

ORDINANCE NO. 78

AN ORDINANCE ADOPTING AND ENACTING ZONING RULES AND REGULATIONS, DISTRICTS, A BOARD OF ADJUSTMENT AND PROVIDING FOR PENALTIES FOR VIOLATIONS. BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO:

Section 1. The Board of Trustees shall designate one or more administrative officials who shall administer and enforce this ordinance.

Section 2. If it is found by any administrative official designated under this ordinance, that this ordinance is being violated, the person or persons shall be notified in writing by registered or certified U.S. mail, indicating the violation and ordering the correction thereof. A stay of the order may be granted not to exceed 60 days.

Section 3. A building and zoning compliance permit shall be obtained from the administrative official before any construction is started and application for said permit shall be accompanied by a plot plan showing the size of lot, its location in the Town and the location of the proposed building or structure thereon, all drawn to scale, together with other information as needed to enforce this ordinance.

Section 4. A fee of \$5.00 shall be submitted and paid with the application for a building and zoning compliance permit for the cost of inspection and administrative services.

Section 5. The following use groups are hereby established:
(1) Farming -- consists of land used for general raising of agricultural crops and keeping of livestock for farm use only.

(2) Feeding and raising of animals -- consists of commercial feed yards, and raising of animals or fowl for sale.

- (3) One-family residence -- consists of a detached building occupied by one family.
- (4) Multi-family residence -- consists of a building occupied by two or more families.
- (5) Group residence -- consists of a residence occupied by three or more boarders or roomers.
- (6) Mobile homes -- a single mobile home.
- (7) Mobile home park -- consists of two or more mobile homes in one general area or grouping.
- (8) Community facilities A -- consists of churches, schools, non-profit swimming pools, museums, libraries, parks, community buildings, fire departments, town halls, and municipal offices, public parks, public residential facilities and cultural and religious facilities for general public use.
- (9) Community facilities B -- consists of cemeteries, zoo areas, golf courses, arenas, mortuaries, fraternal organizations, and other semi-public facilities.
- (10) Amusements -- consists of pool halls, night clubs, skating rinks, commercial swimming pools, bowling alleys, dance halls, theaters, and other privately owned and operated recreational facilities.
- (11) Children's facilities -- consists of homes caring for six or more children who are non-residents of the site, and orphanages.
- (12) Treatment of humans -- consists of hospitals, nursing homes, rest homes, convalescent homes, sanitariums and other medical facilities, and other buildings used to restrain humans.
- (13) Commercial residence -- consists of motels, hotels, tourist homes and facilities.

(14) Services and offices -- consists of serving personal needs of people including barber shops, beauty parlors, shoe repair shops, gift shops, florist sales, jewelry shops and dry cleaning and laundry facilities, and general office establishments, banking institutions and professional offices.

(15) Retail establishments -- consists of farm implement sales, greenhouses, auto and truck sales, drive-in restaurants and movies.

(16) Light industry and commercial -- consists of limited manufacturing, food and beverage processing, storage of wholesale goods, warehouses, bottling works, supply yards, research facilities and treatment of products and similar industrial uses; which all of said operations are confined within the principal buildings.

(17) Flammable liquid storage -- consists of storage and handling of bulk gasoline and bulk flammable fertilizer and related products.

(18) Heavy industry -- consists of salvage, gravel pits, slaughter houses, asphalt plants, junkyards, commercial incinerators, industrial or manufacturing operations which create nuisances, offensive or hazardous affects beyond their premises.

Section 6. The Town of Hudson is divided into zoning districts as shown on the official zoning map signed by the mayor, which is hereby adopted and declared to be a part of this ordinance. All boundary lines follow center lines of streets and alleys. The districts shall be as follows:

- R-1 residential
- R-2 residential
- B-1 business
- T-1 trailer parks

Section 7. Changes in the zoning map shall be made by ordinance and copies shall be kept in the Town Hall open to the inspection of the public.

Section 8. Annexed territory shall be zoned in compliance with State Statutes.

