

**ORDINANCE AMENDING LAND USE ORDINANCE
TOWN OF MOUNTAIN VILLAGE, COLORADO
ORDINANCE NO. 1997-01**

AN ORDINANCE AMENDING SECTIONS 2.3.15, 2.3.32, 2.3.43 AND 6.14.3 OF THE LAND USE ORDINANCE OF THE TOWN OF MOUNTAIN VILLAGE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, the following:

SECTION 1: AMENDMENT AND ADOPTION

SECTION 2.3.15, 2.3.32, 2.3.43 AND 6.14.3 OF THE LAND USE ORDINANCE OF THE TOWN OF MOUNTAIN VILLAGE ARE HEREBY DELETED IN THEIR ENTIRETY AND THE FOLLOWING LANGUAGE IS ADOPTED IN REPLACEMENT THEREOF:

SECTION 2.3.15 **Condominium Unit** is an individual air space dwelling unit, together with the interest in the common elements appurtenant to such units, established pursuant to C.R.S. §38-33-101, *et. seq.* A Condominium unit shall not have any limits as to square footage and may include up to two lock-offs at no additional allocation of density.

SECTION 2.3.15.1 **Condominium Conversion** lots zoned for three (3) or more Condominium units and lots located within the Village Core, defined by the Design Review Board as shown on "Attachment A", which are zoned for two (2) or more Condominium units, shall have a right to convert one or more Condominium units to Lodge Units or Efficiency Lodge Units using the following formula:

<u>Population Density:</u>	
Condominium Unit	3.00 Persons
Lodge Unit	0.75 Persons
Efficiency Lodge Unit	0.50 Persons

Lots which are zoned Hotel, as defined on the Town of Mountain Village Official Town Plat, **shall not** be allowed to convert to a regular 3.00 person Condominium unit or to a Lodge unit or to an Efficiency Lodge unit. Once a Condominium unit has been converted to either a Lodge unit or to an Efficiency Lodge unit, utilizing the aforementioned formula, such units shall not be allowed to re-convert to a Condominium unit, nor shall it be permitted to convert into any other designated density.

The following lots, i.e. lots 130, 150, 152A, 152B, 152C, 153, 154, 155, 157A, 157B, 157C, 158, 159, 163, 164A, 165, 166, 167, AR613-A, AR613-D, AR613-E, 615B, 615-1A, 616, 617, 618, shall be required to have a transportation plan as a part of DRB submittal when the conversion formula is to be used.

Condominium unit densities shall be required to provide on-site parking (underground or surface) pursuant to LUO parking requirements for each condominium unit zoned for the lot. Such requirements for on-site parking, subject to the review and consideration of the DRB, may be fulfilled by an owner contribution to the Mountain Village Metropolitan District Parking Fund in an amount as determined by the Mountain Village Metropolitan District. Such funds shall be restricted to the use of either constructing or developing parking spaces or defeasing the existing parking structure debt.

Lodge Unit is a two-room space plus mezzanine (as defined by the UBC), or a one room space plus a loft, with up to two separate baths, and a full kitchen. These units may be “condominiumized.”

Lots with Lodge Unit densities shall provide on-site parking (underground or surface), pursuant to the LUO parking requirements, for each lodge unit zoned for the lot. Such requirements for on-site parking, subject to the review and consideration of the DRB, may be fulfilled by an owner contribution to the Mountain Village Metropolitan District Parking Fund in an amount as determined by the Mountain Village Metropolitan District. Such funds shall be restricted to the use of either constructing or developing parking spaces or defeasing the existing parking structure debt.

Efficiency Lodge Unit is a habitable one room space, with separate bath, and limited kitchen facilities, used for short-term accommodations. Limited kitchen facilities may include a sink, microwave, six cubic foot (maximum) refrigerator, trash compactor and garbage disposal. These units may be “condominiumized.”

Efficiency Lodge unit densities shall provide on-site parking (underground or surface), pursuant to the LUO, for each efficiency lodge unit zoned for the lot. Such requirements for on-site parking, subject to the review and consideration of the DRB, may be fulfilled by an owner contribution to the Mountain Village Metropolitan District Parking Fund in an amount as determined by the Mountain Village Metropolitan District. Such funds shall be restricted to the use of either constructing or developing parking spaces or defeasing the existing parking structure debt.

SECTION 2.3.43 Population Density is a measure of the number of persons in the Town of Mountain Village, determined on the following basis:

1.	Single Family Residence	4.00 persons
2.	Condominium	3.00 persons
3.	Hotel	1.50 persons
4.	Hotel Efficiency	2.00 persons
5.	Subdividable Duplex Lot	4.00 persons
6.	Non-Subdividable Duplex Lot	6.50 persons
7.	Employee Apartments	3.00 persons
8.	Employee Dormitory	1.00 person
9.	Lodge Unit (Condo Conversion)	0.75 person

10. Efficiency Lodge Unit (Condo Conversion) 0.50 person

SECTION 6.14.3 Parking - Multiple Unit/Condo Conversion/Commercial

Parking requirements for Multiple Unit designated lots shall be required to provide parking spaces utilizing the following formula/ratio:

<u>Density Designation:</u>	<u>Required Parking Spaces:</u>
Condominium Unit (Village Core)	1.00 Space
Condominium Unit (Outside Village Core)	1.50 Spaces
Lodge Unit	0.50 Space
Efficiency Lodge Unit	0.50 Space
Commercial Space	1.00 Space per 1,000 sq. Ft.

The location of all parking spaces, pursuant to the formula above, may be developed as surface parking or underground parking. In most cases, and specific to the Village Core, the DRB shall require that all on-site parking be developed underground.

On site parking may be fulfilled by an owner contribution to the Mountain Village Metropolitan District Parking Fund if, based upon the review and approval of the DRB, such requirements cannot be met on the site. The use of the Metropolitan District Fund shall be restricted to the use of constructing and developing parking spaces only, at rates then prevailing and published by the Mountain Village Metropolitan District.

SECTION 2: CERTIFICATION

THE TOWN CLERK SHALL PUBLISH NOTICE OF THIS ORDINANCE IN COMPLIANCE WITH THE HOME RULE CHARTER FOR THE TOWN OF MOUNTAIN VILLAGE.

PASSED BY THE TOWN COUNCIL AFTER PUBLIC HEARING AND SIGNED THIS 14th DAY OF January, 1997


WILLIAM A. HANLEY, III., Mayor

ATTEST:


LINDA L. CHECK, Town Clerk