlife Containers and Enclosures*.

Sec. 7-187, Operating Services, Permit- Residential Haulers

(a) Any trash hauler providing residential trash service within the Town shall also provide recycling services to its residential trash customers. Before the trash hauler may commence providing trash collection and recycling services to residential trash customers, the hauler shall apply for and obtain a permit from the Town. The application shall include a written plan for collection of residential trash on a volumetric-based billing system, a statement of the charges proposed to be made to the customer and the plan for recycling. Each hauler shall submit an annual report to the Town Manager of the weight in tons of garbage, trash, recyclable materials and compostable materials collected within the Town limits. For loads that contain garbage and recyclables originating in part from within the Town limits and in part originating outside the Town limits, the reported quantities may be estimated by the trash hauler. The report shall be submitted prior to January 31st of each new calendar year. The Public Works Director, in his or her discretion, may approve or disapprove the application. The permit fee shall be as set forth in the Town's Fee Schedule.

(b) Permits issued by the Town shall be valid for one year. Application for renewal shall be made prior to the expiration of an existing permit and shall be granted or denied by the Public Works Director.

(c) Each trash hauler that provides garbage collection shall also provide to each customer the collection of all of that customer's recyclable materials, including: glass, aluminum, tin, plastic containers Nos. 1 through 7, paper (including magazines and newspaper), corrugated cardboard, and brown paper bags, either separated by material or commingled according to the trash hauler's directive. Haulers are not required to collect hazardous materials. The collection of recyclable materials shall be offered no less frequently than once per week, and trash haulers shall make recycle

bins available to customers upon request. It is also encouraged, but not required that trash haulers collect compostable materials.

(d) Nothing in this Section shall be construed as prohibiting any trash hauler from also establishing rules regarding the safe maximum weight of containers, as well as pricing for special collection of bulky items or of individual bags of garbage, provided that the price of collection of an individual bag of garbage is not less than that of a base unit of periodic garbage collection.

Sec. 7-188, Collection by Producers and Outside Collectors

(a) *Requirements for vehicles.* Any person transporting refuse in or through the Town shall use a watertight vehicle with a tight cover so as to prevent offensive odors from escaping or refuse from escaping from the vehicle.

(b) *Disposal.* No person shall dispose of any refuse at any location within the Town without the prior written approval of the Public Works Director.

(c) *Hauler Guidelines.* The Public Works Director shall have the authority to prepare other such guidelines for the Town Council's adoption concerning individual collection and disposal and relating to the hauling of refuse over the Town streets by outside collectors as he or she shall find necessary, subject to the right of appeal as set forth in Section 7-192 of this Article.

(d) *Hours of operation.* Trash and refuse haulers shall be limited to the following hours and days:

- (1) Monday through Friday: 7:00 a.m. to 7:00 p.m.
- (2) Saturday: 8:00 a.m. to 5:00 p.m.
- (3) Sunday: No residential collection.

Sec. 7-189 Volumetric Trash Collection and Recycling Services

Private trash haulers providing residential collection services within the Town shall provide a volumetric collection and billing program which is designed to encourage reduction of trash being placed in landfills, and shall provide recycling services to each residential customer served.

Sec. 7-190 Refuse and Recycle Containers

- (a) It is the duty of the customer to keep and maintain containers in a good and sanitary condition.
- (b) Garbage containers shall be made of plastic or metal, shall be equipped with suitable handles and tight-fitting covers and shall be weather-tight.
- (c) Garbage containers shall be Wildlife Resistant as defined in Section 7-166.
- (d) Recycling containers provided by the waste haulers shall clearly communicate what is permitted to be recycled.

Sec. 7-191 Recycled Materials

No residential trash hauler shall deposit recycled materials in a landfill unless the recycled materials have been contaminated or are otherwise not acceptable for recycling. Trash haulers shall use their best efforts to maximize the amount of material being recycled.

Sec. 7-192 Appeals

Any waste hauler aggrieved by a guideline or fee charged by the Public Works Director may appeal to the Town Council.

Exhibit B

Excerpt from Fee Schedule

Language underlined is being added to the Town Fee Schedule. Language with ~~strikethrough~~ shows language being deleted from the Town Fee Schedule.

