

USE PERMITS BY DISTRICTS

§ 156.070 R-HZ RURAL HOLDING ZONE.

(A) It is the intent of the R-HZ Rural Holding Zone to control the development and for eventual extension of city utilities and services not lying outside of the present urban area as defined by the availability of municipal water and sanitary sewerage service (and the projected availability of these services based upon the City and/or Raton Public Service Company's 5-year capital improvement programs). It is also the purpose of this district to prevent the premature or improper development of the lands and so to ensure that a reservoir of urban land is preserved for the subsequent orderly development of the city.

(B) All lands included in this district shall be reviewable on application of the property owner and shall be reviewed by the city at intervals of no more than 5 years.

(1) *Permitted principal uses and structures.*

- (a) Agriculture and ranching;
- (b) Golf courses;
- (c) Greenhouses and nurseries;
- (d) Single-family dwellings;
- (e) Public elementary, junior high, and senior high schools;
- (f) Churches, convents, monasteries, seminaries, and nunneries;
- (g) Public parks, playgrounds, playfields, and neighborhood, community, and municipal or other public buildings and uses in keeping with the character and requirements of the district;
- (h) Home occupations;
- (i) Riding academies and stables; and
- (j) Guest ranches.

(2) *Permitted accessory uses and structures.* Uses and structures which:

- (a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;
- (b) Do not involve the conduct of business on the premises, except home occupations; and
- (c) Are located on the same lots as the permitted use or structure, or on a contiguous lot in the same ownership.

(3) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be

permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or Incompatible in keeping with the character of the district.

(4) *Dimensional requirements.*

- (a) *Lot area.* Minimum required lot area shall be 108,900 square feet or 2½ acres or more.
- (b) *Lot corner.* See § [156.173](#) for requirements.
- (c) *Lot width.* Minimum required lot width shall be 150 feet. Refer also to § [156.170](#).

(Am. Ord. 862, passed 1-14-1997)

(d) *Yard requirements.*

- 1. Minimum required depth of front yard: 50 feet.
- 2. Minimum required width of side yard: 50 feet.
- 3. Minimum required depth of rear yard: 50 feet.

- (e) *Maximum lot coverage.* Fifteen percent of total square footage of parcel.

(Am. Ord. 862, passed 1-14-1997; Am. Ord. 953, passed 10-14-2008)

(f) *Building height.* No building shall exceed 35 feet in height from the highest adjacent grade except for flagpoles, antennas, chimneys, and similar accessories to buildings are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(5) *Off-street parking and unloading.* Off-street parking and unloading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 1, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.071 R-1 RESIDENTIAL DISTRICT.

(A) The R-1 Residential District is established in which the principal use of land is for single residences. The zoning regulations of this district are intended to protect existing and proposed residential areas with minimum lot sizes of 43,560 square feet and to encourage the subdivision of surrounding development property into lots with the same minimum square feet.

(B) (1) *Permitted principal uses and structures.*

- (a) Single-family dwelling;
- (b) Public, elementary, junior high, and senior high schools;

(c) Churches and related uses;

(d) Home occupations;

(e) Public parks, playgrounds, playfields, and neighborhood, community, and municipal or other public buildings and uses in keeping with the character and requirements of the district;

(f) Agricultural activities not in conflict with the rural residential character as determined by the Planning Commission.

(2) *Permitted accessory uses and structures.* Uses and structures which:

(a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;

(b) Do not involve the conduct of business on the premises, except home occupations; and

(c) Are located on the same lots as the permitted use or structure, or on a contiguous lot in same ownership.

(3) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(4) *Dimensional requirements.*

(a) *Lot area.* Minimum required lot area shall be 43,560 square feet or 1 acre.

(b) *Lot corner.* See § [156.173](#), for requirements.

(c) *Lot width.* Minimum required lot width shall be 150 feet. Refer also to § [156.170](#).

(Am. Ord. 862, passed 1-14-1997)

(d) *Yard requirements.*

1. Minimum required depth of front yard: 25 feet.

2. Minimum required width of side yard: 10 feet.

3. Minimum required depth of rear yard: 25 feet.

(e) *Maximum lot coverage.* Single-family structures and their accessory buildings shall be no more than 30% of the total square footage of the lot. Other permitted or permissible buildings in connection with permitted or permissible uses, including their accessory buildings shall be no more than 30%.

(Am. Ord. 953, passed 10-14-2008)

(f) *Building height.* No building shall exceed 35 feet in height from highest adjacent grade

except for flagpoles, antennas, chimneys, and similar accessories to buildings which are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(5) *Off-street parking and unloading.* Off-street parking and unloading shall be provided in accordance with the requirements of §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 2, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.072 R-4 RESIDENTIAL DISTRICT.

(A) The R-4 Residential District is established as a district in which the principal use of land is for single-family structures. The regulations of this district are intended to provide areas of the community for those persons desiring relatively small residential lots. The regulations are intended to discourage any use which, because of its character, would interfere with the residential nature of this district.

