



**ORDINANCE NO. 7  
SERIES OF 2021**

**AN ORDINANCE OF THE BOARD OF TRUSTEES  
OF THE TOWN OF CARBONDALE, COLORADO  
APPROVING  
AN AMENDED SITE PLAN AND A BUILDING HEIGHT VARIANCE FOR A  
NEW FIRE TRAINING FACILITY BUILDING TO BE LOCATED THE  
CARBONDALE & RURAL FIRE PROTECTION DISTRICT HEADQUARTERS**

WHEREAS, the Carbondale & Rural Fire Protection District, a Colorado special district (“CRFPD”) has submitted an application to the Town of Carbondale (“Town”) for Minor Site Plan Review approval and a building height variance in connection with the proposed development of a new multi-function fire training building to be developed alongside the existing fire station located at 300 Meadowood Drive, Town of Carbondale (also described as Parcel A of the Smith Exemption pursuant to the plat recorded on June 1, 1990 as Reception No. 413157) (the “Property”); and

WHEREAS, pursuant to the Annexation Agreement between the Town and the CRFPD dated July 13, 2004 and recorded in the Garfield County records on November 5, 2004 as Reception No. 663047 (the “2004 Annexation Agreement”), CRFPD agreed to develop the Property generally according to the Conceptual Site Plan dated April 5, 2004 submitted to the Town as part of the CRFPD’s application to annex the Property and zone it as part of the Fire District Campus Headquarters P.U.D. (“FDHC PUD”), and that if there were any substantial modifications to the project as compared to the Conceptual Site Plan dated April 5, 2004, any such changes would be submitted to the Board of Trustees for consideration and approval pursuant to then Carbondale Code § 18.35.035(D)(3)(b); and

WHEREAS, since the CRFPD’s 2004 annexation and land use application to the Town, the Town has adopted a new land use code known as the “Unified Development Code” as Chapter 17 of the Carbondale Municipal Code (“UDC”), and the UDC sets forth land use review approval requirements for both major and minor site plans; and

WHEREAS, pursuant to the UDC and the Annexation Agreement, upon receipt of the CRFPD’s application to develop a new multi-function fire training facility, the Town determined to process the same under UDC provisions concerning Minor Site Plan Review (to amend the 2004 Conceptual Site Plan) and for a Variance (the maximum building height pursuant to the FDHC PUD is 35 feet; the proposed new training facility would include an unenclosed rooftop solar shading structure that will exceed this height limit by 4 feet 2 inches, for a total height of 39 feet 2 inches); and

WHEREAS, after required public notices, the Town’s Board of Trustees conducted a public hearing on these requests on May 25, 2021, during which public

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hearing the Board of Trustees heard and considered the statements of Town staff, CRFPD's representatives, and members of the public, and reviewed and considered all other relevant documents and information presented at such hearing, all as required by law; and

WHEREAS, the Board of Trustees finds and determines that amended Site Plan attached to this Ordinance as *Exhibit A* should be approved, with conditions, in order to allow development of the proposed fire training facility upon the Property, for the following reasons pursuant to Section 2.5.3.C of the UDC:

- a. The proposed amended site plan is consistent with the Comprehensive Plan because the proposed structure meets the intent of Strategy D, to invest in the improvement of the public realm through fire district training improvements. ;
- b. With the exception of a building height variance requested, the addition of a multi-function training facility to the existing fire station facilities on the Property is consistent with the purposes and requirements of the FDHC PUD;
- c. The proposed amended site plan also complies with all applicable development and design standards set forth in the UDC; and
- d. Traffic generated by the proposed additional development will be adequately served by existing streets.

WHEREAS, the Board of Trustees also finds and determines that it is appropriate to approve CRFPD's request for a height variance, with conditions, pursuant to Section 2.7.1.C.3.a of the UDC, for the following reasons:

- a. The proposed multi-function fire training facility building is a unique use, and the proposed roof shading structure is needed to protect training fire-fighters from the sun during lengthy training exercises during which personnel are often wearing protective clothing and equipment;
- b. An exceptional, practical hardship to CRFPD could be shown to occur if the provisions of the UDC and the FDHC PUD were to be literally enforced so as to prevent an unenclosed rooftop shading structure from being located upon the proposed training facility building;
- c. The height variance requested is the minimum variance that will afford relief and is the least modification possible of the provisions of this Code

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that are in question--the proposed stair tower area is 13'2" wide by 19 feet long and will be the minimum area that allows the simulated exercises, including rope and repelling training, access to various roof assemblies, and a partially shaded unenclosed observation deck;

- d. CRFPD did not create the hardship by its own actions--the proposed training structure is designed to be a "real world" example of structures and situations that fire crews may encounter;
- e. The proposed variance requested will not harm the public or injure the value of adjacent properties; rather, it will better facilitate fire training to benefit public safety and better protect area buildings and properties from fire danger; and
- f. The granting of the variance will be consistent with the spirit and purposes of the UDC, which include a goal of better securing safety from fire (UDC §1.3.2.D).

