

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN  
VILLAGE, COLORADO, SETTING FORTH THE PARKING PAYMENT IN  
LIEU FEE FOR LOT 37, UNITS 6, 7, 9, 10, 11 AND 12**

**Resolution No. 2020-1203-18**

**WHEREAS**, the Town of Mountain Village pursuant to the Community Development Code (the "CDC") allows for parking payment in lieu to the Town's parking fund in limited circumstances as set forth by the CDC.

**WHEREAS**, The Town Council desires to set forth the parking payment in lieu fee to be paid to the Town's parking fund for approved payment in lieu at Lot 37, Units 6, 7, 9, 10, 11, and 12.

**WHEREAS**, The Town Council has determined the fee set forth below based on the cost of construction of parking spaces in the Town's parking facilities and the cost to purchase private parking throughout the Town.

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Mountain Village Parking Payment In Lieu fee for Lot 37, Units 6, 7, 9, 10, 11, and 12 shall be set at Twelve Thousand Five Hundred Dollars (\$12,500) per each ½ parking space or a total of Twenty five Thousand Dollars (\$25,000) per parking space required to be bought out. This amount includes a Five Hundred Dollar (\$500) Operations and Maintenance Fee per each ½ unit of parking as required by the CDC.

**Section 2. Conditions of Approval.**

The Town Council approved the parking payment in lieu with the following conditions:

1. Prior to recordation of any Ordinance approving a Density Transfer and Rezone associated with Units 6,7,9,10,11 or 12, the owners shall enter into a Development Agreement with the Town based on the Parking In-Lieu Fee and Operations & Maintenance Fee established by the Town Council. This agreement shall outline the amount and timing in which payment shall be made.
2. Direct staff and the Town Attorney to establish reasonable terms within the parking payment in lieu agreement such as period of time by which the parking payments are required to be made, if not immediately and any other necessary term.

**Section 3. Resolution Effect**

- A. This Resolution shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior resolutions.
- B. All resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

**Section 4. Severability**

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

**Section 5. Effective Date**

This Resolution shall become effective on December 3, 2020 (the "Effective Date") as herein referenced throughout this Resolution.

**Section 6. Public Hearing**

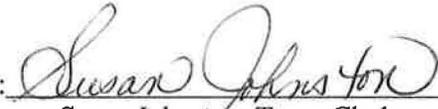
A public meeting on this Resolution was held on the 3<sup>rd</sup> Day of December 2020 via virtual Zoom meeting.

**Approved** by the Town Council at a public hearing held on December 3, 2020

**Town of Mountain Village, Town Council**

By:   
Laila Benitez, Mayor

**Attest:**

By:   
Susan Johnston, Town Clerk

Approved as to Form:

  
Paul Wisor, Town Attorney