

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 03
(SERIES OF 2020)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING THE BUENA VISTA MUNICIPAL CODE CONCERNING
CLARIFICATIONS OF THE UNIFIED DEVELOPMENT CODE**

WHEREAS, in 2018, the Town adopted the Unified Development Code (“UDC”);

WHEREAS, the Town now desires to amend certain sections of the UDC Code to clarify the requirements of the UDC;

WHEREAS, the Planning Commission of Buena Vista, at a duly notice public hearing, recommended approval of the proposed amendments;

WHEREAS, the Board of Trustees, after a duly noticed public hearing, desires to amend the UDC as provided in this Ordinance; and

WHEREAS, the Board of Trustees specifically finds that these amendments are consistent with the Town’s Comprehensive Plan; do not conflict with any other provisions of the UDC or the Buena Vista Municipal Code; are necessary to address a demonstrated community need and respond to changing conditions; are consistent with the purpose and intent of the zoning districts in the UDC; improve compatibility among land use; result in an orderly and logical development pattern; and do not result in significantly adverse impacts to the natural environment, including air quality, water quality, wildlife, vegetation, and other natural features of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. The following section of Table 2.3, Section 16.02.2.2.2 of the Buena Vista Municipal Code is hereby amended to read as follows:

Lot area, min. (square feet)	0	0	0	2,500
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Section 2. Section 16.03.3.2.1.D.1 of the Buena Vista Municipal Code is hereby amended to read as follows:

In the R-1 district, small multifamily dwellings are only permitted in the Old Town Overlay east of Highway 24.

Section 3. Sections 16.03.3.2.3.B and C of the Buena Vista Municipal Code are hereby amended to read as follows:

- B. Kennels
 - 1. Enclosed Building Requirements.

a. Those parts of structures in which animals are boarded shall be fully enclosed, with solid core doors and no operable windows, and shall be sufficiently insulated so no unreasonable noise or odor can be detected off the premises.

b. All boarded animals shall be kept within a totally enclosed part of a structure between the hours of 10:00 p.m. and 6:00 a.m.

2. Outdoor Runs. Any open or exercise run shall be at least one hundred fifty (150) feet from the property line of any adjoining properties zoned as a residential district.

3. Kennels must be licensed as required under state law.

C. Veterinarian Hospital or Clinic.

1. Outdoor overnight housing for animals is not permitted in the MU-1, MU-2, or MU-MS districts.

2. A veterinarian hospital or clinic must be license as required under state law.

Section 4. Section 16.04.4.2.1 of the Buena Vista Municipal Code is hereby amended to read as follows:

Purpose. The purpose of the access and circulation standards is to improve multimodal circulation for existing and future development areas, to increase the effectiveness of local service delivery and emergency service times throughout the Town, and to minimize vehicular and pedestrian conflicts throughout Town.

Section 5. Table 4.1., Section 16.04.4.2.3 of Buena Vista Municipal Code is hereby amended by the following, to be inserted at the beginning of the Table:

All Use Categories	All uses with drive-through lanes	3 stacking spaces per drive-through lane
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Section 6. Section 16.04.4.2.3 of the Buena Vista Municipal Code is hereby amended by the addition of the following new subsections:

D. No new vehicular access shall be permitted from East Main Street.

E. Vehicular access to streets, other than East Main Street, shall be from alleys. Alternative vehicular access to a street other than East Main Street may be granted at the discretion of the applicable decision-maker under this Code, based upon location and size of the access and how it minimizes pedestrian and vehicular conflicts with sidewalk and street traffic.

F. Driveways and accesses shall be designed to prevent parking and stacking on public sidewalks or stacking within the traveling portion of the right-of-way.

Section 7. Section 16.04.4.5.3 of the Buena Vista Municipal Code is hereby amended by the addition of a new subsection I to read as follows:

- (I) Blocks with Alley Access. Garages and carports on blocks with alley access shall be accessed from the alley, not from the primary street. Vehicular access from a street, other than East Main Street, shall be at the discretion of the applicable decision-maker under this Code, and granted only if conflicts between vehicular and pedestrian traffic are minimized. New vehicular access from East Main Street shall not be permitted.

Section 8. The following section of Table 4.5, Section 16.04.4.7.5 of the Buena Vista Municipal is hereby amended to read as follows:

Freestanding monument	4.7.5.B.6	Properties with single-family dwellings, two-family dwellings, and multi-family small dwellings: Not permitted; All other property uses: 1 per street frontage up to a maximum of 2	32 square feet in Residential and Mixed-Use Districts; 60 square feet in Commercial and Industrial Districts	8 feet in the Residential and Mixed-Use Districts; 16 feet in the Commercial and Industrial Districts
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Section 9. Footnote 3 of Table 4.5, Section 16.04.4.7.5. of the Buena Vista Municipal Code is hereby deleted and shall be marked as “Reserved.”

Section 10. The following section of Table 6.2, Section 16.06.6.3.4.B of the Buena Vista Municipal Code is hereby amended to read as follows:

Administrative Adjustments	6.7.1	Not Required	√	Not Required	15
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Section 11. Section 16.06.6.7.1.C.3 of the Buena Vista Municipal Code is hereby amended to read as follows:

- a. **Public Notice.**
 - i. When an application for an administrative adjustment is deemed complete, the Town Administrator shall notify all property owners within three hundred (300) feet of the subject parcel(s) via first class mail. Such notice shall indicate that

comments will be accepted for a period of fifteen (15) days following the date of the notice.

ii. The Town Administrator shall not take official action on the administrative adjustment application until the 15-day comment period has lapsed.

Section 12. 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 or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.


Section 13. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 10th day of March, 2020.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: 
Duff Lacy, Mayor

ATTEST:

Paula Barnett, Town Clerk