Section 9. The permitted uses and set backs in the zoning districts are as follows:

R-1 residential

A. Permitted use groups:

- (3) One family residence
- (4) Multi-family residence
- (8) Community facilities A

B. Minimum front yard -- 20 feet; minimum side yard -- 5 feet; minimum rear yard -- 10 feet.

R-2 residential

A. Permitted use groups:

- (1) Farming
- (3) One-family residence
- (4) Multi-family residence
- (8) Community facilities A
- (9) Community facilities B

B. Minimum front yard -- 20 feet; minimum side yard -- 5 feet; minimum rear yard -- 10 feet.

B-1 business

A. Permitted use groups:

- All except (2), (6), (7), (17) and (18).

T-1 trailer parks

A. Permitted use groups:

- (1) Farming
- (3) One-family residence
- (4) Multi-family residence
- (5) Group residence
- (6) Mobile homes
- (7) Mobile home park
- (8) Community facilities A

B. Minimum yard requirements shall be the same as R-1 residential.

Section 10. Detached accessory buildings shall not be located closer than five (5) feet from the side or ten (10) feet from the rear and twenty (20) feet from the front property line.

Section 11. There is hereby created a Board of Adjustment consisting of five (5) members, each to be appointed for three

years by the Board of Trustees. The Board shall hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcement of this ordinance. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision of determination of any such administrative official, or to decide in favor of the applicant.

The Board shall conduct a public hearing within 30 days after a written request is filed with the secretary of the Board and written notice shall be sent by U.S. mail to the parties concerned 5 days before said hearing and notice shall be published once 5 days before said hearing in a newspaper of general circulation.

The applicant desiring a hearing shall submit a written application setting forth his basis for reviewing along with a fee of \$25.00 to the secretary of the Board.

Section 12. Except as provided in this section, the lawful use and location of any building or land existing at the time of enactment of this resolution, or of any amendments to this resolution, may be continued even though such use or location does not conform to the requirements of this resolution.

(1) Repairs and maintenance -- ordinary repairs and maintenance of a non-conforming building shall be permitted.

(2) Restoration -- a non-conforming building which has been damaged by fire or other causes may be restored to its original condition, provided such work is commenced within one year of such calamity.

(3) Abandonment -- whenever a non-conforming use has been discontinued for a period of one year, such use shall not thereafter be reestablished. And any further use shall be in conformance with the provisions of this resolution.

(4) Change in use -- a non-conforming use shall not be changed to a use of lower, or less restrictive classification; such non-conforming use may, however, be changed to another use of the same or higher classification.

(5) Extension -- a non-conforming use shall not be extended.

Section 13. Amendments to this ordinance or the official zoning map may be initiated by:

(1) a petition signed by the majority of the owners of the property proposed to be rezoned: or

(2) a resolution of the Board of Trustees.

Section 14. The Board of Trustees shall review all requests for amending the official zoning map or amendments to this ordinance as follows:

(1) Hold a public hearing giving public notice thereof by publication in an official newspaper at least fifteen (15) days before said hearing.

(2) Such regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against such changes signed by the owners of twenty per cent, or more, either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending one hundred feet therefrom, or of those directly opposite thereto, extending one hundred feet from the street frontage of such opposite lots, such ammendment shall not become effective except by the favorable vote of three-fourths of all the voting members of the Board of Trustees.

Section 15. Any person convicted of any violation of this ordinance shall be fined not exceeding three hundred (\$300.00) dollars, or by imprisonment not exceeding ninety (90) days.

Section 16. In case any building or structure is erected, constructed, altered, repaired, converted or maintained; or any building, structure or land used in violation of this ordinance, the Board of Trustees may institute any appropriate action or proceeding to prevent such unlawful violation in addition to any other remedy or penalty provided by this ordinance.

Section 17. In addition to the requirements of this ordinance, before a building and zoning compliance permit is issued, the applicant shall also comply with all other building, plumbing, electrical or inspection requirements in force in the Town of Hudson.

Section 18. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 19. The Board of Trustees finds that an emergency exists and this ordinance is necessary for the immediate preservation of the public peace, health and safety of the people of the Town of Hudson and this ordinance shall be in force and become effective five (5) days after its passage and publication.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 9th day of

August A.D. 1967.

