

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, APPROVING AMENDMENTS TO THE MUNICIPAL CODE OF THE
TOWN OF BASALT, COLORADO, AMENDING TOWN CODE SECTION 16-31,
R-4 MIXED DENSITY (MD) ZONE DISTRICT**

**Ordinance No. 24
Series of 2017**

RECITALS

1. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

2. At a public hearing held on September 19 2017, the Planning and Zoning Commission considered proposed code amendments submitted by Habitat for Humanity/RE-1 School District and public comments thereon. At the public hearing on September 19, 2017, the Planning and Zoning Commission heard evidence and testimony from the Town Staff, and members of the public. The Planning and Zoning Commission recommended approval of the proposed code amendments.

3. At a public hearing on September 26, 2017 the Town Council approved this Ordinance on first reading and continued and set the second reading and public hearing for this Ordinance for October 10, 2017, at a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

4. At a public hearing and second reading on October 10, 2017, the Town Council heard evidence and testimony from the Town Staff and members of the public.

5. The Town Council finds and determines it is in the best interests of the Town to amend the Town Code as provided herein.

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

A. Table 1, Section 16-31(a)(3), in Chapter 16 of the Town Code, *R-4 Mixed Density Zone District Schedule of Requirements* is hereby amended as shown in **Exhibit "A"**.

B. 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.

C. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON October 10, 2017 by a vote of 5 to 0 on September 26, 2017.

READ ON SECOND READING AND ADOPTED, by a vote of 7 to 0 on October 10, 2017.

TOWN OF BASALT, COLORADO

By:



Jacques R. Whitsitt, Mayor

ATTEST:



Pamela K. Schilling, Town Clerk

Ord No. 24- R4MD_codeamendments

First Publication: Thursday, October 5, 2017
Final Publication: Thursday, October 19, 2017
Effective Date: Thursday, November 2, 2017



Exhibit "A"

R-4 MD Code Amendment Language

Town Code Section 16-31(a)(3)- Language to be added is in Underlined Text and language to be removed is in ~~Strikethrough Text~~

Table 1			
	<u>Single family detached</u>	<u>Attached duplex and Town home</u>	<u>Multifamily</u>
Minimum lot area (in square feet)	2,500	[Note 1]	7,500
Maximum building height (feet)	24	24	33
Highest point to a pitched roof (feet)	28	28	35
Maximum Number of stories	2	3	3
Min. lot width	32	28-20	70
Front Yard Setback	Applies to Individual lots	Applies to Buildings	Applies to Buildings
• Major collector	10	10	10
• Local	10	10	10
Rear Yard (feet)	10 [Note 2]	10 [Note 2]	10 [Note 2]
Side Yard (feet)	5 for conventional [Note 2]	5 [Note 2]	5 [Note 2]
Max FAR	[Note 3]	[Note 3]	[Note 3]
Maximum lot coverage	none	none	none
Minimum landscaped open space	10%	10%	10%
Maximum Unit Size –including all other floor area except for garages			
Total square feet			
3 bedroom	1,700	1,385	1,135
2 bedroom	1,700	1,385	1,135
1 bedroom	1,200	1,000	965
	800	800	800

Efficiency adu (in square feet)	500 See 16-31(c)2 Note 3	na Note 3	na Note 3
Minimum Unit Size – excluding garage and any other accessory units or structures and not including adus Total square feet			
3 bedroom	na	1,000	1,000
2 bedroom	na	750	750
1 bedroom	na	580	580
Efficiency adu	na	415	415
(in square feet)	300 Sec. 16-31(c)2	Na Note 5	na
Max Garage Size, excluded from Maximum Unit Size (in square feet)	350	350	Note 4
Separation between buildings	10	15 down to 5 [see 16-31 (d)]	15 down to 5 [see 16-31 (d)]

Note 1: Lot size will vary and will be approved through the subdivision process but shall not be lower than 1,250 sq. ft.

Note 2: Zero lot line configurations such as a duplex may be approved on one side of the lot with the other side yard at a minimum of 10 feet provided there is a maintenance easement on the adjoining lot at the zero lot line to allow access. Lots created for a center townhome in a townhome configuration may have zero lot line configurations on both sides. Lots zoned R-4 MD that adjoin properties zoned to a zone district other than R-4 MD shall be required to maintain a required setback at least equal to the required setback of the adjoining property.

Note 3: The maximum floor area is .5:1. The maximum floor area ratio shall be applied to the overall parcel only. Individual parcels within the master parcel shall receive their floor area allocations from the total floor area authorized for the master parcel during the site plan review process. A maximum floor area for the master parcel may be approved by the Town Council up to .8:1 through the special review process. A higher floor area ratio than .8:1 may be obtained by going through the PUD process. The maximum unit sizes stated in this table may not be attainable because the overall floor area permitted for the master parcel could restrict the unit sizes further.

Note 4: the maximum garage size for multi-family development shall be established through the Site Plan Review process. The maximum size for a multi-family unit does not include exterior circulation such as common hallways outside a unit.

Note 5: Unit sizes for development projects containing 100% deed-restricted affordable housing may be permitted the following maximum unit sizes by the Town Council:

1-Bedroom Unit 700 Total Square Feet

2-Bedroom Unit 1,150 Total Square Feet

3-Bedroom Unit 1,530 Total Square Feet

3-Bedroom ADA Accessible Unit 1,660 Total Square Feet

4-Bedroom Unit 1,675 Total Square Feet