

**Town of Basalt, Colorado  
Ordinance No. 29  
Series of 2014**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,  
COLORADO, GRANTING A PUD AMENDMENT AND ASSOCIATED  
DEVELOPMENT APPROVALS TO CONVERT THE ROARING FORK CLUB  
ADMINISTRATION BUILDING TO A SINGLE-FAMILY RESIDENCE, LOT 2,  
BLOCK 2, ROARING FORK CLUB PUD, BASALT, COLORADO**

**RECITALS**

A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to grant approval of a PUD Amendment to allow for the conversion of the Roaring Fork Club Administration Building to a single-family residence. The Roaring Fork Club ("Applicant") submitted an application for a PUD Amendment in July of 2014. Said application is for property more particularly described in **Exhibit "A"** attached hereto.

B. At a duly-noticed public hearing held on August 5, 2014, the Planning and Zoning Commission considered the application. At the public hearing on August 5, 2014, the Planning and Zoning Commission heard evidence and testimony as offered by the Town Staff, the Applicants, and members of the public. The Planning and Zoning Commission recommended approval of an amendment, subject to conditions of approval.

C. At a public hearing on August 26, 2014, the Town Council approved this Ordinance on first reading, continued and scheduled a public hearing and second reading for this Ordinance for September 9, 2014, for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

D. At a continued public hearing and second reading on September 9, 2014, the Town Council heard evidence and testimony as offered by the Town Staff, the Applicants, 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. 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 following findings:

1. Based on the evidence, testimony, exhibits, and comments from the public, Applicants and Town Staff, the Basalt Town Council finds and determines as follows in accordance with Town Code Article IV, Chapter 16 for the purpose of a PUD amendment:

2. The application conforms to the provisions of Chapter 16 of the Town Code provided that the conditions contained in this ordinance are satisfied.

3. The application will not have an adverse impact or otherwise be detrimental to the general welfare of the community.

4. Based on information provided by the Applicants, upon compliance with the conditions contained herein, there is an adequate water supply to accommodate the development pursuant to C.C.R. 29-20-303.

5. Based on the evidence, testimony, exhibits, and comments from the public, Applicants, and Town Staff; the Town Council finds and determines that the proposed application is generally consistent with the 2007 Basalt Master Plan, subject to compliance with the conditions contained herein.

B. **APPROVAL AND CONDITIONS OF APPROVAL.** The Town Council hereby approves the Roaring Fork Club PUD Amendment Application and associated development review requests as recommended by the Town Planning and Zoning Commission and Town Staff to convert the Roaring Fork Club Administration Building to a single-family residence on Lot 2, Block 2, of the Roaring Fork Club PUD, subject to the following conditions:

**Representations:**

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

**Floor Area and Design:**

3. The residence shall be generally consistent with the floor plans and elevation drawings prepared by Caroline Edwards Architecture and

Planning, dated June 10, 2014. The total floor area for the residence and proposed garage shall not exceed 5,000 total square feet and shall be checked by the Town Building Official at the time of building permit review. The Applicant shall install "blown-in" insulation in the void spaces so that they are not easily transformed into usable space and the building shall remain under the 5,000 total square foot limitation permanently. The Town Building Official shall approve of the insulation specifications prior to installation.

**Parking:**

4. The Applicant shall provide three (3) off-street parking spaces for the residence as shown on the site and utilities plan prepared by Sopris Engineering LLC. dated June 11, 2014.
5. The Applicant shall adhere to the event parking plan proposed in the Application which specifies that event parking will be relocated to the main lodge parking lot and golf carts will be used to shuttle guests upon the removal of the parking associated with the conversion of the Administration Building to a single-family residence.
6. The Applicant shall replace the two (2) public fisherman's parking spaces with two (2) parking spaces in the parking lot as shown on the south side of the Roaring Fork River as shown on the Fisherman's parking plan dated July 31, 2014. The Applicant shall move the existing signage and install the signs at the new fisherman's parking spaces. Additionally, the Applicant shall install a sign in the Altamira Ranch Road easement to the west of the Administration Building indicating the presence and location of the two (2) public fisherman's parking spaces. The content and the location of the way-finding signage shall be approved by the Town Planner prior to installation.

