

**ORDINANCE NO. 4
SERIES 2019**

AN ORDINANCE AMENDING SECTION 12-7H-12, DENSITY, AND SECTION 14-8-1, SITE DEVELOPMENT STANDARDS, VAIL TOWN CODE, TO REMOVE THE DWELLING UNITS PER ACRE MAXIMUM WHILE MAINTAINING EXISTING DIMENSIONAL STANDARDS INCLUDING GRFA AND BUILDING HEIGHT IN THE LIONSHEAD MIXED USE-1 ZONE DISTRICT

WHEREAS, on December 15, 1998 the Vail Town Council adopted Resolution No. 14, Series of 1998, adopting the Lionshead Redevelopment Master Plan as an official element of the Vail Comprehensive Plan to guide redevelopment in the Lionshead Study Area;

WHEREAS, on April 6, 1999 the Vail Town Council adopted Ordinance 3, Series of 1999, establishing the Lionshead Mixed Use-1 zone district;

WHEREAS, one of the primary purposes of the Lionshead Mixed Use-1 zone district is to encourage and provide incentives for redevelopment in accordance with the Lionshead Redevelopment Master Plan;

WHEREAS, the Lionshead Mixed Use-1 zone district includes increased density over the previously established zoning in the Lionshead redevelopment master plan study area;

WHEREAS, on January 28, 2019 the Planning and Environmental Commission held a properly-noticed public hearing on the proposed amendments and forwarded a recommendation of approval to the Vail Town Council;

WHEREAS, the existing regulations are obsolete and need to be updated to further encourage redevelopment in the Lionshead Mixed Use-1 zone district;

WHEREAS, amending the density regulations will provide the incentives necessary to encourage redevelopment while maintaining the existing dimensional standards including gross residential floor area (GRFA) and building height in the Lionshead Mixed Use-1 zone district; and

WHEREAS, the proposed amendments are supported by the Lionshead Redevelopment Master Plan and the Vail Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:

Section 1. Section 12-7H-12 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7H-12: DENSITY (DWELLING UNITS PER ACRE):

No limitation on the number of dwelling units per acre permitted

Section 2. Section 14-8-1, Site Development Standards, Table 8, Summary of Zoning Setback and Development Limitations, Vail Town Code, only as it pertains to the Lionshead Mixed Use 1 zone district, is hereby amended to read as follows:

TABLE 8 SUMMARY OF ZONING SETBACK AND DEVELOPMENT LIMITATIONS

LMU-1 Lionshead mixed use 1	35 units per acre or 33% increase over existing units on property No limitation on the number of dwelling units per acre permitted	Type IV as a permitted use	10' all ²	May project not more than the lesser of 10' or 1/2 the required setback	May project not more than the lesser of 5' or 1/2 the required setback	4 '	70% ²	20% ²	10,000	None	n/a	71' average 82.5 max. ²	50% of parking must be located within the main building or buildings.
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Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The amendment of any provision of the Vail Town Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED
PUBLISHED ONCE IN FULL ON FIRST READING this 5th day of March, 2019 and a

public hearing for second reading of this Ordinance is set for the 19th day of March, 2019, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
this ____ day of _____, 2019.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk