

**TOWN OF BUENA VISTA, COLORADO  
ORDINANCE NO. 12  
(SERIES OF 2021)**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE UNIFIED  
DEVELOPMENT CODE CONCERNING DEFINITIONS OF TYPE OF STRUCTURES  
AND THE DEFINITION OF SHORT-TERM RENTAL**

WHEREAS, the Town desires to adopt additional definitions to provide clarity for the categorizations of certain types of structures; and

WHEREAS, the Town desires to clarify the use of structures as short-term rentals, particularly the addition of qualifying mixed-use structures for short-term rentals.

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

**Section 1.** Section 16.07.7.2, Definitions, of the Buena Vista Municipal Code is hereby amended by the following new definitions:

**Apartment.** A structure which is either a small multi-family or large multi-family dwelling in which the individual units are not held in separate ownership.

**Mixed-use structure.** Any structure containing both residential uses and nonresidential uses where no less than twenty-five percent (25%) of the finished floor area contains nonresidential uses.

**Residential structure.** Any structure that is used for, or designed as and capable of being used for, the domicile of persons. Residential structures shall not include any lodging facilities, except for a bed and breakfast or a licensed short-term rental pursuant to this code.

**Rooming unit.** A type of housing accommodation that consists of a room or group of rooms for a rental space, arranged primarily for sleeping and study, and that may include a private bath and countertop cooking devices, such as a microwave or a hot plate, but does not include any of the kitchen requirements for an ADU listed in Section 16.03.3.3.4(A)(3). Rooming units shall not be converted to an ADU without compliance with all applicable provisions of this code.

**Nonresidential structure.** Any structure used exclusively for, or designed as and capable of being used for, office, commercial, industrial, governmental occupation, or hotels, motels and other forms of public lodging and boarding.

**Section 2.** The definition of "Short-term rentals" in Section 16.07.7.2 of the Buena Vista Municipal Code is amended to read as follows:

**Short-term rentals.** A residential structure, or portion thereof, in which the entire structure, or two (2) or fewer *rooming units* ~~habitable spaces~~ *within a single structure*, are made available to paying guests for thirty (30) consecutive days or less or *dwelling units in the residential portion of a mixed use structure, located in the a mixed use zone district*,

*made available to paying guests for thirty 30 consecutive days or less.; provided that bBed and breakfasts, and hotels and motels shall not constitute short-term rental properties.*

**Section 3.** 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 part or parts be declared unconstitutional or invalid.

**Section 4.** 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 24th day of August, 2021.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By: \_\_\_\_\_  
Duff Lacy, Mayor

ATTEST:

Paula Barnett  
Paula Barnett, Town Clerk