Code Section	Subject	Fee	Deposits or Mitigation
Section 7-34	Permit for dumping and disposal	\$50	
<u>Section 7-187</u>	<u>Permit for Waste Hauler</u>	<u>\$100</u>	
Section 11-53	Permit for excavation in any street, alley, or sidewalk	Permit Fee: \$100 Insp. Fee: \$50	Asphalt: \$10/sq. ft. Concrete: \$12/sq.ft. Gravel: \$5/sq. ft. Grass: \$5/sq. ft. Curb & Gutter: \$20/lin. ft.
Section 18-13	Tree Removal Permit	\$0	Per Code Section 18-13

**Town of Basalt
Accounts Payable
September 27, 2016**

GENERAL FUND**Reimbursable**

Total Reimbursable	2,501.45
Non-reimbursable	
Payroll 9/23/16	105,661.06
Other Expenditures	104,653.91
Sub Total General Fund Non-reimbursable	210,314.97
TOTAL GENERAL FUND	212,816.42
Bond Fund:	18,121.94
Total Bond Fund	18,121.94
Conservation Trust Fund:	0.00
Total Conservation Trust Fund	0.00
Water Fund:	8,869.65
Total Water Fund	8,869.65
TOTAL ALL FUNDS	239,808.01

Report Criteria:

Report type: GL detail

Check Detail.Amount = {<->} 0

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/27/2016	38672	AED AUTHORITY	20247	10-54-570	1,755.00
09/16	09/27/2016	38673	AFLAC	937468	10-22760	568.62
09/16	09/27/2016	38674	ALPINE BANK	HSA 09	10-22775	667.47
09/16	09/27/2016	38675	PAUL ANDERSEN	NEWSL	10-41-670	810.00
09/16	09/27/2016	38676	ASPEN MAINTENANCE SUPPLY	310351	10-50-600	59.72
09/16	09/27/2016	38677	BASALT PRINTING	001620	10-45-600	164.60
09/16	09/27/2016	38677	BASALT PRINTING	001625	10-41-675	12.79
09/16	09/27/2018	38677	BASALT PRINTING	001625	10-47-600	32.75
09/16	09/27/2016	38677	BASALT PRINTING	001625	10-64-665	21.98
09/16	09/27/2016	38677	BASALT PRINTING	001625	10-41-670	228.20
09/16	09/27/2016	38677	BASALT PRINTING	001625	10-47-600	39.72
09/16	09/27/2016	38677	BASALT PRINTING	001625	10-64-665	41.00
09/16	09/27/2016	38677	BASALT PRINTING	001634	10-45-600	175.10
09/16	09/27/2016	38678	BEAR BOP PRESS	FLAG F	10-64-350	676.50
09/16	09/27/2016	38679	BEATTIE, CHADWICK & HOUPT,	11617	51-45-310	1,842.00
09/16	09/27/2016	38679	BEATTIE, CHADWICK & HOUPT,	11705	51-45-310	430.95
09/16	09/27/2016	38680	BIG JIG ENTERTAINMENT	AVSC	10-41-675	3,500.00
09/16	09/27/2016	38681	BLACK SHACK ARCHITECTS, L	083116	10-75-700	431.43
09/16	09/27/2016	38682	BOYD BIERBAUM	SEPT 2	10-62-530	30.00
09/16	09/27/2016	38683	CASELLE	75269	10-42-325	89.37
09/16	09/27/2016	38683	CASELLE	75269	10-45-325	466.71
09/16	09/27/2016	38683	CASELLE	75269	51-45-325	436.92
09/16	09/27/2016	38684	CLARION ASSOCIATES	6688	10-47-330	1,283.30
09/16	09/27/2016	38685	COLORADO ANALYTICAL LABO	160722	51-72-410	245.00
09/16	09/27/2016	38686	DANA KEPNER CO	143342	51-73-430	19.29
09/16	09/27/2016	38687	DEWCO PUMPS & EQUIPMENT,	110941	51-72-430	218.18
09/16	09/27/2016	38688	DHM DESIGN CORPORATION	32953	10-75-700	2,950.00
09/16	09/27/2016	38689	DINA PRIETO	INTER	10-54-590	200.00
09/16	09/27/2016	38690	DPC INDUSTRIES, INC	737003	51-72-405	500.76
09/16	09/27/2016	38691	DREAMTIME WATER DISTRIBU	423579	10-64-605	9.00
09/16	09/27/2016	38692	EAGLE COUNTY GOVERNMENT	GIS 14	51-73-390	90.00
09/16	09/27/2016	38693	FAMILY SUPPORT REGISTRY	BLEVI	10-22770	240.00
09/16	09/27/2016	38693	FAMILY SUPPORT REGISTRY	MARTI	10-22770	200.00
09/16	09/27/2016	38693	FAMILY SUPPORT REGISTRY	SANTI	10-22770	54.16
09/16	09/27/2016	38694	MAURINE FITZPATRICK	K-1 SO	10-64-350	328.00
09/16	09/27/2016	38695	FLORIDA DEPARTMENT OF RE	SANTI	10-22770	271.20
09/16	09/27/2016	38696	GALLS, LLC	005983	10-54-610	1,192.55
09/16	09/27/2016	38697	CHRIS GATES	RETRE	10-45-390	5,995.41
09/16	09/27/2016	38698	GIRLS ON THE RUN OF WESTE	SPONS	10-64-350	500.00
09/16	09/27/2016	38699	GROWING YEARS SCHOOL	0003	10-41-670	15,000.00
09/16	09/27/2016	38700	HARRY TEAGUE ARCHITECTS	000321	10-75-700	17.35
09/16	09/27/2016	38701	HOLY CROSS ENERGY ASSOC.	SEPT 2	10-50-410	76.14
09/16	09/27/2016	38701	HOLY CROSS ENERGY ASSOC.	SEPT 2	10-60-412	622.49
09/16	09/27/2016	38701	HOLY CROSS ENERGY ASSOC.	SEPT 2	10-70-410	373.73
09/16	09/27/2016	38701	HOLY CROSS ENERGY ASSOC.	SEPT 2	10-66-410	1,247.18
09/16	09/27/2016	38701	HOLY CROSS ENERGY ASSOC.	SEPT 2	51-72-410	578.64
09/16	09/27/2016	38701	HOLY CROSS ENERGY ASSOC.	SEPT 2	51-73-410	1,991.37
09/16	09/27/2016	38702	ICC	100072	10-58-605	119.00
09/16	09/27/2016	38703	JAYSON FANN	STORY	10-75-700	19,000.00
09/16	09/27/2016	38704	JEFF BLEVINS	SEPT 2	10-62-530	30.00
09/16	09/27/2016	38705	KUMAR & ASSOCIATES, INC.	173615	51-71-700	1,571.10
09/16	09/27/2016	38706	ROBERT LARSON	SEPT 2	10-62-530	30.00

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/27/2016	38707	LEAF	676626	10-45-740	495.50
09/16	09/27/2016	38708	MATTERHORN PAINTING, INC.	2467	51-71-700	358.46
09/16	09/27/2016	38709	MICHAEL J. KINSLEY	132	10-41-670	1,050.00
09/16	09/27/2016	38710	Mountain Pest Control	78851	10-50-435	70.00
09/16	09/27/2016	38710	Mountain Pest Control	78852	10-50-435	65.00
09/16	09/27/2016	38711	MOUNTAIN WASTE & RECYCLI	109795	10-66-430	145.00
09/16	09/27/2016	38711	MOUNTAIN WASTE & RECYCLI	110794	10-50-415	435.00
09/16	09/27/2016	38711	MOUNTAIN WASTE & RECYCLI	111079	10-70-420	135.00
09/16	09/27/2016	1	NAPA AUTO PARTS	174233	10-61-430	30.39
09/16	09/27/2016	1	NAPA AUTO PARTS	175180	10-60-431	33.85
09/16	09/27/2016	1	NAPA AUTO PARTS	175181	10-60-431	2.34
09/16	09/27/2016	1	NAPA AUTO PARTS	175191	10-61-580	261.37
09/16	09/27/2016	1	NAPA AUTO PARTS	297286	10-61-580	43.63-
09/16	09/27/2016	1	NAPA AUTO PARTS	174233	10-61-430	30.39- V
09/16	09/27/2016	1	NAPA AUTO PARTS	175180	10-60-431	33.85- V
09/16	09/27/2016	1	NAPA AUTO PARTS	175181	10-60-431	2.34- V
09/16	09/27/2016	1	NAPA AUTO PARTS	175191	10-61-580	261.37- V
09/16	09/27/2016	1	NAPA AUTO PARTS	297286	10-61-580	43.63 V
09/16	09/27/2016	1	NAPA AUTO PARTS	174233	10-61-430	30.39
09/16	09/27/2016	1	NAPA AUTO PARTS	175180	10-60-431	33.85
09/16	09/27/2016	1	NAPA AUTO PARTS	175181	10-60-431	2.34
09/16	09/27/2016	1	NAPA AUTO PARTS	175191	10-61-580	261.37
09/16	09/27/2016	1	NAPA AUTO PARTS	297286	10-61-580	43.63-
09/16	09/27/2016	38712	PAUL NEILSON	SEPT 2	51-45-530	30.00
09/16	09/27/2016	38713	NEWMAN SIGNS, INC.	TI-0299	10-60-600	936.39
09/16	09/27/2016	38714	NOVUS	31386	10-54-690	50.00
09/16	09/27/2016	38714	NOVUS	32262	10-54-690	65.00
09/16	09/27/2016	38715	PETTY CASH	SEPT 2	10-41-600	103.82
09/16	09/27/2016	38715	PETTY CASH	SEPT 2	10-45-595	100.00
09/16	09/27/2016	38715	PETTY CASH	SEPT 2	10-45-600	35.98
09/16	09/27/2016	38715	PETTY CASH	SEPT 2	10-61-601	32.94
09/16	09/27/2016	38715	PETTY CASH	SEPT 2	10-62-600	12.34
09/16	09/27/2016	38715	PETTY CASH	SEPT 2	10-41-600	6.00
09/16	09/27/2016	38716	MEGAN PROSSER	REFUN	10-34-700	50.00
09/16	09/27/2016	38717	RACHEL'S SEWING REPAIR	10470	10-64-665	135.00
09/16	09/27/2016	38718	ROARING FORK VALLEY CO-OP	139040	10-70-650	50.49
09/16	09/27/2016	38719	ROBERT GEORGI	POOL	10-66-350	531.00
09/16	09/27/2016	38720	ROCKY MOUNTAIN CUSTOM LA	20194	31-40-315	18,121.94
09/16	09/27/2016	38721	Sandy's Office Supply	185794	10-54-600	47.44
09/16	09/27/2016	38722	SARAH HORN	SEPT	10-24505	500.00
09/16	09/27/2016	38723	SOURCE GAS	SEPT 2	10-50-410	277.82
09/16	09/27/2016	38723	SOURCE GAS	SEPT 2	10-70-410	50.80
09/16	09/27/2016	38723	SOURCE GAS	SEPT 2	10-66-410	1,714.24
09/16	09/27/2016	38724	STAPLES BUSINESS ADVANTA	804085	10-47-600	231.98
09/16	09/27/2016	38724	STAPLES BUSINESS ADVANTA	804085	10-47-600	73.99
09/16	09/27/2016	38725	STRIPE-A-LOT	926	10-60-432	2,489.79
09/16	09/27/2016	38726	SUMMIT PAINT & DECORATING	AP643	10-50-430	51.74
09/16	09/27/2016	38726	SUMMIT PAINT & DECORATING	AP643	10-50-600	19.69
09/16	09/27/2016	38727	TAMERREL EXCAVATION	2016-4	10-80-435	5,563.25
09/16	09/27/2016	38727	TAMERREL EXCAVATION	2016-4	51-73-430	533.00
09/16	09/27/2016	38727	TAMERREL EXCAVATION	2016-4	10-60-432	5,725.00
09/16	09/27/2016	38728	TERRAIN LAND ARCHITECTS	TS566	10-75-700	148.75
09/16	09/27/2016	38729	THREE BEARS INN LTD	RENT 2	10-41-670	4,000.00
09/16	09/27/2016	38730	TIM GAGEN	MILEA	10-45-580	164.40
09/16	09/27/2016	38730	TIM GAGEN	TOWN	10-45-390	2,464.00
09/16	09/27/2016	38730	TIM GAGEN	TOWN	10-45-580	166.80

