

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING
APPROVAL FOR A COMMUNITY GARDEN ON THE GRACE-SHEHI OPEN SPACE
PARCEL THAT IS JOINTLY OWNED BY THE TOWN OF BASALT AND PITKIN
COUNTY FOR THE 2014 GROWING SEASON**

**Town of Basalt, Colorado
Resolution No. 04
Series of 2014**

RECITALS

1. The Town of Basalt with Pitkin County jointly own the 25 acre (+/-) Grace-Shehi open space parcel located near Basalt High School in Pitkin County. The property was purchased for multiple purposes outlined in the Grace-Shehi Meadows Management plan.
2. The Mid-Valley Community Garden Collective ("Applicant"), initially requested and received approval to use (up to) 1 acre of the Grace-Shehi open space for the Community Garden from the Basalt Town Council through the adoption of Resolution No. 07, Series of 2012.
3. The Pitkin County Open Space & Trails Board approved the Community Garden through the adoption of the Grace-Shehi Meadows Management Plan and the Pitkin County Planning & Zoning Commission subsequently authorized the use pursuant to a Location and Extent application request approval.
4. The Community Garden proved to be a successful community asset in its 2012 and 2013 growing seasons. Therefore, the Applicant is requesting approval to continue utilizing ½ acre of the Grace Shehi Open Space for the 2014 growing season for use by individuals who desire to garden a plot provided by the Applicant in accordance with the Town's Commitment Form ("Gardner's").
5. The Basalt Town Council considered the application at a public meeting on February 11, 2014.
6. The Basalt Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code and Council Policy 104.1(c), provided the Applicant adheres to the conditions identified in this Resolution.

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

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

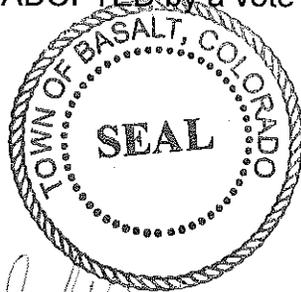
FINDINGS

1. Based on the evidence, testimony, exhibits, and comments from the public, Applicant, and Town staff, the Basalt Town Council Finds and determines that the proposed use does not violate any standard of the Municipal Code.
2. The proposed Temporary Community Garden will add social capital and help implement the 2007 Basalt Master Plan if the Conditions Contained Herein are satisfied.

CONCLUSIONS

Based on the evidence, testimony, exhibits, and comments from the public, Applicant and Town Staff, the Basalt Town Council hereby grants approval for the Homestead Community Garden subject to the conditions contained herein and within **Exhibit A.**

READ AND ADOPTED by a vote of 5 to 0 on February 11, 2014.



By: *Pam Schilling*
Pam Schilling, Clerk

TOWN OF BASALT, COLORADO

By: *Jacque R. Whitsitt*
Jacque R. Whitsitt, Mayor

Exhibit A

1. Applicant shall adhere to all material representations made in, or in connection with this application.
2. All Gardeners must comply with the Rules and Regulations approved and posted by the Town and each Gardener must sign a Town's Commitment Form as presented at the Council's February 11 meeting. The Rules and Regulations may be amended by the Mid Valley Garden Collective after review and approval by Pitkin County and the Basalt Town Planner.
3. Use of the Community Garden must comply with the Grace-Shehi Meadows Management Plan located on file in the Planning Department.
4. The Gardeners shall never block access road to the Community Garden or Light Hill.
5. The Gardeners shall be responsible for trash collection and removal. The Gardeners shall comply with the County's wildlife protection ordinance and guidelines.
6. The Applicant shall be required to provide a portable toilet if deemed necessary by the Town Manager or Pitkin County.
7. The Basalt Community Garden Collective may charge a fee to recoup expenses to maintain and manage the Community Garden. However in no event may the fee exceed \$70.00 per plot. If the Collective has funds remaining at the end of the year the Collective is encouraged to invest the funds in the Community Garden.
8. Any insubstantial changes to the operation of the Community Garden that are outside the parameters of this approval may be approved by the TRC. Substantial changes must be considered and approved by the Basalt Town Council and Pitkin County.
9. If the Applicant or Gardeners are found to be in violation of this approval or the site, it can be suspended or revoked at any time at the discretion of the Town Manager or Pitkin County.
10. This approval is valid from the approval of this resolution through the end of the 2014 growing season. Approval of the Garden for following years shall require subsequent application and review.