

ORDINANCE NO.

13-05
Series of 2013

TITLE: AN ORDINANCE AMENDING ARTICLES 2 AND 4 OF CHAPTER 16 OF THE HUDSON MUNICIPAL CODE TO ADD NEW DEFINITIONS AND TO REVISE SETBACK REQUIREMENTS FOR ACCESSORY BUILDINGS

WHEREAS, the Board of Trustees finds it in the public interest to amend standards for accessory buildings to provide better definitions and to amend setback standards.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. The definition of Accessory in Section 16-20 of the Hudson Municipal Code is hereby amended as follows:

Accessory means subordinate or incidental to and on the same lot or on a contiguous lot in the same ownership and zone as the principal building or use.

Section 2. Section 16-20 of the Hudson Municipal Code is hereby amended by the addition of the following two definitions in alphabetical order:

Accessory Building or Structure shall mean a detached structure such as a garage, shed, playhouse or storage shed. The use of an accessory building or structure must be subordinate or incidental to and on the same lot or on a contiguous lot in the same ownership and zone as the principal building or use, and must be permitted in the zone district.

Principal building or structure shall mean a building or structure, permitted in the zone district in which it is located, in which is conducted the principal use of the lot on which it is situated. In a residential zone district any dwelling is deemed to be the principal building on the lot on which it is situated.

Section 3. Section 16-64 of the Hudson Municipal Code is hereby amended to read as follows:

Sec. 16-64. Standards for accessory uses and buildings.

(1) (a) The accessory building or structure shall be subordinate to and customarily found with the principal use of the land or site and shall be located on the same lot as the principal use.

(b) Accessory buildings shall be operated and maintained for the benefit or

convenience of the occupants of the premises which contain the principal use.

(c) Business and commercial. In a business or commercial district, a use accessory to an authorized use shall be permitted as specified in district regulations. The parking of automobiles of clients, patients, patrons or customers within a front, side or rear yard of a building within a commercial or business district, without charge and in connection with any use permitted in such, shall be deemed an accessory use.

(d) Aboveground storage of flammable liquids and gases. In the event the aboveground storage of flammable liquids and gases is a valid accessory use as defined in this section, such storage shall meet federal, state and local laws, regulations and safety standards.

(e) In non-residential zone districts, all setbacks for accessory uses shall conform to the setbacks as outlined in the underlying zoning district.

(f) In residential zone districts with the exception of agricultural zone districts, accessory buildings must be setback at least 3 feet from the side and rear property line of the property and a minimum of 20 feet from all streets abutting the property. Accessory buildings are not allowed in a utility or drainage easement.

(g) The height of an accessory building shall not exceed 10 feet at the roof eaves above the ground measured at the building foundation. The total height of the accessory building shall not exceed that allowed in the zoning district of the principal use.

(h) There shall be no more than three (3) accessory buildings on any lot with the exception of agricultural zone districts.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

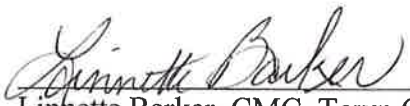
INTRODUCED, READ IN FULL, AND ADOPTED this 3rd day of April, 2013.



TOWN OF HUDSON, COLORADO


Neal Pontius, Mayor

ATTEST:


Linnette Barker, CMC, Town Clerk

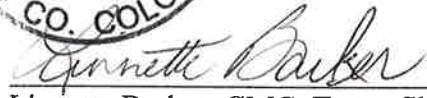
PASSED ON SECOND AND FINAL READING this 17th day of April, 2013, AND ORDERED PUBLISHED ONCE IN FULL.



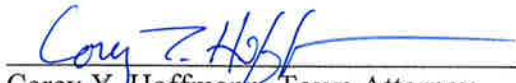
TOWN OF HUDSON, COLORADO


Neal Pontius, Mayor

ATTEST:


Linnette Barker, CMC, Town Clerk

APPROVED AS TO FORM:


Corey Y. Hoffmann, Town Attorney