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Check Amount
09/16	09/27/2016	38730	TIM GAGEN	TOWN	10-41-600	38.46
09/16	09/27/2016	38731	JUDITH TIPPETTS	CELL P	10-45-530	150.00
09/16	09/27/2016	38731	JUDITH TIPPETTS	TRAVE	10-45-580	441.20
09/16	09/27/2016	38731	JUDITH TIPPETTS	TRAVE	10-50-435	134.81
09/16	09/27/2016	38732	TREVOR LALONDE	SEPT 2	10-70-530	30.00
09/16	09/27/2016	38733	UNILINK	101190	10-45-740	442.13
09/16	09/27/2016	38733	UNILINK	101191	10-45-740	9.74
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	71996	10-50-435	12.99-
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	78689	10-50-435	33.05
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	78843	51-73-600	7.99
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	78884	10-50-430	6.98
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	78899	51-72-430	15.99
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	79416	10-66-430	32.97
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	79906	10-60-600	35.96
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	80139	10-64-665	19.99
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	80171	10-41-870	21.47
09/16	09/27/2016	38734	VALLEY LUMBER COMPANY	80513	10-60-600	54.60
09/16	09/27/2016	38735	VALLEY VIEW HOSPITAL ASSO	15769C	10-66-600	55.00
09/16	09/27/2016	38736	MATT WAGNER	SEPT 2	10-62-530	30.00
09/16	09/27/2016	38737	WESSELLING, RYAN	SEPT 2	10-62-530	30.00
09/16	09/27/2016	38738	SAMANTHA WOODARD	CHEER	10-64-350	1,416.00
Grand Totals:						117,969.90