ATTEST:

Marjorie M. Rice
Town Clerk

Ralph Lee Pouse
Mayor

(SEAL)

TOWN OF HUDSON

ZONING MAP

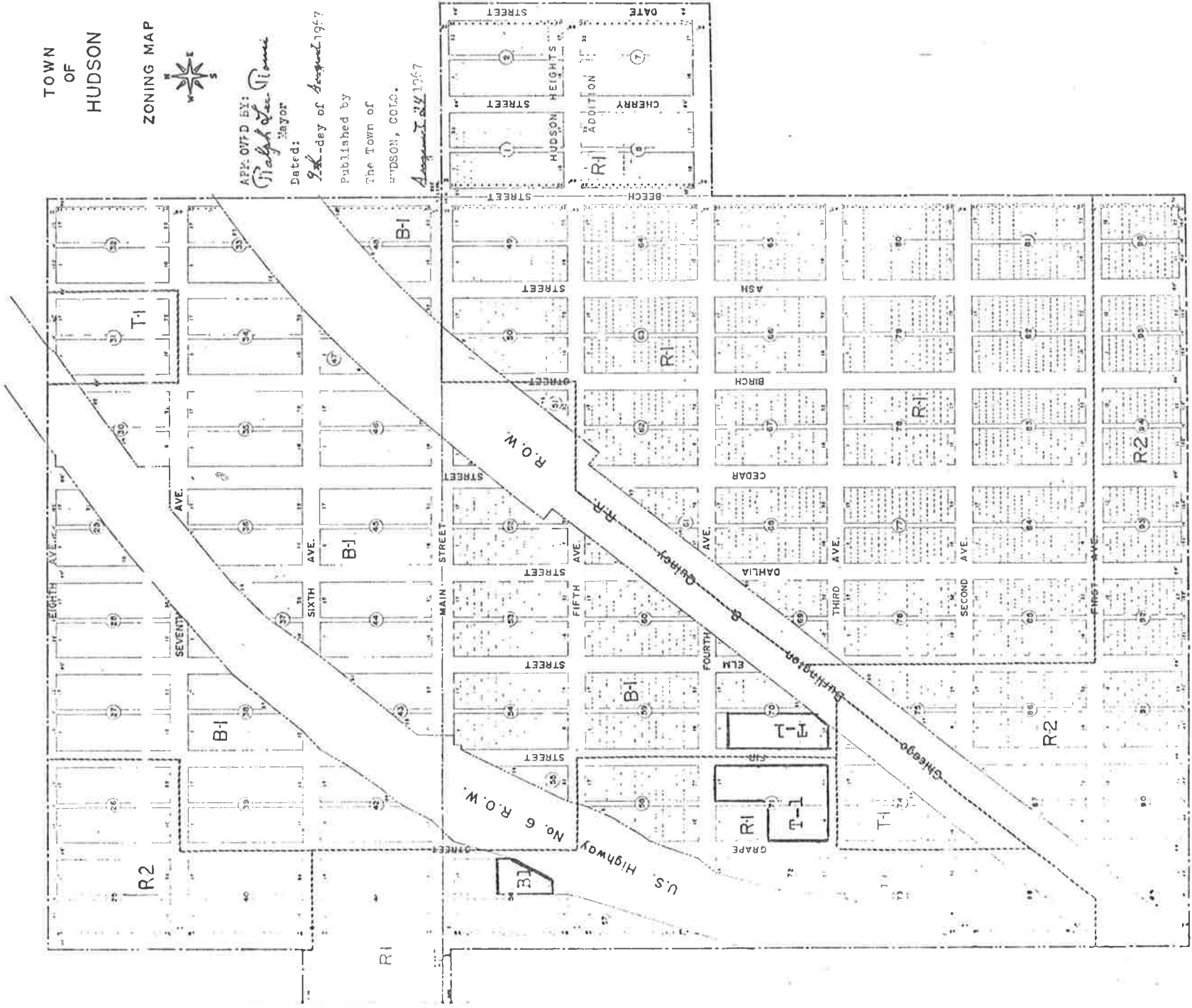


APR. 07/70 BY:
Walter Lee Stone
Mayor

Dated: 9th day of August 1967

Published by
The Town of
HUDSON, COLO.

