



To: Mayor Kudron and the Board of Trustees

From: John Crone, Town Manager

Re: Ordinance 15-2022 Amending Municipal Code 12-2-28 Parking Regulations and Design Standards

Date: November 14, 2022

Background

At the October 24, 2022, Board of Trustees meeting, the Board approved a refund of parking fee-in-lieu payments for two projects that had paid for parking fee-in-lieu but had not used the credits. At that meeting, the Board instructed staff to update Town code so that payments for parking fee-in-lieu would not be paid unless it was necessary.

The Town currently charges \$20,000 per space for those developments that cannot (or will not) meet their parking requirements as provided by the Town code. These payments are designed to offset the cost of the Town providing the necessary parking.

Code Changes

In order to preserve the parking fee-in-lieu but allow for greater flexibility for developers who need to make changes to plans, staff has drafted a code change that only requires payment of the fees at the completion of the project but before a certificate of occupancy is granted.

Proposed Motion

If the Board wishes to adopt the proposed changes, it may do so by approving the following motion: *I move to adopt ordinance 15-2022, Amending Municipal Code 12-2-28 Parking Regulations and Design Standards.*

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
ORDINANCE NO. 15-2022**

**AN ORDINANCE AMENDING GRAND LAKE MUNICIPAL CODE 12-2-28
PARKING REGULATIONS AND DESIGN STANDARDS**

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado, pursuant to Colorado statute and the provisions of the Grand Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado ("the Town"); and

WHEREAS, the Town of Grand Lake Municipal Code Title 12, Article 2 was adopted to regulate parking requirements in the Town in order to preserve the Town's character and economic vitality; and

WHEREAS, the Town Code Municipal Code Title 12, Article 2, Section 28 provides for the payment of parking fee-in-lieu fees to offset the parking requirements in new or updated developments and uses; and

WHEREAS, the Board of Trustees of the Town of Grand Lake has determined that allowing such payments to be made prior to the issuance of a certificate of occupancy or a temporary certificate of occupancy rather than at the time of the application for a building permit is in the best interest of the Town's economy; and

WHEREAS, the Board of Trustees of the Town of Grand Lake has determined that the Grand Lake Municipal Code must be updated to reflect the desire to encourage responsible development.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THAT:

1. Section 12-2-28(B)(4) of the Grand Lake Municipal Code is hereby amended with the addition of the **bold underlined** language and the deletion of the crossed-out text to read in its entirety as follows:

12-2-28 Parking Regulations and Design Standards

(B)(4) *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 space 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-in-lieu shall be paid in full ~~prior to or concurrent with the issuance of a building permit and collected by Grand County Community Development Department~~ to the Town of Grand Lake before the issuance of a Certificate of Occupancy (CO) or the issuance of a Temporary Certificate of Occupancy (TCO).

2. 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 or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or otherwise invalid.

3. 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. Except as specifically amended by this ordinance, all other provisions of the Grand Lake Town Code shall remain in full force and effect.

INTRODUCED, APPROVED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 28TH DAY OF FEBRUARY 2022.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE, COLORADO**

Alayna Carrell, Town Clerk

By: _____
Stephan Kudron, Mayor