A public fishing easement shall also be dedicated from the new public fisherman's parking spaces to the river prior to the issuance of a Certificate of Occupancy on the residence. The location and easement language shall be reviewed and approved by the Town Attorney and Town Planner prior to recording.

**Real Estate Transfer Assessment:**

7. A 1% Real Estate Transfer Assessment benefiting the Town of Basalt shall be voluntarily provided by the Applicant. The documents necessary to establish the RETA shall be submitted by the Applicant and reviewed by the Town Attorney prior to executing and recording at the Pitkin County Clerk and Recorder's Office.

**Landscaping:**

8. The Town Horticulturist will review the final landscaping plan for approval prior to installation. The Applicant shall obtain approval from Holy Cross for the tree plantings proposed in proximity to their overhead power lines prior to installation. The Applicant shall provide sufficient evidence of consent from Holy Cross to the Town Planner prior to installation.
9. The Applicant shall revise the plan for the proposed patio/terrace to move it out of the 50-foot river setback. The revised plan shall be submitted to the Town Planner for review and approval prior to building permit.

**Fire District Comments:**

10. The Applicant shall demonstrate compliance with Fire Marshal, Bill Harding's comments dated July 13, 2014, prior to the issuance of a certificate of occupancy for the residence.

**Basalt Sanitation District Comments:**

11. The Applicant shall address the Basalt Sanitation District's comments to the satisfaction of the Town Planner prior to the Town's final approval.

**Fees:**

12. The Applicant shall pay all applicable development fees as calculated by the Town Planner and Town Building Official prior to the issuance of a building permit, including but not limited to School Land Dedication fees and Parkland Dedication fees.

**Approval Documents:**

13. The Applicant shall prepare a final site plan for review and approval by the Town Planner. The site plan shall be executed and recorded prior to the issuance of a building permit for the conversion to a residential unit.
14. The Applicant shall prepare and submit any approval documents deemed necessary by the Town Planner and Town Attorney for review and approval. Such approval documents will include, without limitation, appropriate amendments to the Final Annexation Agreement

recorded at Reception No. 391736, the Development and Subdivision Improvements Agreement recorded at Reception No. 407912 and Final Plat recorded in Plat Book 43, at Page 55.

Any such documents shall be executed and recorded prior to the earlier of the issuance of a building permit for the conversion to a residence or 180 days after the effective date of the final approval ordinance. In the event that approval documents are not filed within 180 days of the effective date of this ordinance, the development approvals provided herein shall be null and void unless an extension is provided by the Town Planner.

**Vested Rights:**

15. Vested property rights shall be granted for the conversion of the Administration Building to a single-family residence as approved herein for a period of three (3) years from the effective date of this ordinance approving this PUD amendment. The Applicant 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 is not issued within the three (3) year vested rights period or as it may be extended, the site specific approval for the conversion shall expire.

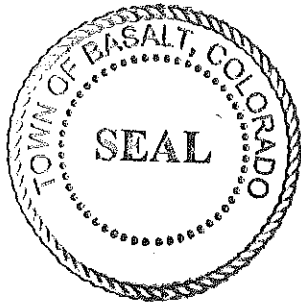
**Insubstantial Amendments:**

16. The Town Planner may review and approve minor amendments to this approval to effectuate the intent of the final development approvals. The Applicant 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. 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.
  - D. This Ordinance, after fully executed, shall be recorded in the office of the Pitkin County Clerk and Recorder.
  - E. The effective date of this ordinance shall be fourteen days after the final publication of the ordinance.
  - 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.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON September 9, 2014 by a vote of 6 to 0 on August 26, 2014.

READ ON SECOND READING AND ADOPTED, by a vote of 6 to 0 on September 9, 2014, with 1 abstention.



TOWN OF BASALT, COLORADO

By:

  
\_\_\_\_\_  
Jacques R. Whitsitt, Mayor

ATTEST:

  
\_\_\_\_\_  
Pamela K. Schilling, Town Clerk

Ord29\_Roaring Fork ClubPUDAmendment

First Publication: Thursday, September 4, 2014  
Final Publication: Monday, September 15, 2014  
Effective Date: Monday, September 29, 2014

**Exhibit "A"**

**Legal Description**

Lot 2, Block 2, Roaring Fork Club PUD according to the plat recorded at August 29, 1997 in Plat Book 43, at Page 55, at Reception #407911 in the Pitkin County, Colorado, records.