

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 13
(SERIES OF 2019)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING THE BUENA VISTA MUNICIPAL CODE CONCERNING
HISTORIC PRESERVATION**

WHEREAS, the Town desires to amend the Town's review procedures applicable to the demolition of non-designated structures that may be eligible for historic designation.

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

Section 1. Section 19-2(h) of the Buena Vista Municipal Code is hereby amended to provide as follows:

Demolition means any act or process which destroys, in part or in whole, any exterior features of a structure.

Section 2. Section 19-12(d)(2) of the Buena Vista Municipal Code is hereby amended to provide as follows:

If the Commission finds that the application of the standards set forth in subsection (c) of this section does not result in economic hardship, then the certificate of demolition shall be denied.

Section 3. Section 19-14 of the Buena Vista Municipal Code is hereby amended to provide as follows:

19-14. – Alteration, demolition or relocation of non-designated structures.

(a) No person shall alter, demolish, or relocate any structure over 50 years old, or any portion thereof, without first applying for and receiving a certificate from the Planning Department.

(b) Within thirty (30) days of receipt of an application required under this Section, the Planning Department shall determine whether the structure is eligible for historic designation by applying the criteria for designation set forth in Section 19-7. If the Planning Department determines the structure is ineligible for designation, a certificate shall be issued. If the Planning Department determines the structure is eligible for designation, the Planning Department shall next determine whether the proposal will impact the historic importance or character-defining features of the structure. If not, the Planning Department shall issue the certificate. If the proposal will impact the historic importance or character-defining features of the structure, the application shall be forwarded to the Commission for determination of its eligibility for designation under the criteria for designation set forth in Section 19-7. Failure to meet the thirty (30) day

deadline shall result in immediate issuance of a certificate if all other applicable requirements have been met.

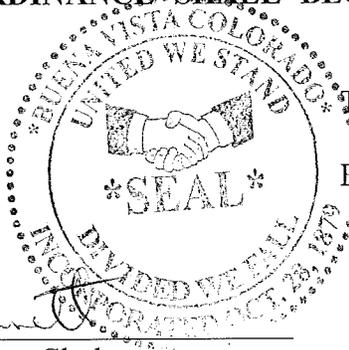
(c) If the application is forwarded to the Commission, the Commission shall hold a public hearing within sixty (60) days after Planning Department referral. If the Commission fails to hold a public hearing within such 60-day period, the certificate shall be issued if all other applicable requirements have been met.

(d) If the Commission determines that the non-designated structure qualifies for designation under the criteria in this Chapter, the application for a certificate to alter, demolish, or relocate the structure shall be suspended for a period of up to one hundred eighty (180) days. The Commission may include a nonbinding recommendation for the duration of the suspension in its determination. During the period of suspension, the Town Administrator may take any action the Town Administrator deems necessary and consistent with the purposes and intent of this Chapter to preserve the structure, including, without limitation, consulting with civic groups, public agencies, and interested citizens; recommending acquisition of the property by private or public bodies or agencies; exploring the possibility of moving buildings that would otherwise be demolished; salvaging building materials, and looking for alternatives to the proposed action which will not have any adverse impact on the historic significance of the structure. The Town Administrator shall work with the owner to preserve the historic nature of the structure. If the owner still desires to demolish or relocate the structure after expiration of the 180-day suspension period or upon determination by the Town Administrator that all actions authorized hereunder have been satisfactorily pursued, whichever occurs first, the certificate shall be issued if all other applicable requirements have been met.

(e) The Town may require the preservation or salvage of specific architectural elements of the structure and the opportunity to document the building photographically prior to alteration, demolition, or relocation of the structure.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 12th day of November, 2019.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

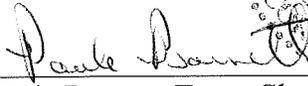


TOWN OF BUENA VISTA, COLORADO

By: _____

Duff Lacy, Mayor

ATTEST:



Paula Barnett, Town Clerk