

III. Dimensional Requirements:

Same as the L-I Industrial District.

IV. Off-Street Parking and Loading Requirements:

Same as the L-I Industrial District.

V. Buffer/Screening Requirements:

Same as the L-I Industrial District.

ARTICLE IX

GENERAL PROVISIONS

Section 90. Application. No building or land shall hereafter be used and no building or part thereof shall be erected, moved or altered except in conformity with the regulations herein specified for the district in which it is located.

Section 91. Reduction of Lot and Yard Areas Prohibited. No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth herein, except for street widening. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Section 92. Relationship of Building to Lot. Every building hereafter erected, moved or structurally altered shall be located on a lot and in no case shall there be more than one principal building and its customary accessory buildings on any lot, except in the case of a specifically designed complex of institutional, residential, or commercial buildings in an appropriate zoning district, i.e. school campus, cluster housing, P.U.D., shopping center, and so forth, as permitted by Section 105 and 106.

Section 93. Nonconforming Uses. After the effective date of this Ordinance, existing structures, or the uses of land or structures which would be prohibited under the regulations for the district in which it is located (if they existed on the adoption date of this Ordinance), shall be considered as nonconforming. Nonconforming structures or uses (as defined in Section 60.52 of this Ordinance) may be continued provided they conform to the following provisions:

93.1 Continuing Nonconforming Uses of Land.

93.11 Extensions of Use. Nonconforming uses or land shall not hereafter be enlarged or extended in any way.

93.12 Change of Use. Any nonconforming uses of land may be changed to a conforming use, or with the approval of the Board of Adjustment, to any use more in character with the uses permitted in this District.

93.13 Cessation of Use. All nonconforming uses of land involving minor structures such as junkyards, auto sales yards, signs, or any nonconforming uses similar to those enumerated, shall be eliminated within two years from the date of adoption of this Ordinance.

93.2 Continuing the Use of Nonconforming Buildings.

93.21 Extensions of Use. Nonconforming buildings and nonconforming uses of buildings shall not hereafter be enlarged.

93.22 Change of Use. The lawful use of a building existing at the time of the adoption of this Ordinance may be continued although such use does not conform with the provisions of this Ordinance, and such building may be reconstructed or structurally altered and nonconforming use therein changed subject to the following regulations:

- (a) The order of classification of uses from highest to lowest for the purpose of this section shall be as follows: residential district uses, business district uses, as permitted by this Ordinance.
- (b) A nonconforming use may be changed to a use of higher classification but not to a use of lower classification, nor shall a nonconforming use be changed to another use of the same classification unless the new use shall be deemed by the Board of Adjustment, after public notice and hearing, to be less harmful to the surrounding neighborhood, from the standpoint of purposes of this Ordinance, than the existing nonconforming use.
- (c) A nonconforming use may not be extended, but at the extension of a use to any portion of a building, which portion is at the time of the adoption of this Ordinance primarily or designed for such nonconforming use, shall not be deemed to be an extension of a nonconforming use.
- (d) No building shall be enlarged, unless the use therein is changed to a conforming use, however, existing single family residential structures in business or industrial districts may be enlarged, extended or structurally altered, provided that no additional dwelling units result therefrom. However, any enlargements, extensions or alterations shall comply with the dimensional requirements determined by the Board of Adjustment.

93.3 Rebuilding nonconforming Uses Following Damage or Destruction

A nonconforming use or building damaged by fire, explosion, tornado, earthquake, or similar uncontrollable cause may be rebuilt according to the following provisions.

93.31 Nonconforming site-built single-family, two-family, or multi-family residences, may be rebuilt or repaired, within one (1) year of its date of destruction, provided that the minimum dimensional requirements of the R-75 Residential Density District and all other requirements of this Ordinance are complied with;

93.32 Nonconforming manufactured homes may be repaired or replaced with the same or larger size provided that the following requirements are met:

- (a) The manufactured home must meet the requirements of Section 97;
- (b) The manufactured home is replaced within 180 days of its date of destruction;
- (c) The dimensional requirements of the R-75 Residential High Density District and all other requirements of this Ordinance are complied with.

93.33 Nonconforming commercial or industrial structures may be rebuilt, provided, however, that the damage to the building not exceed seventy percent of its tax assessed value at the time of the damage, may be repaired or rebuilt within one year of the date of such damage, but not thereafter. Such determination shall be made by the Board of Adjustment.

93.34 Cessation of Use

If a nonconforming use is discontinued, any future use is discontinued, any future use of the buildings and premises shall be in conformity with the provisions of this Ordinance. A reasonable interim, however between tenants or occupant shall not be construed to mean discontinuance.

If active operations are discontinued for a continuous period of 180 days with respect to a nonconforming use of a building, such nonconforming use shall thereafter be occupied and used only for a conforming use.

93.34 Continuing the Nonconforming Use of Manufactured Homes and Manufactured Home Parks.

93.41 Extensions of Use. Nonconforming Manufactured Homes on individual lots and Manufactured Home Parks existing at the time of the adoption of this Ordinance shall be allowed to continue to their present existence, but shall not be allowed to

expand, or increase a nonconforming use. The manufactured home may also be replaced if the property has been rezoned to allow individual manufactured homes or manufactured home parks.

Section 94 Sign Regulations.

94.01 Purpose and Intent.

It is the general purpose and intent of this section to prohibit signs of a commercial nature in districts in which commerce is barred; to limit signs in the commercial districts in relation to the intensity of the use of the district and its surroundings and to control the number, area, and location of signs in such a way as to support and complement the land use objectives set forth in the district regulations of this Ordinance. These regulations are designed, among other purposes, to stabilize and protect property values, maintain the visual attractiveness of the Town of Hudson and its environs, and promote public safety.

94.02 Definitions.

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this section.

- a) Sign. Any device that (i) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives set forth in subdivision ii of this definition, and (ii) is designed to attract the attention of such persons or to communicate information to them.
- b) Billboard. An off-premises sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.
- c) Effective Date of This Section. The effective date of this section as originally adopted, or the effective date of an amendment to it if the amendment makes a sign nonconforming.
- d) Electronic Message Board- Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.
- e) Freestanding Sign. A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. A sign that stands without supporting elements, such as a "sandwich sign," is also a freestanding sign. If the message is