(B) (1) *Permitted uses and structures.*

(a) Single-family dwellings;

(b) Public, elementary, junior high, and senior high schools;

(c) Churches and related uses;

(d) Home occupations; and

(e) Public parks, playgrounds, playfields, and neighborhood, community, and municipal or other public buildings and uses in keeping with the character and requirements of the district.

(2) *Permitted accessory uses and structures.* Uses and structures which:

(a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;

(b) Do not involve the conduct of business on the premises, except home occupations; and

(c) Are located on the same lots as the permitted use or structure, or on a contiguous lot in same ownership.

(3) *Special exceptions.* After a Public Hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(4) *Dimensional requirements.*

(a) *Lot area.* Minimum required lot area shall be 10,000 square feet.

(b) *Lot corner.* See § [156.173](#), for requirements.

(c) *Lot width.* Minimum required lot width shall be 70 feet. Refer also to § [156.170](#).

(d) *Yard requirements.*

1. Minimum required depth of front yard: 25 feet.
2. Minimum required width of side yard: 10 feet.
3. Minimum required depth of rear yard: 15 feet.

(Am. Ord. 862, passed 1-14-1997; Am. Ord. 953, passed 10-14-2008)

(e) *Maximum lot coverage.* Single-family structures and their accessory buildings shall be no more than 30% of the total square footage of the lot. All other permitted or permissible buildings in connection with permitted or permissible uses, including their accessory buildings shall be no more than 30%.

(f) *Building height.* No building shall exceed 35 feet in height from highest adjacent grade except for flagpoles, antennas, chimneys, and similar accessories to buildings which are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(5) *Off-street parking and unloading.* Off-street parking and unloading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 3, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.073 R-5 RESIDENTIAL DISTRICT.

(A) The R-5 Residential District is established as a district in which the principal use of land is for single-family structures. The regulations of this district are intended to provide areas of the community for those persons desiring relatively small residential lots. The regulations are intended to discourage any use which, because of its character, would interfere with the residential nature of this district.

(B) (1) *Permitted uses and structures.*

- (a) Single-family dwellings;
- (b) Public, elementary, junior high, and senior high schools;
- (c) Churches and related uses;
- (d) Home occupations;
- (e) Public parks, playgrounds, playfields, and neighborhood, community, and municipal or other public buildings and uses in keeping with the character and requirements of this district; and
- (f) Two-family dwellings (12,000 square feet minimum lot area per 2-family structure.

(Am. Ord. 878, passed 1-27-1998)

(2) *Permitted accessory uses and structures.* Uses and structures which:

(a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;

(b) Do not involve the conduct of business on the premises, except home occupations; and

(c) Are located on the same lots as the permitted use or structure or on a contiguous lot in same ownership.

(3) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(4) *Dimensional requirements.*

(a) *Lot area.* Minimum required lot area shall be 6,000 square feet.

(b) *Lot corner.* See § [156.173](#), for requirements.

(c) *Lot width.* Minimum required lot width shall be 60 feet. Refer also to § [156.170](#).

(d) *Yard requirements.*

1. Minimum required depth of front yard: 25 feet.

2. Minimum required width of side yard: 8 feet.

3. Minimum required depth of rear yard: 15 feet.

(Am. Ord. 862, passed 1-14-1997; Am. Ord. 953, passed 10-14-2008)

(e) *Maximum lot coverage.* Single-family structures and their accessory buildings shall be no more than 30% of the total square footage of the lot. Other permitted or permissible buildings in connection with permitted or permissible uses, including their accessory buildings shall be no more than 30%.

(Am. Ord. 953, passed 10-14-2008)

(f) *Building height.* No building shall exceed 35 feet in height from highest adjacent grade except for flagpoles, antennas, chimneys, and similar accessories to buildings are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(5) *Off-street parking and unloading.* Off-street parking and unloading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 4, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.074 RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT.

(A) This zoning district is intended to permit 2-family and multi-family dwellings and related uses in keeping with the characters of the surrounding areas. To protect the purpose of this district all new developments involving 2 or more separate dwellings shall be subjected to planned unit development requirements. (See §§ [156.100](#) *et seq.*)

(B) (1) *Permitted uses and structures.*

(a) Any use permitted in the R-5 District;

(b) Two-family and multi-family dwelling;

(c) Condominiums/townhouses;

(d) Self-storage units where all storage is enclosed and the facility is fenced against unauthorized entry;

(e) Placement of 2 or more separate unattached dwellings on one lot is permitted subject to requirements of planned unit development; and

(f) Convenience stores located in a commercial structure. No liquor sales allowed unless site is successfully rezoned to commercial.

(Am. Ord. 878, passed 1-27-1998)

(2) *Dimensional requirements.*

(a) *Lot area.* Minimum required lot area shall be 8,000 square feet.

