

**TOWN OF BUENA VISTA, COLORADO**  
**ORDINANCE NO. 5**  
**(SERIES OF 2019)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING TABLES 2.2, 2.3, 2.5, 2.6 2.7, 2.8, 2.9, SECTIONS 16.03.3.3.3, 16.04.4.3.2.B.2, 16.04.4.3.4.A, 16.04.4.3.5.C, 16.04.4.5.2.B.2, 16.05.5.4.2.D.4.a OF THE BUENA VISTA MUNICIPAL CODE CONCERNING 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 2.2, Section 16.02.2.2.1 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, with no alley present, min. (feet)	5	5	5	5	5	5
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**Section 2.** The following section of Table 2.3, Section 16.02.2.2.2 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, min. (feet)	0	0	0	0
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**Section 3.** The following section of Table 2.5, Section 16.02.2.3.2 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, with no alley present, min. (feet)	5	5
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**Section 4.** The following section of Table 2.6, Section 16.02.2.3.3 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, with no alley present, min. (feet)	5	5
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**Section 5.** The following section of Table 2.7, Section 16.02.2.3.4 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, with no alley present, min. (feet)	5	5
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**Section 6.** The following section of Table 2.8, Section 16.02.2.42 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, min. (feet)	0
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**Section 7.** The following section of Table 2.9, Section 16.02.2.4.3 of the Buena Vista Municipal Code is hereby amended to read:

Rear setback, accessory structures, min. (feet)	0
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**Section 8.** Section 16.03.3.3.3 of the Buena Vista Municipal Code is hereby amended by the addition of a new subsection D to read as follows:

**D. Shed Permits**

1. The following types of sheds require a shed permit:
  - a. Sheds to be located on residential property which are 200 square feet or less; and
  - b. Sheds to be located on commercial property which are 120 square feet or less.
2. Shed permits must be obtained prior to construction of the shed. Applications for permits should be made on forms provided by the Town.

3. Shed permits may be denied if the shed does not meet the requirements of this UDC.
4. For purposes of this section, shed means an accessory structure used for storage and not intended or built for human habitation.

**Section 9.** Section 16.04.4.3.2.B.2 of the Buena Vista Municipal Code is hereby amended to read as follows:

Properties in the MU-1 and MU-2 districts without an alley, provided required bicycle parking is installed pursuant to Section 4.3.5.C with Town Administrator approval. The Town Administrator's decision shall be based upon the size of the property, intensity and density of the use.

**Section 10.** Section 16.04.4.3.4.A of the Buena Vista Municipal Code is hereby amended to read as follows:

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 25 linear feet of street frontage. For example, a lot that is 25 feet wide shall require two parking spaces (1.5 spaces rounded up to the next whole number). Two lots that total 50 linear feet of street frontage require three parking spaces. No additional parking is required for ADUs in this area.

**Section 11.** Section 16.04.4.3.5.C of the Buena Vista Municipal Code is hereby amended read as follows:

1. All nonresidential uses shall provide a minimum of one bicycle parking space with convenient access to the main entrance of the structure. Each bicycle parking space shall accommodate at least two bicycles.
2. In all zoning districts, each bicycle parking space in excess of the required bicycle parking shall count as one-half of a required vehicle parking space up to a maximum of two required vehicular parking spaces, or 10 percent of the required vehicular parking spaces, whichever is greater.
3. Single family uses may provide and maintain bicycle parking for two bicycles and that bicycle parking will reduce the required vehicle parking by one space.
4. All multifamily residential uses shall provide a minimum of one bicycle parking space per residential unit with convenient access to the main entrance of the structure. Each bicycle parking space shall accommodate at least two bicycles.
5. A minimum of 36 inches of clearance shall be maintained on any public walkway where a bicycle parking space is installed per ADA requirements.

**Section 12.** Section 16.04.4.3.6.A of the Buena Vista Municipal Code is hereby amended by the addition of a new subsection 4 to read as follows:

Off-street parking adjoining an alley shall not block the alley for any driveways less than 18 feet from the rear property line. If any driveways are less than 18 feet, a sign shall be installed indicating that parking shall not block the alley.

**Section 13.** Section 16.04.4.5.2.B.2 of the Buena Vista Municipal Code is hereby amended to read as follows:

The required front setback of a residential use immediately across the street from the subject property shall apply to the subject property, except for residential uses on corner lots when the setback of the residential use immediately across the street is the side setback pursuant to Section 2.8.2.D.2.b;

**Section 14.** Section 16.04.4.6.2.B.2 of the Buena Vista Municipal Code is hereby amended to read as follows:

Soffit or wall-mounted lights with a light output of less than 1,000 lumens and permanently attached to single-family dwellings shall be exempt from the exterior lighting regulations, provided the lights do not exceed the height of the eave. Such lights shall be downcast and directed away from abutting properties. Once a property is subject to this Section, all lights shall continue to satisfy this requirement and lights may not be modified in violation of this Section.

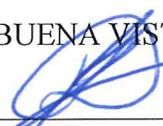
**Section 15.** Section 16.05.5.4.2.D.4.a of the Buena Vista Municipal Code is hereby amended to read as follows:

Upon preliminary acceptance of a public improvement or public infrastructure, the Town shall release all but 15 percent of total actual costs of construction and installation of all improvements, so long as the developer is not in default of any provision of the public improvements agreement.

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED** this 14<sup>th</sup> day of May, 2019.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By:   
Duff Lacy, Mayor

ATTEST:  
  
Paula Barnett, Town Clerk