WHEREAS, the Board of Trustees also finds and determines that the certain conditions of approval should be imposed so that the project will be developed consistent with the purposes of the UDC and all prior CRFPD land use approvals, including the terms of the 2004 Annexation Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO that:

- 1. Minor Site Plan Review and a building height variance request for a multi-function fire training facility building are hereby approved, subject to the conditions set forth below.
- 2. All development shall be consistent with the final site plan and architectural renderings approved by the Town concurrent with this application.
- 3. Approval of CRFPD's application shall also be subject to the following conditions:
  - a. Except to the extent amended hereby, all prior land use approvals for the property, including but not limited all terms of Ordinance No. 19, Series of 2004, (recorded November 4, 2004 at Reception No. 663049), and the related 2004 Annexation Agreement, shall continue to apply to use and development of the Property. Any further proposed changes to the 2004 Conceptual Site Plan and the updated, revised site plan approved hereby

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shall require further approval by the Board of Trustees after notice and a public hearing in accordance with the terms of the 2004 Annexation Agreement.

- b. The reasons supporting approval of the building height variance requested by the CRFPD relate wholly to the public safety goals related to having an adequate fire training facility in Carbondale; any effects of increased height upon neighboring properties will also be mitigated by the fact that the rooftop shading structure that will exceed the height limit will not be enclosed. In the future, should use of the Property ever be repurposed such that it will no longer be utilized for fire training purposes, the Town reserves the right to require compliance with any then-applicable height limits in connection with any future rezoning, site plan or building permit approval process.
- c. CRFPD shall seek and obtain a building permit and a certificate of occupancy for the new training facility building in accordance with all applicable building codes and all requirements of the Town's building official.
- d. The duration, lapsing and/or termination of the approvals set forth herein shall continue to be governed by applicable provisions of the UDC with regard to site plans (UDC Section 2.5.3.G.2) and variances (UDC Section 2.7.1.4).
- e. Prior to the issuance of any building permits, CRFPD shall provide the Town with an stamped opinion from a Colorado-registered professional engineer that the design function of the detention pond on the Property will not be negatively impacted by all construction now proposed related to the training facility building.
- f. Prior to the issuance of any building permits, CRFPD shall obtain and submit to the Town authorization from the Roaring Fork School District for CRFPD to construct and maintain access-related improvements upon school district property as shown on CRFPD's site plan.
- g. All representations of CRFPD in written submittals to the Town or in public hearings concerning this project shall also be binding as conditions of approval.
- h. CRFPD shall pay and reimburse the town for all other applicable professional and staff fees pursuant to the Carbondale Municipal Code.



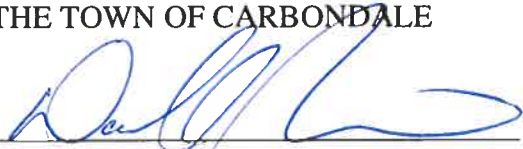
Reception#: 965238  
10/22/2021 04:10:53 PM Jean Alberico  
5 of 6 Rec Fee:\$38.00 Doc Fee:0.00 GARFIELD COUNTY CO

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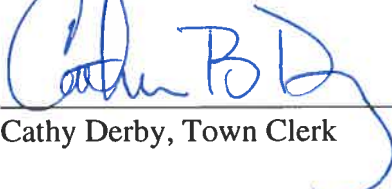
4. This Ordinance shall not be effective until posting and publication of this Ordinance for a 30-day period in accordance with the Carbondale Home Rule Charter.

INTRODUCED, READ AND PASSED this 8<sup>th</sup> day of June, 2021.

THE TOWN OF CARBONDALE

By:   
Dan Richardson, Mayor

ATTEST:

