

**Town of Basalt, Colorado
Ordinance No. 21
Series of 2014**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, GRANTING AN EXTENSION OF APPROVALS FOR THE
ROARING FORK CONSERVANCY RIVER CENTER AT 22800 TWO RIVERS
ROAD COLORADO**

RECITALS

A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to extend development approvals. Rick Lofaro on Behalf of the Roaring Fork Conservancy ("Applicant") applied to the Town on April 30, 2014, requesting approval to extend the development approvals for the Roaring Fork Conservancy River Center to be constructed at 22800 Two Rivers Road. Development approvals were originally granted for the River Center pursuant to Ordinance No. 08, Series of 2010, and were amended by Ordinance No. 07, Series of 2011. The Applicant requests to further extend the development approvals by three years.

B. The Town Staff recommends that the extension of development approvals be granted, subject to conditions.

C. At a public meeting held on June 24, 2014, the Town Council considered this Ordinance on first reading and set a public hearing and second reading for this Ordinance for July 22, 2014, at a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

D. At a public hearing and second reading on July 22, 2014, the Town Council heard evidence and testimony as offered by the Town Staff, the Applicant, and members of the public.

E. The Town Council finds and determines it is in the best interests of the Town to approve this Ordinance. The Town Council finds and determines this Ordinance is reasonable and consistent with the Town Code. Further, the Town Council finds and determines this Ordinance 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:**

A. FINDINGS. The Town Council hereby incorporates by reference and conclusively makes the above findings.

B. CONDITIONS.

1. The River Center Extension of Development Approvals is hereby approved, subject to the following conditions:

(a) The new expiration date shall be July 22, 2017. Additionally, at his sole discretion, the Town Manager may further extend the approvals by up to six months.

(b) All other terms and conditions established in Ordinance No. 08, Series of 2010 as amended by Ordinance No. 07, Series of 2010, shall remain in full force and effect.

(c) The Applicant shall be required to meet all building and life safety code requirements in place at the time of building permit submittal.

(d) At the time of building permit issuance the Applicant shall pay all applicable building permit, water surcharge, and impact fees in effect.

(f) The Applicant shall comply with all material representations made by the Applicant in the meetings before the Town Council.

(e) The Applicant and the Town shall work together to establish a pre-development agreement which outlines the procedures for amending the approvals to reflect a modified development program and outline strategies for successfully bringing the River Center to fruition.

(f) The vested rights extension is dependent on the Conservancy submitting a revised plan and receiving Town approval to increase the site and move the building to the east as a result of the Town's discussions with Rocky Mountain Institute (RMI) and summarized in Condition No. 6 of RMI's Sketch Plan approval which had as its objective to improve the openness and public accessibility and visibility to the pond.

C. MISCELLANEOUS.

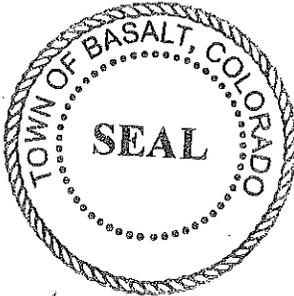
1. The approvals and conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant and the owners of the Property.

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

3. 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.

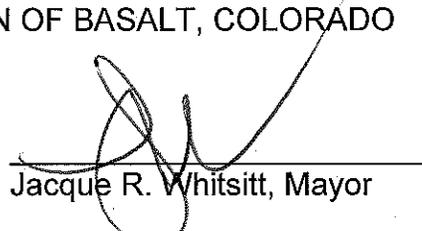
READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON July 22, 2014 by a vote of 5 to 0 on June 24, 2014.

READ ON SECOND READING AND ADOPTED, by a vote of 5 to 0 on July 22, 2014.

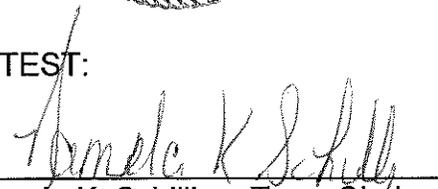


TOWN OF BASALT, COLORADO

By:


Jacquie R. Whitsitt, Mayor

ATTEST:


Pamela K. Schilling, Town Clerk

Ord21-Roaring Fork River CenterExtension2014.doc

Bill to: 24-128

First Publication: Thursday, July 3, 2014
Final Publication: Thursday, July 31, 2014
Effective Date: Thursday, August 14, 2014