

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 14
(SERIES OF 2022)**

AN ORDINANCE AMENDING CHAPTERS 16 AND 17 OF THE TOWN OF BUENA VISTA MUNICIPAL CODE CONCERNING DEDICATIONS AND FEES IN LIEU OF DEDICATION FOR THE SCHOOL DISTRICT

WHEREAS, the Town and the Buena Vista School District R-31, along with other municipalities and school districts and Chaffee County have negotiated a new intergovernmental agreement

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

Section 1. Section 16.05.5.3.4.B of the Buena Vista Municipal Code shall be revised to read as follows:

Referral. All applications for residential subdivisions and planned unit developments creating residential dwelling units shall be referred to the Buena Vista School District R-31 for review and comment concerning impact of the development and/or subdivision on the School District and the adequacy of public school sites and facilities. If a nonresidential land development and/or subdivision application may have influence or effect on property owned by or activities of the Buena Vista School District R-31, the information pertaining to that application shall also be referred to the School District for review and comment, but no dedication shall be required.

Section 2. Section 16.05.5.3.4.C.1 of the Buena Vista Municipal Code shall be revised to read as follows:

If recommended by the Buena Vista School District R-31, the applicant shall dedicate or convey land for a public school facility to the School District based on methodology established in the intergovernmental agreement between the Town and the School District, dated the 8th of February 2022, as may be amended. Otherwise, the applicant shall agree to a payment in lieu of land dedication or conveyance in an amount consistent with the Town of Buena Vista fee schedule. The applicant may elect for such amount to be paid by the owner of the subject lot at the time a residential building permit is obtained. Such requirement shall be noted on the underlying plat and, if required by the Town, a separate covenant.

Section 3. Section 16.05.5.3.4.D of the Buena Vista Municipal Code shall be amended by the addition of a new subsection 6 to read as follows:

6. Construction of any low-income housing unit, on lots designated by the Town.

Section 4. Section 17-74 of the Buena Vista Municipal Code is hereby repealed.

Section 5. 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 6. 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 24th day of May 2022.

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

TOWN OF BUENA VISTA, COLORADO

By: Libby Fay
Libby Fay, Mayor

ATTEST:

Lillian Simpson
Lillian Simpson, Deputy Town Clerk

