

**Town of Basalt, Colorado  
Ordinance No.16  
Series of 2016**

**ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING A  
MINOR PUD AMENDMENT TO ADD KITCHENS TO TEN (10) OF THE ROARING  
FORK CLUB SUITES, LOT 2, BLOCK 1, ROARING FORK CLUB PUD**

**RECITALS**

- A. Roaring Fork Club Suite Association ("Applicant") filed an Application ("Application") for a Minor PUD Amendment to add kitchens to the remaining ten (10) Roaring Fork Club Suites that do not currently contain kitchens on Lot 2, Block 1, of the Roaring Fork Club PUD.
- B. At a public hearing held on June 21, 2016, the public hearing was continued to July 5, 2016.
- C. At the continued public hearing held on July 5, 2016, the Town Planning and Zoning Commission heard evidence and testimony by Town Staff, the Applicant, and members of the public and recommended approval of the Application.
- D. At a public meeting held on July 12, 2016, the Town Council considered the Application on first reading and set a public hearing and second reading for this ordinance for July 26, 2016 at a meeting beginning no earlier than 6:00 p.m. at Basalt Town Hall, 101 Midland Ave., Basalt, Colorado.
- E. At a public hearing and second reading on July 26, 2016, the Town Council heard evidence and testimony by Town Staff, the Applicant, and members of the public.
- F. The Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code and Town Master Plan, provided the Applicant adheres to the conditions identified in this Ordinance.

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

**A. FINDINGS**

1. Based on the evidence, testimony, exhibits, and comments from the public, the Applicant and Town Staff, the Town Council finds and determines in accordance with the Town Code, as follows:

a. The Town Council incorporates the above recitals, the representations of the Applicant, and all exhibits as findings and determinations, and conclusively makes all of the findings of fact, determinations and conditions contained herein.

b. The Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code, provided applicant adheres to the conditions identified in this Ordinance.

## B. CONDITIONS

1. Based on the Application, testimony and comments from the public, Applicant and Town Staff, the Town Council hereby grants approval for a Minor PUD Amendment for the installation of kitchens in the ten (10) remaining Roaring Fork Club Suites that do not currently contain kitchens, subject to the following conditions:

### **Representations:**

- a. The Applicant shall comply with all representations set forth in the Application.
- b. The Applicant shall comply with all material representations made in hearings before the Planning and Zoning Commission and Town Council.

### **Renovation:**

- c. The Applicant shall apply for and obtain a building permit to add the kitchen facilities.

### **Fire District Comments:**

- d. The Applicant shall demonstrate compliance with Basalt and Rural Fire Protection District's comments dated April 19, 2016, prior to the issuance of a certificate of occupancy on the units.

### **Basalt Sanitation District Comments:**

- e. The Applicant shall demonstrate compliance with Basalt Sanitation District's comments prior to the issuance of a building permit.

**Fees:**

- f. The Applicant shall pay all applicable development review fees as calculated by the Town Planner prior to building permit issuance. The Applicants shall also pay all applicable building permit fees as calculated by the Town Building Official prior to building permit issuance. The Applicant may propose and implement a park improvement plan in lieu of paying parkland dedication fees, if the plan is approved by the TRC. The parkland dedication requirement for the Club Suites shall be the parkland dedication fee requirement in the Town Code at the time the Applicant obtains building permits to install the kitchen facilities as calculated by the Town Building Official.
- g. The Applicant shall not be required to pay additional School Land Dedication fees as School Land Dedication fees were paid when the Club Suites were originally built.

**Approval Documents:**

- h. The Applicant shall continue to comply with the approvals granted in the Roaring Fork Club PUD except as amended herein and shall comply with any applicable Town Ordinances.
- i. The Applicant shall prepare and submit any approval documents deemed necessary by the Town Planner and Town Attorney for review and approval. Any such documents shall be executed and recorded prior to the earlier of the issuance of a building permit or 180 days after the effective date of the final approval ordinance.

**Construction Access:**

- j. The Applicant shall use Arbaney Ranch Road for construction access as represented in the Applicant's proposal and shall not access the site for construction purposes through Holland Hills.

**Vested Rights:**

- k. Vested property rights shall be granted as approved herein for a period of three (3) years from the effective date of the ordinance approving these land use requests. The Applicants may request an extension of vested rights pursuant to the process for extending vested rights as established in the Town Code. If a building permit to renovate the units to include kitchens is

not issued within the three (3) year vested rights period or as it may be extended, the approvals granted for this amendment shall expire.

**Insubstantial Amendments:**

- I. The Town Planner may review and approve minor amendments to this approval to effectuate the intent of the final development approvals. The Applicants shall have the ability to appeal a Town Planner's decision on a minor amendment to the Town Council pursuant to the appeals process established in Town Code Section 16-11, *Procedures for Code Interpretations and Appeals*.

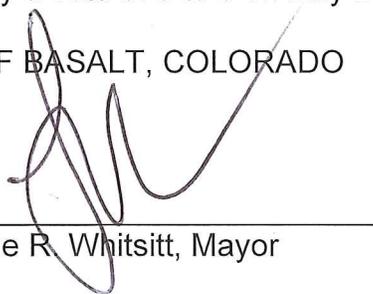
**C. MISCELLANEOUS**

1. The approvals contained herein and the conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant.
2. The Ordinance shall be recorded in the Office of the Clerk and Recorder of Pitkin County.
3. If any part, section, subsection, sentence, clause or phrase of the 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 26, 2016 by a vote of 7 to 0 on July 12, 2016.

READ ON SECOND READING AND ADOPTED by a vote of 5 to 0 on July 26, 2016

TOWN OF BASALT, COLORADO

By:   
Jacque R. Whitsitt, Mayor



ATTEST:

By:   
Pamela K. Schilling, Town Clerk

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First Publication: Thursday, July 21, 2016  
Final Publication: Thursday, August 4, 2016  
Effective Date: Thursday, August 18, 2016