(b) *Minimum lot area per family unit.*

1. Single-family - 8,000 square feet;

2. Two-family - 4,000 square feet per family unit;

3. Multi-family - 4,000 square feet per family unit.

(Am. Ord. 953, passed 10-14-2008)

(c) *Lot corner.* See § [156.173](#), for requirements.

(d) *Lot width.* Minimum required lot width shall be 60 feet. Refer also to § [156.170](#).

(e) *Yard requirements.*

1. Minimum required depth of front yard: 10 feet;

2. Minimum required width of rear yard: 10 feet; and
3. Maximum lot coverage: 50%.

(Am. Ord. 878, passed 1-27-1998)

(f) *Maximum lot coverage.* Single-family, two-family or multi-family structures and their accessory buildings shall be no more than 50% of the total square footage of the lot. Other permitted or permissible buildings in connection with permitted or permissible uses, including their accessory buildings shall be no more than 50%.

(Ord. 953, passed 10-14-2008)

(g) *Building height.* No building shall exceed 35 feet in height from highest adjacent grade, except for flagpoles, antennas, chimneys, and similar accessories to buildings, which are exempt from this limitation.

(Am. Ord. 953, passed 10-14-2008)

(3) *Off-street parking and loading.* Off-street parking and loading shall be provided according to the provisions in §§ [156.155](#) *et seq.*

(4) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(Am. Ord. 875, passed 10-28-1997)

(1981 Code, App. A) (Ord. 624, Art. IX, § 5, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982; Am. Ord. 738, passed 5-27-1986; Am. Ord. 748, passed 4-14-1987; Am. Ord. 812, passed 1-23-1990)

§ 156.075 MHS MOBILE HOME SUBDIVISION.

(A) This district is created to allow the establishment of mobile home subdivisions as herein defined. The minimum overall land area shall be 4 acres or greater.

(B) (1) *Permitted uses and structures.*

- (a) Mobile home units; and
- (b) Single-family dwellings.

(2) *Permitted accessory uses and structures.* Uses and structures which:

(a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;

- (b) Do not involve the conduct of business on the premises, except home occupations; and

(c) Are located on the same lots as the permitted use or structures or on a contiguous lot in same ownership.

(3) *Dimensional requirements.*

(a) *Lot area.* Minimum required lot area shall be 5,500 square feet.

(b) *Corner lot.* See § [156.173](#), for requirements.

(c) *Lot width.* Minimum required lot width should be 60 feet. Refer also to § [156.170](#).

(Am. Ord. 953, passed 10-14-2008)

(d) *Yard requirements.*

1. Minimum required depth of front yard: 25 feet;
2. Minimum required depth of side yard: 10 feet; and
3. Minimum required depth of rear yard: 15 feet.

(e) *Maximum lot coverage.* Mobile homes and their accessory buildings shall be no more than 30% of the total square footage of the lot.

(Am. Ord. 953, passed 10-14-2008)

(f) *Building height.* No building shall exceed 25 feet height from highest adjacent grade, except for flagpoles, antennas, chimneys, and similar accessories to buildings, which are exempt from this limitation.

(Am. Ord. 953, passed 10-14-2008)

(4) *Off-street parking and unloading.* See §§ [156.155](#) *et seq.*, for requirements.

(5) *Required mobile home placement standards.* The placement of individual mobile homes within a MHS district is subject to the following requirements:

(a) The construction of the mobile home shall comply with the federal mobile home construction and safety standards in force at the time of manufacture;

(b) Minimum requirements for lot size, and front, side, and rear yards, and all other standards contained in this section, shall apply; and

(c) The mobile home unit shall be installed, anchored, and skirted to those standards currently enforced by the State of New Mexico Commerce and Industry Department, Mobile Housing Division.

(6) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(Am. Ord. 899, passed 2-22-2000)

(1981 Code, App. A) (Ord. 624, Art. IX, § 6, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.076 MHP MOBILE HOME PARK.

This district should be referred to as Mobile Home Park District on the official zoning map, upon approval of a mobile home park in accordance with the regulations and standards adopted under a separate ordinance entitled “An Ordinance Regulating the Development of Mobile Home Parks.”

(1981 Code, App. A) (Ord. 624, Art. IX, § 7, passed 2-25-1975)

Editor’s note:

The cited ordinance, relating to mobile home parks, is Ordinance 625, passed 2-25-1975, which appears as [Chapter 155](#) in the Raton Municipal Code

§ 156.077 R-O-I RESIDENTIAL, OFFICE, AND INSTITUTIONAL DISTRICT.

(A) This district is defined as certain land and structure that provides office space for professional services and for certain institutional functions, and residential accommodations, usually medium or high density in nature. The district normally includes older homes undergoing conversions to those convenience uses permitted below. The district is usually situated between business and residential areas, and the regulations are designed to permit development of the enumerated functions and still protect and be compatible with nearby residential districts.

