

ORDINANCE NO.

20-05  
Series of 2020

**TITLE: AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 4,  
OF THE HUDSON MUNICIPAL CODE RELATING TO  
SETBACK REQUIREMENTS FOR ACCESSORY  
STRUCTURES IN RESIDENTIAL ZONES**

WHEREAS, Chapter 16 of the Hudson Municipal Code is the Hudson Land Development Code;

WHEREAS, pursuant to Section 16-68 within the Land Development Code, amendments to the Land Development Code must be considered by the Planning Commission following a public hearing and referred to Town Council for consideration and another public hearing;

WHEREAS, the Planning Commission held a properly noticed public hearing on this matter on November 11, 2020, and recommended these following changes to accessory building setback requirements; and

WHEREAS, Town Council held a properly noticed hearing on this matter on November 18, 2020.

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

Section 1. Section 16-43 of the Town of Hudson Municipal Code, subsection (d), is amended to read as follows:

**Sec. 16-43. - Residential one district (R-1).**

\* \* \*

(d) Lot minimum requirements.

(1) Minimum lot area - five thousand eight hundred (5,800) square feet.

(2) Minimum lot width - fifty (50) feet, except on lots fronting the curved portion of cul-de-sacs - thirty (30) feet.

(3) Minimum lot frontage - fifty (50) feet (minimum front lot line), except on lots fronting the curved portion of cul-de-sacs - thirty (30) feet.

(4) Minimum front setback - twenty (20) feet (minimum distance of the primary building from the front lot line).

(5) Minimum side setback - five (5) feet (minimum distance of the primary building from the side lot line) except the minimum width of the side yard adjacent to a street, road or highway shall be fifteen (15) feet.

(6) Minimum rear setback - ten (10) feet (minimum distance of the primary building from the rear lot line).

(7) Accessory building setbacks shall be governed by section 16-64. ~~Additionally, accessory buildings other than garages shall be set back at least fifty (50) feet from the front lot line.~~

(8) Lot coverage by building - not more than sixty percent (60%) of the area of a lot shall be covered by the main building and all accessory buildings.

Section 2. Section 16-44 of the Town of Hudson Municipal Code, subsection (d), is amended to read as follows:

**Sec. 16-44. - Residential two district (R-2).**

\* \* \*

(d) Lot minimum requirements.

(1) Minimum lot area - five thousand eight hundred (5,800) square feet, and the minimum lot area for a two-family house shall be nine thousand (9,000) square feet. The minimum lot area for any other building shall be nine thousand (9,000) square feet; provided, however, that the minimum lot area for a multiple-family dwelling shall be not less than an additional two thousand (2,000) square feet for each additional unit over two (2).

(2) Minimum lot width - the minimum width of lot shall be fifty (50) feet or a minimum width of twenty-five (25) feet for each dwelling unit on the lot, whichever is greater.

(3) Minimum lot frontage - fifty (50) feet (minimum front lot line).

(4) Minimum front setback - twenty (20) feet (minimum distance of the primary building from front lot line).

(5) Minimum side setback - five (5) feet (minimum distance of the primary building from the side lot line) except the minimum width of the side yard adjacent to a street, road or highway shall be fifteen (15) feet.

(6) Minimum rear setback - ten (10) feet (minimum distance of the primary building from rear lot line).

(7) Accessory building setbacks shall be governed by section 16-64. ~~Additionally, accessory buildings other than garages shall be set back at least fifty (50) feet from the front lot line.~~

(8) Maximum lot coverage by buildings - not more than sixty percent (60%) of the area of a lot shall be covered by the main building and all accessory buildings.

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

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

(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 nonresidential 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 set back at least three (3) feet from the side and rear property line of the property or five (5) feet for structures over 200 square feet in area if the portion of that structure within five (5) feet of the property line is not fire (resistant)-rated construction as required by the adopted building code and a minimum of twenty (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 ten (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.

(i) No accessory structure in residential zoning districts, with the exception of agricultural zone districts, shall project into the front yard beyond the face of the principal structure that provides primary pedestrian access and contains the front door.

(j) An accessory structure on a corner lot in residential zoning districts, with the exception of agricultural zone districts, shall meet the primary structure side setback line for the applicable zoning district in which it is located.

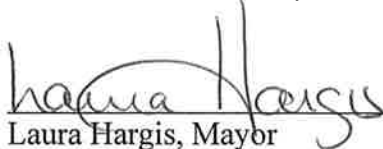
Section 4. Safety Clause. The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Council 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 ten (10) days after final publication by title only.

INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this 18th day of November, 2020.

TOWN OF HUDSON, COLORADO

  
\_\_\_\_\_  
Laura Hargis, Mayor

ATTEST:

  
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Charity Campfield, Town Clerk

PASSED by a vote of 6 for and 1 against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the town clerk this 2 day of December, 2020.



TOWN OF HUDSON, COLORADO

Laura Hargis  
Laura Hargis, Mayor

ATTEST:

Charity Campfield  
Charity Campfield, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney