

**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 2017 GROWING SEASON**

**Town of Basalt, Colorado
Resolution No. 08
Series of 2017**

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 Basalt Community Garden Board ("Applicant"), requested and received approval to use a portion of the Grace-Shehi open space for the Community Garden from the Basalt Town Council for the past three growing seasons through the adoption of Resolution No. 07, Series of 2012, Resolution No. 17, Series of 2013, Resolution No. 04, Series of 2014 and Resolution No. 11, Series of 2015, Resolution No. 11, Series of 2016.

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 has proved to be a successful community asset in its yearly growing seasons since 2012. Therefore, the Applicant is requesting approval to continue utilizing a portion of the Grace Shehi Open Space for the 2017 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") consistent with the adopted Grace-Shehi Management Plan.

5. The Basalt Town Council considered the application at a public meeting on March 14, 2017.

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 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 7 to 0 on March 14, 2017.

TOWN OF BASALT, COLORADO

By: 
Jacquie R. Whitsitt, Mayor

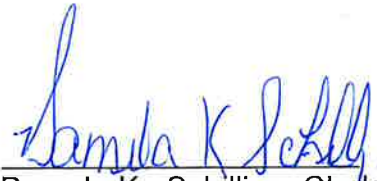
By: 
Pamela K. Schilling, Clerk



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 and sign a Town's Commitment Form prepared by the Basalt Community Garden Board and Approved by the Town Planner. The Rules and Regulations may be amended by the Basalt Community Garden Board 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 Board may charge a fee of \$40 per plot and a \$40 refundable deposit to recoup expenses to maintain and manage the Community Garden. If the Board has funds remaining at the end of the year the Board 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 2017 growing season. Approval of the Garden for following years shall require subsequent application and review.

11. The Town is placing the Basalt Community Garden Board on notice that vehicular access to the Community Garden might be limited at times as Basalt High School and the Rio Grande/Southside Drive Trailhead will be under construction this summer and the Habitat for Humanity/School District Housing may also commence construction pending approvals. The Basalt Community Garden Board shall obtain and maintain an e-mail list for all participants so that the Community Garden Board may provide construction updates to the participants when necessary.