

**TOWN OF GRAND LAKE
ORDINANCE NO. 05 – 2016**

**AN ORDINANCE REPEALING AND REPLACING
CHAPTER 12: LAND USE REGULATIONS ARTICLE 2: ZONING REGULATIONS
SECTION 28(B)4: PARKING REGULATIONS / REQUIREMENTS
OF THE MUNICIPAL CODE OF THE TOWN OF GRAND LAKE;
MORE COMMONLY REFERRED TO AS THE PARKING FEE**

WHEREAS, Municipal Code 12-2-28(B)4 states:

The non-refundable parking fee shall be ten thousand (\$10,000.00) dollars for each parking space unable to be provided by the developer; fee payment shall be in-lieu of the parking space required. This fee may be amended from time to time by resolution adopted by the Board of Trustees. The parking fee shall be assigned to a particular lot or parcel, and may not thereafter be conveyed, assigned or transferred to any other property. The parking fee shall be paid in full concurrent with the Town's approval of a Building Permit Application, or a fee-in-lieu may be in equal and portioned payments over a five-year period. Portioned payments shall be assessed to the property tax statement of the subject parcel(s) and shall carry with the parcel(s) until the full payment has been made; and,

WHEREAS, the Town of Grand Lake (the “Town”) received a recommendation from the 2013 Downtown Assessment stating:

Amend the \$10,000 fee for parking and replace with a more realistic strategy that reflects current community goals... (pg 16); and,

WHEREAS, the Grand Lake Economic Development Committee (the “Committee”) provided the Town with recommendation to reduce the parking fee to \$1,000; and,

WHEREAS, the Town Planning Commission (the “Commission”) reviewed the recommendation of the Committee at a Public Hearing on March 16, 2016; and,

WHEREAS, the Commission forwarded the following recommendation onto the Board of Trustees:

- Lowering the parking fee in lieu to \$1,000 per space
- A review of parking fee in lieu on a bi-annual basis to accommodate for inflation and cost increases.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE;

THAT, 12-2-28(B)4 of the code of the Town of Grand Lake, Colorado, is hereby amended to read as follows:

Parking Fee in Lieu

For each parking space unable to be provided by the applicant, owner, or developer; a fee payment shall be in-lieu of the parking spaces required and shall be non-refundable. This fee may be amended from time to time by resolution adopted by the Board of Trustees. The parking fee shall be assigned to a particular lot or parcel, and may not thereafter be conveyed, assigned or transferred to any other property. The parking fee shall be paid in full concurrent with the Town's approval of a Building Permit Application, or a fee-in-lieu may be in equal and portioned payments over a five-year period. Portioned payments shall be assessed to the property tax statement of the subject parcel(s) and shall carry with the parcel(s) until the full payment has been made.

Severability: If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Trustees declares that if would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Repeal: Existing Ordinances or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the taking effect of this Ordinance.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 11TH DAY OF APRIL, 2016.

(SEAL)

Votes Approving: 3
Votes Opposing: 2
Votes Abstaining: 0
Absent: 1

ATTEST:

TOWN OF GRAND LAKE

Katie Nicholls, Town Clerk

Judy M. Burke, Mayor