  
Cathy Derby, Town Clerk

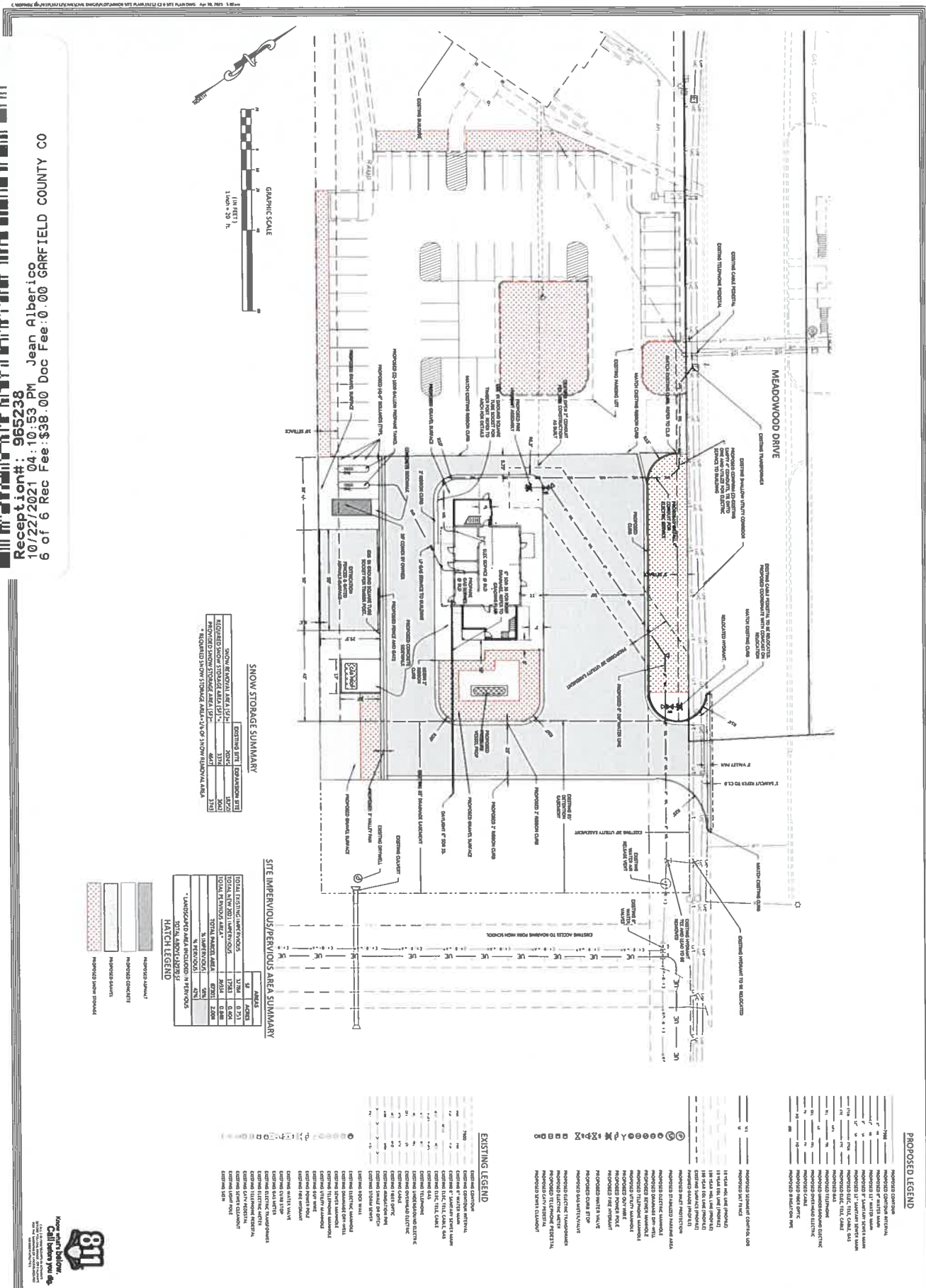
EXHIBITS:

- A. Site Plan



# EXHIBIT A

Reception#: 965238  
 10/22/2021 04:10:53 PM Jean Alberico  
 6 of 6 Rec Fee: \$39.00 Doc Fee: \$0.00 GARFIELD COUNTY CO



### SNOW STORAGE SUMMARY

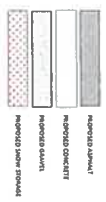
ESTIMATED TOTAL REQUIREMENT	EXISTING STORAGE	PROPOSED STORAGE
13,200	10,500	2,700

\* REQUIRED STORAGE SNOW STORAGE AREA: 132' x 132' x 9.9' OF SNOW STORAGE AREA.

### SITE IMPERVIOUS/PERVIOUS AREA SUMMARY

AREA TYPE	AREA	PERCENTAGE
TOTAL EXISTING IMPERVIOUS	1,120	18.5%
TOTAL NEW AND IMPROVED IMPERVIOUS	1,730	29.0%
TOTAL IMPROVED PERVIOUS	2,600	43.0%
TOTAL IMPROVED PERVIOUS	4,230	70.0%

\* LANDSCAPED AND IMPROVED PERVIOUS TOTAL AREA: 4,230



- ### PROPOSED LEGEND
- PROPOSED CONCRETE
  - PROPOSED ASPHALT
  - PROPOSED LAWN/GRASS
  - PROPOSED UTILITY
  - PROPOSED TRANSFORMER
  - PROPOSED WATER TANK
  - PROPOSED DRIVEWAY
  - PROPOSED WALKWAY
  - PROPOSED PARKING SPACE
  - PROPOSED UTILITY LINE
  - EXISTING TRANSFORMER
  - EXISTING WATER TANK
  - EXISTING DRIVEWAY
  - EXISTING WALKWAY
  - EXISTING PARKING SPACE
  - EXISTING UTILITY LINE

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  - EXISTING DRIVEWAY
  - EXISTING WALKWAY
  - EXISTING PARKING SPACE
  - EXISTING UTILITY LINE



DATE	REVISION

## CARBONDALE & RURAL FIRE PROTECTION DISTRICT MULTI-FUNCTION TRAINING BUILDING CARBONDALE, COLORADO

MINOR SITE PLAN APPLICATION

DRAWN BY: SOW  
 CHECKED BY: SOW  
 DATE: 04/20/21  
 JOB NO.: 19312.01

DESIGNED BY: SOW  
 DRAWN BY: SOW  
 CHECKED BY: SOW  
 DATE: 04/20/21

811  
 Know what's below.  
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