- (B) (1) *Permitted uses and structures.*
- (a) Banks and other financial institutions;
 - (b) Barber and beauty college;
 - (c) Boarding houses;
 - (d) Churches and related uses;
 - (e) Clinic, medical and dental;
 - (f) Club or lodge;
 - (g) Dwelling, single-family;
 - (h) Dwelling, 2-family;
 - (i) Dwelling, multi-family;
 - (j) Funeral homes;
 - (k) Fire station;

(l) Home occupation;

(m) Laboratory, medical and dental;

(n) Library;

(o) Photographic studio;

(p) Public parks, playgrounds, playfields, and neighborhood, community and municipal or other public buildings, and uses in keeping with the character requirements of the district;

(q) Professional offices;

(r) Condominiums and townhouses;

(Am. Ord. 878, passed 1-27-1998)

(s) Self-storage units where all storage is enclosed and the facility fenced against unauthorized entry;

(Am. Ord. 878, passed 1-27-1998)

(t) Two-family dwellings (12,000 square feet minimum lot area per 2-family structure);

(Am. Ord. 878, passed 1-27-1998)

(u) Barber shops and its corresponding retail and service;

(Am. Ord. 902, passed 5-9-2000)

(v) Beauty salons and its corresponding retail and service; and

(Am. Ord. 902, passed 5-9-2000)

(w) Small retail shops conducted in less than 2,500 square feet of floor space.

(Am. Ord. 902, passed 5-9-2000)

(2) *Permitted accessory uses and structures.* Uses and structures which:

(a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;

(b) Do not involve the conduct of business on the premises, except home occupations; and

(c) Are located on the same lots as the permitted use or structure, or on a contiguous lot in same ownership.

(3) *Special exceptions.* After a public hearing as required by § [156.213](#), other uses may be

permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(4) *Dimensional requirements.*

(a) *Lot area.*

1. Single-family residential, office, and institutional - Minimum required lot area shall be 6,000 square feet (Same as R-5);
2. Multi-family residential - Minimum required lot area shall be 4,000 square feet (Same as RM-1).

(Am. Ord. 953, passed 10-14-2008)

(b) *Corner lot.* See § [156.173](#) for requirements.

(Ord. 953, passed 10-14-2008)

(c) *Lot width.* Minimum required lot width for all uses shall be 60 feet. Refer also to § [156.170](#).

(Am. Ord. 953, passed 10-14-2008)

(d) *Yard requirements.* Requirements for all uses:

1. Minimum required depth of front yard: 25 feet.
2. Minimum required width of side yard: 8 feet.
3. Minimum required depth of rear yard: 15 feet.

(Am. Ord. 953, passed 10-14-2008)

(e) *Maximum lot coverage.*

1. Single-family residential, office, and institutional structures and their accessory buildings shall be no more than 30% of the total square footage of the lot. Other permitted or permissible buildings in connection with permitted or permissible uses, including their accessory buildings shall be no more than 30%;

2. Multi-family residential structures and their accessory buildings shall be no more than 50% of the total square footage of the lot. Other permitted or permissible buildings in connection with permitted or permissible uses, including their accessory buildings shall be no more than 50%.

(Am. Ord. 953, passed 10-14-2008)

(f) *Building height.* No building shall exceed 35 feet in height from highest adjacent grade, except for flagpoles, antennas, chimneys, and similar accessories which are exempt from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(5) *Off-street parking and loading.* Off-street parking and loading shall be provided according to the provisions in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 8, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.078 C-1 CENTRAL BUSINESS DISTRICT.

(A) The regulations for this district are designed to permit a concentrated development of business uses within the Central Business District of the City of Raton. However, this district consisting of zero setbacks and no off-street parking requirements shall not be expanded further, and shall be limited to the present district boundary.

(Am. Ord. 878, passed 1-27-1998)

(B) (1) *Permitted uses and structures.*

- (a) Auditoriums, libraries, and museums operated by nonprofit organizations;
- (b) Retail stores, sales and display rooms, and shops;
- (c) Offices;
- (d) Hotels and motels;
- (e) Financial institutions;
- (f) Eating and drinking establishments;
- (g) Personal service establishments;
- (h) Business service establishments;
- (i) Establishments offering repair services on items brought in by customers;
- (j) Filling stations;
- (k) Amusement and recreation establishments and areas;
- (l) Wholesaling from sample stocks only, provided that no manufacturing or storage for distribution shall be permitted on the premises;
- (m) Business schools, studios, vocational schools, not involving processes of a light or heavy industrial nature;
- (n) Laboratories and establishments for production and repair of eye glasses, hearing aids, and prosthetic appliances;

- (o) Clubs and lodges;
- (p) Churches and other religious institutions except elementary and high schools;
- (q) Public buildings and lands other than elementary and high schools;
- (r) Parking lots and parking garages;
- (s) Transportation terminals other than truck terminals;
- (t) Manufacturing or handicraft products such as jewelry, pottery, needlework, weaving, and the like;
- (u) Hospitals; and
- (v) Living quarters (apartments) on the second stories and above in commercial buildings.

