

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 04
(SERIES OF 2022)**

AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 16 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING SMALL MULTIFAMILY DWELLINGS

WHEREAS, the Town desires to revise regulations related to small multifamily dwellings; 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 16.03.3.2.1.C of the Buena Vista Municipal Code is hereby amended to read as follows:

C. Dwelling, Multifamily Small.

1. In the R-1 district, small multifamily dwellings are only permitted in the Old Town Overlay east of Highway 24.
2. In the MU-MS and HC districts, small multifamily dwellings are only permitted as part of a vertically mixed-use structure.
3. In the HC district, subject to the approval a special use permit, small multifamily dwellings may be permitted independent of a mixed-use structure if no subdivision of the units or creation of condominiums is permitted for dwelling units permitted under this subsection.

Section 2. Section 16.06.6.5.1.B.1 of the Buena Vista Municipal Code is hereby amended by the addition of a new subsection to read follows:

- d. Small multifamily dwellings that do not require installation of new public improvements, except for streets, alleys and sidewalks.

Section 3. **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 4. **Safety.** This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

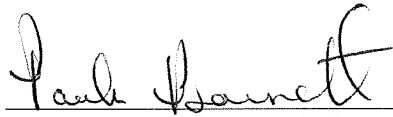
INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 8th day of February, 2022.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: 
Duff Lacy, Mayor

ATTEST:


Paula Barnett, Town Clerk