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
1020200	428.20	118,398.10-	117,969.90-
10-22760	568.62	.00	568.62
10-22770	765.36	.00	765.36
10-22775	667.47	.00	667.47
10-24505	500.00	.00	500.00
10-34-700	50.00	.00	50.00
10-41-600	148.28	.00	148.28
10-41-670	21,109.67	.00	21,109.67
10-41-675	3,512.79	.00	3,512.79
10-42-325	89.37	.00	89.37
10-45-325	486.71	.00	486.71
10-45-390	8,459.41	.00	8,459.41
10-45-530	150.00	.00	150.00
10-45-580	772.40	.00	772.40
10-45-595	100.00	.00	100.00
10-45-600	395.68	.00	395.68
10-45-740	947.37	.00	947.37
10-47-330	1,283.30	.00	1,283.30
10-47-600	378.44	.00	378.44
10-50-410	353.96	.00	353.96
10-50-415	435.00	.00	435.00
10-50-430	58.72	.00	58.72
10-50-435	302.86	12.99-	289.87
10-50-600	79.41	.00	79.41
10-54-570	1,755.00	.00	1,755.00
10-54-590	200.00	.00	200.00

GL Account	Debit	Credit	Proof
10-54-600	47.44	.00	47.44
10-54-610	1,192.55	.00	1,192.55
10-54-690	115.00	.00	115.00
10-58-605	119.00	.00	119.00
10-60-412	622.49	.00	622.49
10-60-431	72.38	36.19-	36.19
10-60-432	8,214.79	.00	8,214.79
10-60-435	5,563.25	.00	5,563.25
10-60-600	1,026.95	.00	1,026.95
10-61-430	60.78	30.39-	30.39
10-61-580	566.37	348.63-	217.74
10-61-601	32.94	.00	32.94
10-62-530	150.00	.00	150.00
10-62-600	12.34	.00	12.34
10-64-350	2,920.50	.00	2,920.50
10-64-605	9.00	.00	9.00
10-64-665	217.97	.00	217.97
10-66-350	531.00	.00	531.00
10-66-410	2,961.42	.00	2,961.42
10-66-430	177.97	.00	177.97
10-66-600	55.00	.00	55.00
10-70-410	424.53	.00	424.53
10-70-420	135.00	.00	135.00
10-70-530	30.00	.00	30.00
10-70-650	50.49	.00	50.49
10-75-700	22,547.53	.00	22,547.53
31-40-315	18,121.94	.00	18,121.94
51-45-310	2,272.95	.00	2,272.95
51-45-325	436.92	.00	436.92
51-45-530	30.00	.00	30.00
51-71-700	1,929.56	.00	1,929.56
51-72-405	500.76	.00	500.76
51-72-410	823.64	.00	823.64
51-72-430	234.17	.00	234.17
51-73-390	90.00	.00	90.00
51-73-410	1,991.37	.00	1,991.37
51-73-430	552.29	.00	552.29
51-73-600	7.99	.00	7.99
Grand Totals:	118,826.30	118,826.30-	.00

