

# ORDINANCE NO. 93-3

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE TOWN OF HUDSON PERTAINING TO NON-CONFORMING USES.

WHEREAS, prior to August 1, 1989 there were no regulations regarding minimum frontage or area within the various zoning classes within the Town of Hudson; and

WHEREAS, in the adoption of a new zoning ordinance, certain existing residences were made non-conforming by the enactment of the new zoning ordinance due to their frontage and/or area; and

WHEREAS, it is the intent of the Board of Trustees that these previously conforming residences be allowed to continue as conforming uses.

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

Section 1. Section 16-33, Exceptions and non-conforming uses, of the Hudson Municipal, is amended as follows:

**Sec. 16-33. Exceptions and non-conforming uses.**

(a) Use regulation.

(1) The lawful use of land or buildings existing as of August 1, 1989, which does not conform with the regulations prescribed in this chapter shall be deemed a non-conforming use. However, any residential lot that was a lawful and conforming use prior to August 1, 1989 which is deficient in either area or frontage under this chapter shall be deemed to be a conforming use. Such use may be continued subject to such regulations as to the maintenance of the premises and conditions of operation as may, in the judgment of the board of trustees, be reasonably required for the protection of adjacent or neighboring property. However, if such non-conforming use is discontinued for a period of six (6) months or more in the use of unimproved land, improved land or a building, any future use of said land or building must be in conformity with the provisions of this chapter.

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, ADOPTED AND ORDERED PUBLISHED ONCE IN FULL this 26th day of May, 1993.

TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Robert D. Masden  
Mayor

ATTEST:

\_\_\_\_\_  
Kelly M. Smith  
Town Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_ day of \_\_\_\_\_, 1993.

TOWN OF HUDSON, COLORADO

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Robert D. Masden  
Mayor

ATTEST:

\_\_\_\_\_  
Kelly M. Smith  
Town Clerk