(Am. Ord. 899, passed 2-22-2000)

(2) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(3) *Dimensional requirements.*

- (a) *Lot area.* None, except as may be needed to satisfy other limitations of this chapter.
- (b) *Lot width.* None, except as may be needed to satisfy other limitations of this chapter.
- (c) *Yard requirements.*
 1. No front yards are required;
 2. Minimum depth of rear yard required: 10 feet;
 3. No side yards are required. However, if a side yard is provided, all structures must be 5 feet from the property line. Yards that are adjacent to residentially zoned lots shall have a minimum of 8 feet side yard. No side yard shall be less than 5 feet in width.
- (d) *Maximum lot coverage.* Unrestricted.
- (e) *Building height.* No building shall exceed 60 feet in height from highest adjacent grade, except for flagpoles, antennas, chimneys, and similar accessories, which are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(4) *Off-street parking and loading.* There are no off-street parking and loading requirements for this district.

(1981 Code, App. A) (Ord. 624, Art. IX, § 9, passed 2-25-1975)

§ 156.079 C-2 GENERAL COMMERCIAL DISTRICT.

(A) The regulations of this district are designed to permit business use along major arterials where uses are undergoing transition from residential to business. Because of the undesirable effects of mixed-use commercial and residential, this district shall not be further expanded and shall be confined to the present district boundary.

(Am. Ord. 878, passed 1-27-1998)

(B) (1) *Permitted principal uses and structures.* Any use permitted in the C-1 District, including single-family, 2-family, and multi-family residences.

(2) *Permitted accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.

(3) *Dimensional requirements.* The Residential Dimensional Requirements shall be the same as the RM-1 use districts. The following are the dimensional requirements for the Commercial District.

(a) *Lot area.* Other than as provided under "Special Exceptions Permissible by Board of Adjustment," or as required to meet other requirements applicable in this district, there are no minimum lot requirements.

(b) *Lot width.* Minimum of 60 feet or as may be needed to satisfy other limitations of this chapter.

(Ord. 953, passed 10-14-2008)

(c) *Yard requirements.*

1. *Front.* Fifteen feet, if frontage of lot is 100 feet or more, or if adjacent land is not built upon, or if buildings on adjacent lots have provided front yards of 10 feet or more. If frontage of lot is less than 100 feet, and if a building on an adjacent lot, or buildings on adjacent lots, provide front yards less than 10 feet in depth, a front yard equal to the average of adjacent front yards shall be provided. If 1 side of a lot is adjacent to a street or adjacent to an undeveloped lot, and the other side of the lot is adjacent to a lot with a front yard of less than 10 feet, the front yard required shall be equal in depth to $\frac{1}{2}$ of the sum of 15 feet and the depth of yard less than 10 feet in depth.

2. *Side.* None, if a building on an adjacent lot is built to the property line, or if the adjacent lot is vacant and the owner thereof agrees by deed restriction with enforcement running to the City that any building constructed will either be built in such a manner as to:

a. Leave no space between the building on this property and the building on the subject property; or

b. To leave at least 6 feet between the buildings involved. Unless no space is left between buildings on adjacent lots, a space of at least 6 feet shall be left between the building, either by provision of a 3 feet side yard for each or in the case of construction of a building adjacent to an existing building which has left less than 3 feet of side yard, but has not built to the property line involved, the

new building shall provide a side yard sufficient to provide the 6 foot clearance.

3. *Rear.* Ten feet, except on the rear of a lot abutting a dwelling district, in which case there shall be a rear yard of not less than 25 feet or 20% of the depth of the lot, whichever is the least.

(Am. Ord. 953, passed 10-14-2008)

(d) *Maximum lot coverage.* All structures shall be no more than 60% of the square footage of the lot.

(Am. Ord. 953, passed 10-14-2008)

(e) *Building height.* No building shall exceed 45 feet in height from highest adjacent grade, except for flagpoles, antennas, chimneys, and similar accessories to buildings, which are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(4) *Off-street parking and loading.* Off-street parking and loading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(5) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(Am. Ord. 899, passed 2-22-2000)

(1981 Code, App. A) (Ord. 624, Art. IX, § 10, passed 2-25-1975)

§ 156.080 C-3 GENERAL AND HIGHWAY SERVICING DISTRICT.

(A) This district is designed for the major roads leading in and out of Raton. The primary purpose of the district is to provide for retailing of goods and services to passing motorists and local residences. Since the commercial areas in this district are subject to public view, which is a matter of important concern to the whole city, provisions should be made to provide for an attractive appearance.

(B) (1) *Permitted uses and structures.*

(a) Any commercial or light industrial use except those specifically prohibited. Prohibited uses are:

1. Those uses permitted under the heavy industrial districts;
2. Animal hospitals, veterinary clinics, animal shelters, and kennels whereas the animals are kept outside of the building;
3. Display, storage, or sale of material from scrap or salvage operations; and
4. Automobile wrecking, storage of wrecked automobiles, salvage operations and similar types of uses.

- (b) Living quarters (apartments) on the second stories and above in commercial buildings.