Report Criteria:

Report type: GL detail
 Check Detail.Amount = {<->} 0

2016 ADVANCED AGENDAS**Tuesday September 27, 2016 WORKSESSION AND LEGISLATIVE****Tuesday October 11, 2016 WORKSESSION AND LEGISLATIVE******Potential to Keep Budget Worksession at 3:00 pm and Reschedule Council Meeting to Tuesday, October 18th because of Yom Kippur****WORKSESSION**

- 2017 Budget Worksession to begin at 3:00 (3 hr)

ORDINANCES

- 2nd Reading Recycle Ordinance (10 min)
- 2nd Reading on Stott's Mill (35 min)
- 2nd Reading – Amendments to Chapter 18 Building to incorporate 2015 Energy Code (5 min)
- 2nd Reading on Marijuana Ordinances – Land Use and License (25 min)

OTHER ACTIONS

- Final Financial Plan approval for Roaring Fork Conservancy (10 min)

OTHER ACTIONS

- Approve Development Agreement for Willits Town Center for Housing Contribution (10 min)
- Consent - Board application policy??

Tuesday October 25, 2016 WORKSESSION AND LEGISLATIVE**WORKSESSIONS**

- Additional Budget Discussion - 2017 Budget Worksession if necessary – Judi???
- Childcare – With Basalt Childcare coalition (30 min)
- ArtBase – Presentation of Development Concepts

ORDINANCES

- 1st 132 W. Sopris ADU (10 min)
- Continued 1st or 2nd Reading on Stott's Mill Application

OTHER ACTIONS

- BPAC update on Activities and motion to select artist
- Ski Company Update

2016 ADVANCED AGENDAS

November 8, 2016 WORKSESSION AND LEGISLATIVE

WORKSESSIONS
BUDGET – Judi?

November 22, 2016 WORKSESSION AND LEGISLATIVE

ORDINANCES

- 1st or 2nd Reading on 2017 Budget
- 1st or 2nd Reading on Supplemental Budget

REGULAR COUNCIL

- Pre-Application for Art Base (or December 13rd)

PARTIAL LIST OF COUNCIL PRIORITIES TO BE SCHEDULED

- 1 Child Care and Regional Child care
- 2, 1 Community Survey
- 3 Economics of Special events
- 1, 2 Regional healthcare
- 2 Arts and performing arts related to the economy
- 2 Presentations to Council from these committees:
BPAC, POST, CHAMBER, Etc./Council Members to sit on
- 2 Urban renewal at Clarks-updates from Tim B
- 3 Willits intersection
- 3, 3 Way finding –urban trails and connections (part of POST update)
- 3 Changing big boxes to small businesses at Willits
- 1, 1 Single Track trails on public lands connected to Town of Basalt
Zero waste/compost effort in Basalt/Willits

OTHER DISCUSSION ITEMS IDENTIFIED BY STAFF

Adopting the 5 Yr. Capital Improvements Plan
Valley Rd/EI Jebel Road Alignment
Traffic Calming on East Valley Rd and Throughout Town
Safe Routes to School
Code amendment Chapter 8 – Parking rules
Public Works Manual
Worksession – BD&A Chamber
Presentation Colorado Parks and Wildlife – Bear Aware
Green Team Update
Flood plain regulations
Two Rivers Road Master Plan
Master Plan Update
Art Base Expansion
TACAW Feasibility

2016 ADVANCED AGENDAS

LAND USE APPLICATIONS

Arbaney Kittle PUD Amendment- Pursuant to pre-development agreement

Town Park Arts Parcel – TACAW Approvals

Stott's Mill PUD Amend and Reinstate & Sketch Plan

132 W. Sopris Dr. Special Review

Habitat for Humanity School District Housing

Global Warming and Residential Developments in the Roaring Fork Valley

Hello.

