

**TOWN OF BUENA VISTA, COLORADO  
ORDINANCE NO. 07  
(SERIES OF 2022)**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 16 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING SINGLE ROOM OCCUPANCY**

**WHEREAS**, the Board of Trustees of the Town of Buena Vista desire to create a new use, single room occupancy;

**WHEREAS**, the purpose of this new use is to allow for more communal living where certain facilities within a structure are shared by the residents; and

**WHEREAS**, the Board of Trustees finds these amendments to be in the best interests of the Town and its citizens.

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

**Section 1.** Section 16.03.3.2 of the Buena Vista Municipal Code is amended by the addition of new subsection L to read as follows:

**L. Single Room Occupancy**

1. The structure shall be under the ownership of a single owner and may not be subdivided or condominiumized to create individual units for separate ownership.
2. All rooms shall meet the applicable building code requirements. Rooms without required egress shall not be used for bedrooms.
3. A change of use shall for the appropriate building occupancy shall be issued to the property prior to occupation of the structure as a single room occupancy, as determined by the building official.
4. Parking shall be provided per Section 16.04.4.3.
5. The structure shall be residential in its design and compatible with the architecture of the existing structure in terms of colors and materials of the existing structure, if any, on the property and/or compatible in mass and scale of the surrounding neighborhood it is proposed to be located.

**Section 2.** “Group Living” in Table 4.1, Minimum Number of Off-Street Parking Spaces Required, in Section 16.04.4.3.4.B of the Buena Vista Municipal Code is hereby amended by the addition of the following language:

Group Living	Single Room Occupancy	1 space per two bedrooms not a part of any primary residence plus 1 bicycle parking space per two bedrooms. If there is a primary residence on the property for a manager/owner, they shall be subject to that for a single-family residence.
--------------	-----------------------	---

**Section 3.** Section 16.04.4.3.4.A of the Buena Vista Municipal Code is hereby amended to read as follows:

**Minimum Required Off-Street Parking Spaces Downtown.** The area generally located east of Highway 24 and within the Original Town of Buena Vista subdivision plat and not abutting the highway shall be subject to a minimum off-street parking requirement of one and one-half parking spaces per twenty-five (25) linear feet of street frontage. For example, a lot that is retail and medical marijuana stores and dual operations (25) feet wide shall require two parking spaces one and one-half (1.5) spaces rounded up to the next whole number). Two (2) lots that total fifty (50) linear feet of street frontage require three (3) parking spaces. No additional parking is required for ADUs or single room occupancy in this area.

**Section 4.** Section 16.07.7.2 of the Buena Vista Municipal Code is hereby amended by the addition a new term and definition to read as follows:

**Single Room Occupancy.** A residential structure characterized by residential occupancy by a group of people who do not meet the definition of "household living." Tenancy is arranged on a monthly or longer basis. Structures used for single room occupancy may have a common cooking, eating area and sanitary facilities for residents, but individual bedrooms are separate lease areas. Single room occupancy structures are not associated with an educational facility.

**Section 5.** 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 6.** 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 22<sup>nd</sup> day of February, 2022.

**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