(Am. Ord. 899, passed 2-22-2000)

(2) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(Am. Ord. 899, passed 2-22-2000)

(3) *Permitted accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental and subordinate to permissible commercial uses and structures.

- (4) *Dimensional requirements.*

(a) *Lot area.* No minimum size lot is required. Off-street parking and setback requirements and buffer yards will determine the size of building allowed and or use permitted on the lot.

(b) *Lot width.* Minimum required lot width shall be 60 feet. Refer also to §§ [156.170](#) and to [156.039](#).

- (c) *Yard requirements.*

1. *Front yard.* Structure: 25 feet. See § [156.172](#) for landscape buffer requirements.

2. *Side yard.* Minimum required width of side yard shall be 15 feet.

3. *Rear yard.* Minimum required depth of rear yard shall be 25 feet.

(Am. Ord. 878, passed 1-27-1998; Am. Ord. 900, passed 2-22-2000)

(d) *Lot coverage.* As determined by off-street parking and setback requirements and buffer yards.

(e) *Building height.* No building shall exceed 55 feet in height from highest adjacent grade, except for flagpoles, antennas, chimneys, and similar accessories to buildings which are exempted from this height limitation.

(Am. Ord. 953, passed 10-14-2008)

(5) *Off-street parking and unloading.* Off-street parking and unloading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(6) *Buildings on 1 lot.* Notwithstanding § 156.039, multiple buildings are permitted on each lot provided yard and parking requirements are sufficient for each separate building.

(1981 Code, App. A) (Ord. 624, Art. IX, § 11, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982; Am. Ord. 869, passed 5-13-1997)

§ 156.081 SC PLANNED SHOPPING CENTER DISTRICT; PLANNED UNIT DEVELOPMENT (PUD).

(A) It is the intent of this chapter to provide criteria and standards for new neighborhood and community shopping centers in areas not presently zoned for commercial purposes and for enlarging existing commercially-zoned areas. The SC Districts are intended for a unified grouping, in one or more buildings, of retail shops and stores that provide for the regular needs and for the convenience of families residing in the adjacent residential neighborhoods or in the larger community, respectively.

(B) (1) *Permitted principal uses and structures.*

(a) Retail establishments, including supermarkets; drugstores; bakeries; meat markets; liquor stores; hardware; paint; wallpaper stores; camera shops; florist shops; gift shops; hobby shops; stationery stores; bookstores; apparel shops; shoe stores; variety stores; jewelry stores; stores for sales of gardening supplies and equipment.

(b) Eating and drinking establishments;

(c) Personal service establishments, including barber shops; beauty shop; cleaning and laundry agencies; shoe repair shops; repair establishments for household articles and appliances, except those with internal combustion engines; and

(d) Offices and studios; medical and dental offices and clinics; financial institutions. Provided, however, that all sales, services, storage and display shall be within completely enclosed buildings; that no goods shall be produced except for sale at retail on the premises.

(2) *Permitted accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures, as stated and restricted above, and which do not involve operations or structures not in keeping with the character of the district, provided, however, that waste products shall be kept in closed containers, and that the containers shall not be visible from residential areas, from portions of the premises customarily open to customer parking or customer-pedestrian or automotive traffic, or from public ways.

(3) *Prohibited uses and structures.*

(a) Filling stations;

(b) Outdoor storage, sales, display, or service (other than delivery to automobiles, of goods purchased by customers in stores);

(c) The playing of music or making of announcements directly or through mechanical devices in a manner audible at any residential boundary; and

(d) In general, any uses or structures not of a nature specifically permitted herein.

(Am. Ord. 900, passed 2-22-2000)

(4) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(Am. Ord. 899, passed 2-22-2000)

(5) *Dimensional requirements.*

(a) *Lot area.* Minimum lot area shall be 3 acres.

(b) *Site development requirements.*

1. *Minimum requirements.* The requirements for minimum yards in SC Districts shall be equivalent to the minimum yard requirements in any adjoining zoning district(s).

2. *Additional requirements.* The Planning Commission may, as a condition of preliminary or final approval, require specific conditions and safeguards as they deem necessary to insure that the SC development will not adversely affect surrounding property, and that it will carry out the general object and purpose of this chapter. The specific conditions and safeguards may include, but not be restricted to:

a. Setbacks or yard requirements in excess of the minimum requirements;

b. Landscape development and maintenance, including walkways and ornamental plantings to break up large expanses of pavement in parking lots, and screening for protection of adjoining residential areas;

c. Screening from view by walls, fences or other construction;

d. Design and placement of outdoor lighting and signs; and

e. Design of vehicular and pedestrian facilities.

(c) *Building height.* No building shall exceed 35 feet in height except for flagpoles, antennas, chimneys, and similar accessories to buildings which are exempted from this height limitation.

(6) *Off-street parking and loading.*

(a) *Off-street parking.* For each 1,000 sq. ft. of gross floor area in buildings, 5.5 off-street parking spaces shall be provided.