Current data suggest that the rate of global warming is accelerating. An ice-free summer Arctic is now projected to occur by 2020, 80 years ahead of the last prediction of the IPCC. Arctic continental shelves and tundra soils, by 2012, had begun releasing large quantities of methane (CH₄), a greenhouse at least twenty times more potent than CO₂. In 2014, atmospheric CO₂ concentrations had exceeded 400 ppm. All of these were long-feared tipping points. And, the last few years, 2014-2016, the hottest on record, exhibit yearly increases suggestive of exponential growth.

As a result of this and other data, a growing proportion of climate scientists are hinting, or saying outright, that both industrial civilization and perhaps humanity itself may be extinct or well on the way to extinction by 2050.

One consequence of accelerated warming is that northern hemisphere weather will become increasingly unpredictable and extreme. As a further consequence, within 15 years, the productive capacity of mid-latitude northern hemisphere agricultural lands may decrease by as much as 40%. Most of the world's food is grown in these regions.

Similarly, the water supply of the Roaring Fork Valley is likely to become increasingly unpredictable and variable, and it is probable that Valley residents will increasingly rely on locally grown food. This raises severe doubts about the wisdom of building a residential development, like Stott's Mill – which might consume water soon needed for agriculture or by existing residents – on flat, easily tilled bottom land adjacent to an already existing irrigation trench, the Home Supply Ditch. Maps of projected temperatures suggest that the southern Rockies will be one of the few places where humans might survive for several decades past 2050. Increased residential development may place this possibility at risk.

Should you contest the information succinctly presented above, please peruse the following authoritative, but easily accessible, corroborative sources.

[1] For a general overview, see the presentation given by Peter Wadhams (Professor of Ocean Physics and Head of the Polar Ocean Physics Group of Cambridge University) at University College London in November 2015: <https://www.youtube.com/watch?v=O854kS0-AYw> (1:35:07). Wadhams' Cambridge University department includes the physicist Stephen Hawking.

[2] For some sense of the gravity of Arctic methane release, see these extracts from a Q&A session with Natalia Shakhova (Doctor of Marine Geology and Lead Scientist on the major Russian studies of Arctic soils and Arctic methane for the past decade) at the European Geophysical Union Conference of 2012 in Vienna, Austria: <https://www.youtube.com/watch?v=kx1Jxk6kjBQ> (8:36),

[3] If you wish to see the hard data, or follow references to the original papers in which it was published, then peruse the data and the analyses provided at <http://arctic-news.blogspot.com/>, particularly that under the site's 'Threat' and 'Extinct' tabs.

[4] For the existential import of current data, see these extracts, dramatizing recent findings and fears, from a 2013 episode of Aaron Sorkin's 'The Newsroom': <https://www.youtube.com/watch?v=NpdLwHMeQ0> (8:02).

[5] For a graphic that nicely shows the recent lift-off in temperatures, see <http://www.climate-lab-book.ac.uk/2016/spiralling-global-temperatures/>.

[6] For a pair of maps that illustrate the likely effect on humanity of a large increase in mean global surface temperature, see the maps of existing and projected wet-bulb temperatures presented at <http://web.science.unsw.edu.au/~stevensherwood/wetbulb.html>. Interpretation of these maps requires you to know that at or above a wet bulb temperature of 35° C even a human in perfect health and optimal conditions will rapidly die of heat stroke.

[7] If interested in just how Arctic warming affects the jet stream, and how its decreased velocity and increased meandering in turn affects northern hemisphere weather, see the presentation by Jennifer Francis (Research Professor at the Rutgers Institute of Marina and Coastal Sciences) given in Breckenridge, Colorado in January 2016: <https://www.youtube.com/watch?v=wE53Or56eNM> (1:30:30). The evidence for the connections between Arctic warming and northern hemisphere weather anomalies, though at the moment predominantly statistical, is entirely convincing. Francis is the lead researcher in this area.

Best regards,

Leonard S. Lutomski

Received via email to Pams@basalt.net 09/23/16