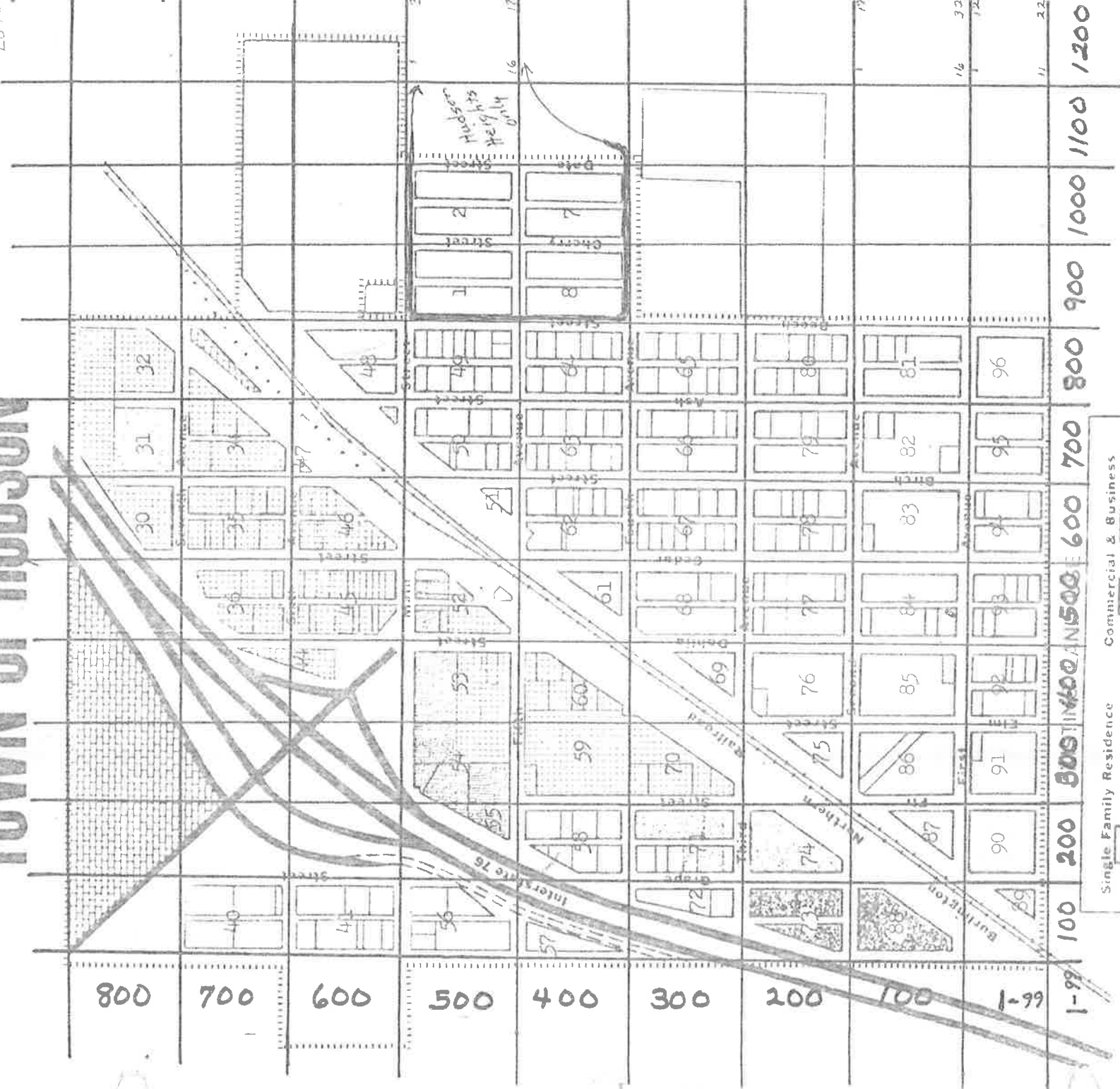
August 21, 1967



Address Information

TOWN OF HUDSON

1/4
Lots



Single Family Residence

- R1

Multi-Family Residence

- R2
- R2A

Agricultural

- A1

Commercial & Business

- B1
- B2

Industrial

- I1
- I2



Scale in Feet