(b) *Off-street loading.* Adequate off-street loading facilities separate from required off-street parking facilities shall be provided at the rear or side of or beneath the shopping center buildings.

(1981 Code, App. A) (Ord. 624, Art. IX, § 12, passed 2-25-1975; Am. Ord. 900, passed 2-22-2000)

§ 156.082 L-I LIGHT INDUSTRIAL DISTRICT.

(A) The L-I Light Industrial District is established as a district in which the principal use of land is for industries which can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent land use. The regulations are designed to prohibit the use of land for heavy industry which should be properly segregated and to prohibit any other use which would substantially interfere with the development of industrial establishments in the district.

(B) (1) *Permitted uses and structures.*

- (a) Animal hospitals;
- (b) Bakeries;
- (c) Bottling plants;
- (d) Building material sales;
- (e) Clothing manufacturing plants;
- (f) Construction contractor's offices and equipment storage;
- (g) Electronic equipment manufacturing plants;
- (h) Freight service;
- (i) One mobile home per plant or industrial site to be used for office and security purposes only;
- (j) Parking lots for automobiles;
- (k) Storage yards (not including automobile salvage facilities);
- (l) Uses and buildings customarily accessory to the above permitted uses;
- (m) Warehouses;
- (n) Any use permitted in the C-3 District;
- (o) Service and repair shops;
- (p) Utility substations; and
- (q) Taxidermy, when conducted entirely within a fully enclosed building.

(Am. Ord. 878, passed 1-27-1998; Am. Ord. 899, passed 2-22-2000)

(2) *Special exceptions.* After a public hearing, as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(3) *Dimensional requirements.*

- (a) *Lot area.* Minimum required lot area shall be 43,560 square feet or 1 acre.
- (b) *Lot width.* Minimum required lot width shall be 100 feet. Refer also to § [156.170](#).

(c) *Yard requirements.*

1. *Front yard.* Structure: 50 feet. Signs: 25 feet. Off-street Parking: 15 feet. The front 15 feet of the lot shall be left in natural condition or developed as landscaped.
2. *Side yard.* Minimum required width of side yard shall be 15 feet.
3. *Rear yard.* Minimum required depth of rear yard shall be 25 feet.

(d) *Maximum lot coverage.* The maximum lot coverage for principal structure and accessory buildings shall be 30%.

(e) *Building height.* No building shall exceed 35 feet in height, except for flagpoles, antennas, chimneys, and similar accessories to buildings, which are exempted from this height limitation.

(4) *Required buffers.* Storage yards, established after the effective date of this chapter, shall provide a visual buffer in accordance with the definitions section of this chapter. All other permitted Light Industrial uses shall not be required to provide a visual buffer unless unsheltered junk is present on the property. Storage yards existing on Light Industrial zones prior to the effective date of this chapter shall be exempt from the visual buffer requirements unless unsheltered junk is present on the property.

(Am. Ord. 878, passed 1-27-1998)

(5) *Off-street parking and loading.* Off-street parking and loading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 13, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.083 H-1 HEAVY INDUSTRIAL DISTRICT.

(A) The H-1 Heavy Industrial District is established as a district in which the principal use of land is for heavy industries that by their nature may create some nuisance and which are not properly associated with nor compatible with residential, business, office, and institutional and light industrial districts.

(B) (1) *Permitted uses.*

- (a) Any use permitted in the L-1 Industrial District;
- (b) Coal yards;
- (c) Concrete manufacturing and storage;
- (d) Farm machinery assembly, repair, and sales;
- (e) Feed, fertilizer, and flour mills;
- (f) Lumber and saw mills;

- (g) Livestock sales pavilion;
- (h) Paper, pulp, cardboard, building board, or metal processing or manufacturing;
- (i) Petroleum, bulk storage, provided all local and state fire codes are met;
- (j) Quarrying or mining;
- (k) Railroad freight yards, terminals, and classification yards;
- (l) Slaughterhouses;
- (m) Uses and buildings customarily accessory to the above permitted uses; and
- (n) Arch style or Quonset style buildings.

(Am. Ord. 878, passed 1-27-1998)

(2) *Special exceptions.* After a Public Hearing as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(3) *Dimensional requirements.*

- (a) *Lot area.* Minimum required lot area shall be 48,560 square feet or 1 acre.
- (b) *Lot width.* Minimum required lot width shall be 100 feet. Refer also to § [156.170](#).
- (c) *Yard requirements.*

1. *Front yard.*

- a. Structure: 50 feet; and
- b. Signs: 25 feet.

2. *Side yard.* Minimum required width of side yard shall be 15 feet.

3. *Rear yard.* Minimum required depth of rear yard shall be 25 feet.

(d) *Maximum lot coverage.* The maximum lot coverage for principal structure and accessory buildings shall be 30%.

(e) *Building height.* No building shall exceed 35 feet in height except for flagpoles, antennas, chimneys, and similar accessories to buildings, which are exempted from this height limitation.

