

City of Rio Communities, New Mexico

Ordinance No: 2017-52

**TITLE: AN ORDINANCE AMENDING ORDINANCE NO. 2016-45, DATED: MARCH 22, 2016.
CHAPTER 4: THE ZONING CODE**

AMENDMENT 1: Section 4-1-6 (E)

Statement: No statement showing who is responsible for proving where there property starts and stops.

Add: E. Questions concerning placement of property borders are the responsibility of the parcel owners.

AMENDMENT 2: Section 4-7-6

Statement: **BUILDING PERMITS REVIEW** By approving this zoning ordinance, the Rio Communities Governing body shall accept responsibility of the issuance and final review of Building Permit forms to ensure compliance with this code.

Add: CID is responsible for all rules involving construction standards. See their website or contact them for the latest regulations. Planning and Zoning is responsible only for zoning compliance and flood plain compliance. Contact Rio Communities City Hall for building permit and compliance forms. Return all forms to Rio Communities City Hall for processing and payment of review fees. CID website is www.rld.state.nm.us. City Hall telephone # is 505-861-6803.

AMENDMENT 3: Section 4-13-8 (D)

Statement: Any wall or fence located within twenty five (25) feet in both directions of any street intersection, street corner, entrance into or exit from a property shall not exceed three (3) feet in height.

Replace: Any wall or fence located within twenty five (25) feet in both directions of any street intersection, street corner, entrance into or exit from a property shall not block the line of sight.

AMENDMENT 4: Section 4-5-3- (C)

Current Statement:

Any accessory building, regardless of size, that is ten (10) feet or closer from the main structure shall be approved by the Planning and Zoning Commission.

Revised Statement:

Any accessory building shall be at least 10 feet from the main structure.

AMENDMENT 5: Section 4-5-3 (E)

Statement: **PERMANENT ACCESSORY BUILDING**

Delete: PERMANENT

Table of Content: Section 4-5-3

Delete: PERMANENT

Statement All permanent accessory buildings shall be attached permanently to a slab or foundation. These structures are subject to the following:

Delete: All permanent accessory building shall be attached permanently to a slab or foundation.

Add: E. A building permit is required for any accessory building that exceeds 120 sq. ft., regardless of foundation. Contact Rio Communities City Clerk for the application.

AMENDMENT 6: Section 4-3-6-(D)(8)(c)

Statement: Exterior or open storage is prohibited.

Delete: Exterior or"

to read as: Open storage is prohibited.

AMENDMENT 7: Section 4-3-6-(D)(8)(d)

Statement: External storage shall be permitted only when a protective fence four (4) feet in height is provided around the yard, lot or area.

Delete: Entire statement

Add: All exterior storage requires issuance of a Special Use Permit.

AMENDMENT 8: Section 4-8-4 (B)

Statement: B. Violations of this Code shall be brought into compliance, abated or removed. Failure to do so shall be prosecuted in municipal court as a violation. In all such cases that the Court rules to allow a structure to remain in non-conformance with this Code, there shall be a *proforma* action (intended to facilitate the legal process) by the City Council permitting such use. Such action shall be consistent with the Court's ruling, and thereafter the non-conforming use shall be considered legal nonconforming use subject to the provisions established by the court. See Appendix B for penalties.

Delete: See Appendix B for penalties.

AMENDMENT 9: APPENDIX B: LIST OF SCHEDULED FEES

Statement: Table of Contents:
Appendix B LIST OF SCHEDULED FEES

Add: Appendix B LIST OF SCHEDULED FEES – Contact the Municipal Clerk's office for current fee schedule

Add: an **APPENDIX B** to the Zoning Code Document

Add: Title: List of Scheduled Fees

Add: Contact the Municipal Clerk's office for current fee schedule

AMENDMENT 10: APPENDIX C: LIST OF CITY FORMS

Statement: Table of Contents:
Appendix C LIST OF CITY FORMS

Add: Appendix C LIST OF CITY FORMS – Contact the Municipal Clerk's office for the list of city forms

Add: an **APPENDIX C** to the Zoning Code Document

Add: Title: List of City Forms

Add: Contact the Municipal Clerk's office for the list of city forms

AMENDMENT 11: APPENDIX D: AMENDMENTS

Statement: Table of Contents:

Add: Appendix D AMENDMENTS

Add: an **APPENDIX D** to the Zoning Code Document

Add: Title: Amendments

Add: This section will contain a listing of all previous amendments added to the ordinance.

AMENDMENT 12: 4-10-3(A)(3)

Statement: Single-Family Dwellings located within an R-1 District shall provide two (2) spaces per unit. In addition, two spaces may be added in a front yard area, if needed. Asphalt, cement, base course or gravel must be installed for all parking spaces. See Article 4-10-9.

Changes: Replace "cement" with "concrete".
Replace "coarse" with "course".

Add: Curbing is required for use of gravel or base course products to prevents spreading of the materials.

Add: A no charge building permit is required for all additional parking space requests.

AMENDMENT 13: THE ZONING CODE OVERVIEW

Statement: ARTICLE 1: CODE OVERVIEW

- 4-1-7 TITLE
- 4-1-8 PURPOSE
- 4-1-9 STATUTORY AUTHORITY
- 4-1-10 JURISDICTION
- 4-1-11 PUBLIC ACCESS TO THE ZONING CODE
- 4-1-12 SUMMARY OF CODE

Change: ARTICLE 1: CODE OVERVIEW

- 4-1-1 TITLE
- 4-1-2 PURPOSE
- 4-1-3 STATUTORY AUTHORITY
- 4-1-4 JURISDICTION
- 4-1-5 PUBLIC ACCESS TO THE ZONING CODE
- 4-1-6 SUMMARY OF CODE

AMENDMENT 14: 4-4-5(B)

Statement: **B. Boundaries:** Lying along the far southeast boundaries of the City, this zone extends 1,000 feet from the limits of the City. Limits may be extended pending agreement from private owners of parcels selected for use.

