

TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 21
(SERIES OF 2018)

AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING CERTAIN PROVISION OF THE BUENA VISTA MUNICIPAL CODE CONCERNING SIDE SETBACK, LOT AREA AND LOT WIDTH FOR SINGLE FAMILY ATTACHED DWELLINGS AND TWO-FAMILY DWELLINGS IN THE R-1 AND R-2 ZONES, DEFINITIONS FOR CERTAIN TYPES OF DWELLINGS AND ADOPTING NEW USE REGULATIONS FOR TWO-FAMILY DWELLINGS

WHEREAS, it has come to the Town’s attention that its regulations regarding setbacks do not permit a zero setback between internal units within attached single-family and two-family dwellings and does not establish minimum lot size for attached single-family and two-family dwellings;

WHEREAS, the Town does not have standards for two-family dwellings; and

WHEREAS, the Town now desires to amend its Unified Development Code to allow for zero side setback between internal units within attached single-family and two-family dwellings, establish a minimum lot size for attached single-family and two-family dwellings, and establish standards for two-family dwellings.

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

Section 1. The following sections of Table 2.2 of Article 16.02 of the Buena Vista Municipal Code are amended as follows:

	R-1	R-1 Old Town Overlay	R-2	R-2 Old Town Overlay	R-3	R-3 Old Town Overlay
Lot area, min. (square feet), single-family attached dwellings	Not applicable	Not applicable	5,000	2,500	1,500	1,500
Lot area, min. (square feet), two-family dwellings	13,000 if two units on one lot, 6,500 if each unit is on a separate lot	2,500	10,000 if two units on one lot, 5,000 if each unit is on a separate lot	2,500	1,500	1,500
Lot width, min. (feet), single-family attached	Not applicable	Not applicable	50	25	15	15
Lot width, min. (feet), two-family dwellings	100 if two units on one lot, 65 if each unit is on a separate unit	25	75 if two units on one lot, 50 if each unit is on a separate lot	25	15	15
Side setback, min. (feet) between internal dwelling units	Not applicable	Not applicable	0	0	0	0

for single-family attached						
Side setback, min. (feet) between internal dwelling units for two-family dwellings	0	0	0	0	0	0

Section 2. Table 2.5 of Article 16.02 of the Buena Vista Municipal Code is amended as follows:

	R-1	Old Town Overlay
Lot area, min. (square feet)	6,500, 13,000 ^[4]	0, 2,500 ^[6]
Lot width, min. (feet)	65, 100 ^[5]	25
Side setback, min. (feet) between internal dwelling units for two-family dwellings	0	0

^[4] Minimum lot area for single family dwellings and two-family dwellings with each unit on a separate lot is 6,500 square feet. Minimum lot area for two-family dwelling on a single lot is 13,000 square feet.

^[5] Minimum lot width for single-family dwellings and for two-family dwellings with each unit on a separate lot is 65 feet. Minimum lot width for two-family dwellings with each unit on a separate lot is 100 feet.

^[6] There is no minimum lot area for single-family dwellings in the Old Town Overlay. Minimum lot area for two-family dwellings is 2,500 feet.

Section 3. Table 2.6 of Article 16.02 of the Buena Vista Municipal Code is amended by the addition of the following:

	R-2	Old Town Overlay
Lot area, min. (square feet), single-family attached dwellings	5,000, 10,000 ^[4]	0, 2,500 ^[6]
Lot width, min. (feet)	50, 75 ^[5]	25
Side setback, min. (feet) between internal dwelling units for single-family attached and two-family dwellings	0	0

^[4] Minimum lot area for single-family dwellings and two-family dwellings with each unit on a separate lot is 5,000 square feet. Minimum lot area for two-family dwellings with two units on one lot is 10,000 square feet.

^[5] Minimum lot width for single-family dwellings and two-family dwellings with each unit on a separate lot is 50 feet. Minimum lot width for two-family dwellings with two units on one lot is 75 feet.

^[6] There is no minimum lot area for single-family dwellings in the Old Town Overlay. Minimum lot area for two-family dwellings is 2,500 feet.

Section 4. The following section of Table 3.1 of Article 16.03 of the Buena Vista Municipal Code shall be amended as follows:

	R-1	R-2	R-3	MU-1	MU-2	MU-MS	HC	I-1	OSR	AP	
Dwelling, two-family	S	P	P	P	P						3.2.1.K

Section 5. Section 16.02.2.8.D.1. of the Buena Vista Municipal Code is amended as follows:

In the R-1, R-2, R-3, MU-1, MU-2, and MU-MS districts, there shall be no setback between internal dwelling units for single-family attached and two-family dwellings,

if allowed as a permitted use or special use. Side setbacks shall still apply to the end dwelling units on the side of the building not attached to another dwelling unit.

Section 6. Section 16.03.3.2 of the Buena Vista Municipal Code is amended by the addition of a new subsection K to read as follows:

K. Dwelling, two-family

1. Two-family dwellings shall be designed in a manner so that the façade is uniform and consistent as to appear as one larger structure, not two different units.
2. Driveways off a street to each unit shall be separated and no wider than two parking spaces.
3. Utilities to each unit must be installed separately.

Section 7. The following definitions of Section 16.07.7.2 of the Buena Vista Municipal Code are amended to read as follows:

Dwelling, multifamily large

A building (or group of buildings) designed and constructed to contain five or more dwelling units, on one lot or parcel under single ownership, and does not meet the definition of “dwelling, single-family attached.”

Dwelling, multifamily small

A building designed and constructed to contain 3 or 4 dwelling units, on one lot or parcel under single legal ownership, and does not meet the definition of “dwelling, single-family attached.”

Dwelling, two-family (duplex)

A building designed and constructed to contain two dwelling units, on one or two lots or parcels, separated by a fire-resistant common wall in a side-by-side, front-to-back, or a stacked configuration, each with its own separate exterior entrance.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 27th day of November, 2018.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: _____
Duff Lacy, Mayor

ATTEST:

Paula Barnett
Paula Barnett, Town Clerk