(4) *Required buffers.* A visual buffer in accordance with that provided in § [156.005](#) is required for all permitted storage yards and automobile wrecking and salvage operations in the H-1 District

existing prior to the effective date of this chapter when wrecking and salvage was still allowed in the H-1 Zoning District.

(Am. Ord. 878, passed 1-27-1998)

(5) *Off-street parking and loading.* Off-street parking and loading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 14, passed 2-25-1975; Am. Ord. 699, passed 6-8-1982)

§ 156.084 G GOVERNMENT USE DISTRICT.

(A) The governmental use district is established as a district to permit use by municipal, county, state, or federal entities in the interest of public service.

(B) (1) *Permitted principal uses and structures.*

- (a) Fire station;
- (b) Jail, prison, or detention center;
- (c) Public buildings and grounds other than elementary or high schools;
- (d) Repair shop;
- (e) Storage yard;
- (f) Warehouse;
- (g) Water and wastewater treatment plant; and
- (h) In general, any use or structure dedicated to public service.

(2) *Special exceptions.* After a public hearing as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(Am. Ord. 899, passed 2-22-2000)

(3) *Dimensional requirements.*

- (a) *Lot area.* None, except as may be needed to satisfy other limitations of the ordinance.
- (b) *Lot width.* None, except as may be needed to satisfy other limitations of this chapter.
- (c) *Yard requirements.*

1. *Front.* Fifteen feet minimum required depth of front yard.

2. *Side.* Eight feet minimum width of side yard.

3. *Rear.* Ten feet minimum required depth, except on the rear of a lot abutting a dwelling district, in which case there shall be a rear yard of not less than 25 feet.

(d) *Maximum lot coverage.* Sixty percent of all buildings.

(e) *Building height.* No building shall exceed 35 feet in height, except for flagpoles, antennas, chimneys, and similar accessories to buildings are exempted from this height limitation.

(4) *Off-street parking and unloading.* Off-street parking and loading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 15, passed 2-25-1975; Am. Ord. 774, passed 5-10-1988)

§ 156.085 C-4 RURAL COMMERCIAL DISTRICT.

(A) The regulations of this district are designed to permit business use which may require the use of certain livestock for recreational use. Under no circumstances shall the keeping of hogs or pigs be permitted.

(B) (1) *Permitted uses.*

(a) Any use permitted in the C-3 district, plus race tracks, rodeo arenas, and riding stables;

(b) Taxidermy; and

(c) Veterinary establishments.

(Am. Ord. 878, passed 1-27-1998)

(2) *Special exceptions.* After a public hearing as required in § [156.213](#), other uses may be permitted under a special exception, if, in the opinion of the Board of Adjustment, the proposed use is not offensive or incompatible in keeping with the character of the district.

(3) *Dimensional requirements.*

(a) *Lot area.* Minimum required lot area shall be 4 acres.

(b) *Lot width.* Minimum required lot width shall be 100 feet. Refer also to § [156.170](#).

(c) *Yard requirements.*

1. *Front yard.*

a. Structures: 25 feet; and

b. Signs: 25 feet.

2. *Side yard.*
 - a. Structures: 25 feet; and
 - b. Signs: 25 feet.
3. *Rear yard.* 25 feet

(d) *Maximum lot coverage.* The maximum lot coverage for the principal structure and accessory buildings shall be 40%.

(e) *Building height.* No building shall exceed 35 feet in height except for flagpoles, antennas, chimneys, and similar accessories to buildings which are excepted from this height limitation.

(4) *Off-street parking and unloading.* Off-street and unloading shall be provided in accordance with the requirements in §§ [156.155](#) *et seq.*

(1981 Code, App. A) (Ord. 624, Art. IX, § 16, passed 2-25-1975; Am. Ord. 716, passed 6-26-1984)

§ 156.086 H-2 JUNKYARD ZONE.

(A) This district is established to allow for the placement of wrecking yards, storage of wrecked vehicles, salvage operations, recycling facilities, and similar types of uses which are so offensive as to require a visual buffer to hide the operation from public view and to secure the site from unauthorized access by children or others. This district shall be located in remote areas away from major arterials to ensure that negative impact on the landscape is minimized. This district shall not be located in low lying areas to minimize possible ground water contamination and to ensure that motorists don't have clear view over the fence into the facility.

- (B) (1) *Permitted uses.*
- (a) Any use permitted in the L-I or H-I Industrial District;
 - (b) Automobile wrecking;
 - (c) Storage of wrecked vehicles and inoperable equipment;
 - (d) Salvage operations;
 - (e) Outside recycling operations;
 - (f) Outside service and repair operations;
 - (g) Outside storage facilities;
 - (h) Arch style or Quonset style buildings; and
 - (i) Concrete and batch plants.

(2) *Special exceptions, dimensional requirements, requirements, required buffers, and off-street parking and loading.* Shall be the same as for the H-I District.

(Ord. 878, passed 1-27-1998)