

TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 17
(SERIES OF 2018)

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING ARTICLE 16.05 OF THE BUENA VISTA MUNICIPAL
CODE BY THE ADDITION OF A NEW SECTION CONCERNING
INFILL INFRASTRUCTURE**

WHEREAS, within the Town, there are several areas that are vacant but surrounded by development; and

WHEREAS, the Town desires to encourage the development of these infill areas by not requiring the developer to post security to ensure the competition of the necessary public improvements required as part of the Town's approval of the infill development.

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

Section 1. Sec. 16.01.1.5.4.C of the Buena Vista Municipal Code is hereby amended to read as follows:

C. **Upgrading on Nonconforming Buffers, Sidewalks, Landscaping, Screening, Fencing, and Outdoor Lighting**

Nonconforming buffers, sidewalks, landscaping, screening, fencing, and outdoor lighting shall be upgraded to achieve full compliance with this UDC's buffer, sidewalk, landscaping, screening, outdoor lighting and standards for any of the following developments on the site containing those nonconforming site features:

1. An increase in the total square footage of the vehicular use area by more than 10 percent; or
2. A structural addition that increases the combined total gross floor area of all existing structures by more than 500 square feet or 20 percent, whichever is less; or
3. Building elevation changes involving 50 percent or more of the exterior walls of a roofed structure on the property within a two-year period, excluding minor cosmetic items such as painting, masonry repair, windows replacement that does not involve or cause a structural change, lighting fixtures, awnings, and signs. A modification to only part of an elevation shall constitute a change in the entire elevation of that exterior wall; or
4. Expansion of outdoor operations, storage, or display areas on a site containing nonconforming buffers, sidewalks, screening, or fencing that increases the

gross square footage of such areas shall require nonconforming buffers, screening, and fencing to comply with the UDC buffer, screening, and fencing requirements.

Section 2. Article 16.05 of the Buena Vista Municipal Code is hereby amended by the addition of new section 5.6 to read as follows:

Section 5.6 Infill Development Infrastructure

5.6.1. Purpose

The purpose of this Section to provide a mechanism for the Town to encourage infill development while requiring the construction and/or installation of public improvements and infrastructure that are absent from the property and to ensure compatibility with infrastructure which may already exist in the vicinity of the infill development.

5.6.2 Applicability

This Section shall generally apply to infill development. The Town Administrator, in his or her sole discretion, shall determine whether development qualifies as infill development.

5.6.3 Methodology for Infill Infrastructure

The Board of Trustees shall adopt policies and/or guidance to assist the Town Administrator in determining the type of infrastructure required for infill development. The determination of the type of infrastructure required shall be made in the sole discretion of the Town Administrator.

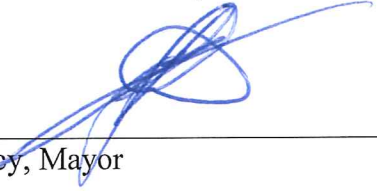
5.6.4 Infill Infrastructure Agreement

As a condition of approval of the development, the Town may require the developer to enter into an infill infrastructure agreement. Such infill infrastructure agreement shall include a completion deadline, identify the terms and conditions for the acceptance of the public improvements by the Town and the warranty for such improvement by the developer. Such agreement shall run with the land and bind all successors, heirs, and assignees of the developer.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 14th day of August, 2018.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: 
Duff Lacy, Mayor

ATTEST:


Paula Barnett, Town Clerk