

**ORDINANCE NO. 11
SERIES OF 2017**

AN ORDINANCE FOR A ZONE DISTRICT BOUNDARY AMENDMENT, PURSUANT TO SECTION 12-3-7, AMENDMENT, VAIL TOWN CODE, TO ALLOW FOR A REZONING OF A PORTION OF PARCEL 1 OF THE GOLDEN PEAK SKI BASE AND RECREATION DISTRICT PARCEL SUBDIVISION FROM SKI BASE RECREATION DISTRICT TO SKI BASE RECREATION 2 DISTRICT, LOCATED AT 460 VAIL VALLEY DRIVE/PARCEL 1, GOLDEN PEAK SKI BASE AND RECREATION DISTRICT PARCEL SUBDIVISION, AND SETTING FORTH DETAILS IN REGARD THERETO.

WHEREAS, the Town of Vail, in the County of Eagle and State of Colorado (the "Town"), is a home rule Town duly existing under the Constitution and laws of the State of Colorado and its home rule charter (the "Charter"); and,

WHEREAS, the members of the Town Council of the Town (the "Council") have been duly elected and qualified; and,

WHEREAS, Section 12-3-7, Amendment, Vail Town Code, sets forth the procedures for amending a zone district boundary; and,

WHEREAS, the subject property, described in **Exhibits A and B**, attached hereto and incorporated herein by this reference, (the "subject property"); and,

WHEREAS, on August 7, 1973, the Town of Vail adopted Ordinance No. 8, Series of 1973, to establish comprehensive zoning regulations for the Town of Vail; and,

WHEREAS, Vail Resorts, Inc., intends to transfer the subject property to the Ski and Snowboard Club Vail so that it may be combined with the existing Ski and Snowboard Club parcel; and,

WHEREAS, the purpose of the amendment is to establish a development site with uniform zoning for the redevelopment of the Ski and Snowboard Club Vail Clubhouse; and,

WHEREAS, on October 27, 2014, the Town of Vail Planning and Environmental Commission held a public hearing on the zone district boundary amendment to rezone the subject property from Ski Base Recreation District to Ski Base Recreation 2 District; and,

WHEREAS, on October 27, 2014, the Town of Vail Planning and Environmental Commission forwarded a unanimous recommendation of approval to the Vail Town Council for the zone district boundary amendment; and,

WHEREAS, the Vail Town Council finds and determines that the amendment is

consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and is compatible with the development objectives of the town; and,

WHEREAS, the Vail Town Council finds and determines that the amendment to the Town Code furthers the general and specific purposes of the Zoning Regulations; and,

WHEREAS, the Vail Town Council finds and determines that the amendment promotes the health, safety, morals, and general welfare of the town and promote the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.

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

Section 1. This ordinance adopts the following zone district boundary amendment as further described in Exhibits A and B:

A rezoning from the Ski Base Recreation District to Ski Base Recreation 2 District

Section 2. Condition Precedent and Expiration The rezoning set forth in Section 1 hereof shall take effect on the date that the Final Plat for the Golden Peak Ski Base and Recreation Parcel Subdivision, creating Parcel 3, is properly recorded with the Eagle County Clerk and Recorder; provided that, if the Final Plat for the Golden Peak Ski Base and Recreation Parcel Subdivision, creating Parcel 3, has not been properly recorded by August 14, 2019 the rezoning set forth in Section 2 hereof shall not take effect.

Section 3. Pursuant to Section 12-3-7, Amendment, Vail Town Code, and the evidence and testimony presented in consideration of this ordinance, the Vail Town Council finds and determines the follows:

- a. The zone district boundary amendment is consistent with the adopted goals, objectives and policies outlined in the Vail comprehensive plan and compatible with the development objectives of the town;
- b. The zone district boundary amendment is compatible with and suitable to adjacent uses and appropriate for the surrounding areas; and,
- c. The zone district boundary amendment promotes the health, safety, morals, and general welfare of the town and promotes the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.

d. This ordinance is necessary and proper for the health, safety and welfare of the Town of Vail and the inhabitants thereof.

