

# ORDINANCE NO. 96-5

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE TOWN OF HUDSON BY AMENDING CERTAIN DEFINITIONS, THEREBY ELIMINATING CONFLICTING LANGUAGE RELATING TO SETBACK REQUIREMENTS.

WHEREAS, the Board of Trustees have determined that there are several inconsistencies in the zoning regulations relating to setback requirements.

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

Section 1. Section 16-4 of the Hudson Municipal Code is amended as follows:

## **Sec. 16-4. Definitions.**

- (40) *Setback line, front* shall mean a line parallel with a front lot line of a lot, tangent to the part of a building situated on such lot [other than an open fire escape; stairway, chimney or one (1) story unenclosed porch when approved by the Board of Adjustment as hereinafter provided for] which is closest to such lot line and intersecting two (2) other lot lines of such lot.
- (42) *Setback line, side* shall mean a line parallel with a side lot line of a lot tangent to that part of a building situated on such lot (other than a chimney, stairway or fire escape when approved by the Board of Adjustment as hereinafter provided for) which is closest to such side lot line and intersecting two (2) other lot lines of such lot.(d) Lot area and yard minimum requirements.

Section 2. Section 16-15 (e) of the Hudson Municipal Code is amended as follows:

## **Sec. 16-15. Commercial one district (C-1).**

- (e) Lot area and yard minimum requirements.
- (2) Front yard - except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be twenty-five (25) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from such front lot line. A canopy may be erected over motor fuel pumps not less than five (5) feet from such front lot line.

- (3) Side yard - if a building is constructed of masonry or fireproof materials (refer to Uniform Building Code Standards for fireproofing), no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to the street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be ten (10) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from any side lot line. A canopy may be erected over motor fuel pumps not less than five (5) feet from side lot line.

Section 3. Section 16-33 of the Hudson Municipal Code is amended as follows:

**Sec. 16-33. Exceptions , nonconforming uses and area requirements.**

- (c) Area regulation.

- (2) Front Yard:

c. The board of adjustment may permit exceptions to the front yard requirements, provided that such exceptions can be permitted without substantial detriment to the public good and without substantially impairing the intent and the purposes of the zoning plan.

- (3) Side yard:

~~c. The board of adjustment may permit chimneys, open fire escapes and stairways to extend not more than five (5) feet into a required side yard if such chimneys, fire escapes or stairways can be so situated as not to unreasonably obstruct the light and ventilation of an existing dwelling or other main building on any adjoining lot. (Ord. 89-3 Sec. 18, 1989; Ord. 90-2 Sec. 1, 1990)~~

Section 4. 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 5. 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 6. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, ADOPTED AND ORDERED PUBLISHED ONCE IN FULL this 27th day of March, 1996.

TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Judith K. Parker  
Mayor

ATTEST:

\_\_\_\_\_  
Judy Larson  
Town Clerk

PASSED ON SECOND AND FINAL READING AS AMENDED this \_\_\_ day of \_\_\_\_\_, 1996.  
TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Judy Larson  
Town Clerk