Section 4. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not effect 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 5. The amendment of any provision of the 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 6. 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 15th day of August, 2017, and a public hearing for second reading of this Ordinance set for the 5th day of September, 2017, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
this 5th day of September, 2017.

Dave Chapin, Mayor

ATTEST:

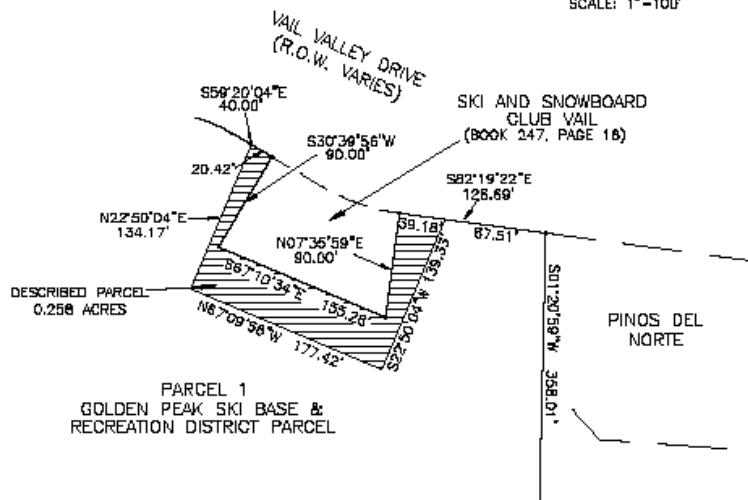
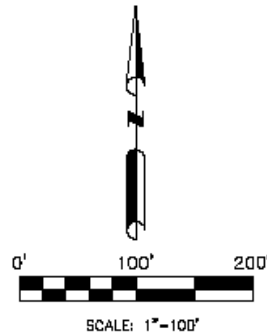
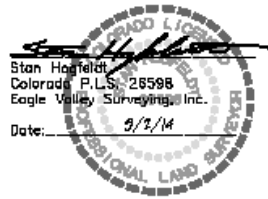
Patty McKenny, Town Clerk

Exhibit A

PROPERTY DESCRIPTION

That part of Parcel 1, Golden Peak Ski Base and Recreation District Parcel, according to the map thereof recorded in the office of the Eagle County, Colorado, Clerk and Recorder, described as follows:

Beginning at a point on the northerly boundary of said Parcel 1, also being the southerly right of way of Vail Valley Drive, whence the northeasterly corner of said Parcel 1 common with the northwesterly corner of Pinos del Norte Condominiums, according to the map thereof recorded in the office of the Eagle County, Colorado, Clerk and Recorder, bears S82°19'22"E 87.51 feet; thence departing said line S22°50'D4"E 134.17 feet; thence N67°09'56"W 177.42 feet; thence N22°50'D4"E 134.17 feet to said northerly boundary of Parcel 1; thence along said boundary S59°20'D4"E 20.42 feet to the northwesterly corner of the Ski and Snowboard Club Vail Parcel as recorded in Book 247, Page 18, in the office of the Eagle County, Colorado, Clerk and Recorder; thence the following 3 courses along the westerly, southerly, and easterly lines of said Ski and Snowboard Club Vail Parcel: 1) S30°39'56"W 80.00 feet; 2) S67°10'34"E 155.28 feet; 3) N07°35'59"E 80.00 feet; thence along said northerly line of Parcel 1 S82°19'22"E 39.18 feet; to the point of beginning, containing 0.2578 acres, more or less.



JOB No. 1098

**Zone District Amendment Proposal
Part of Parcel 1,
Golden Peak Ski Base and Recreation District Parcel
460 Vail Valley Drive**

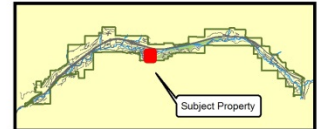


EXHIBIT B



0 125 250 Feet

This map was created by the Town of Vail GIS Team. Use of this map should be for general purposes only. The Town of Vail does not warrant the accuracy of the information contained herein. (where shown, parcel line work is approximate)

Last Modified: October 23, 2014

