

Filed For Record 8/31/98 at 2:15PM Barbara Castillo, Recorder
ORDINANCE NO. 98-1

**AN ORDINANCE AMENDING THE RATON/COLFAX COUNTY
EXTRATERRITORIAL ZONING ORDINANCE NO. 81-1 REGARDING
DEFINITIONS, NEW USE DISTRICTS, CHANGES TO EXISTING USE
DISTRICTS AND CHANGES TO THE FEE REQUIREMENTS.**

WHEREAS, the Raton Colfax/County Extraterritorial Zoning Commission has formulated revisions to the Extraterritorial Zoning Ordinance and has recommended to the Raton Colfax/County Extraterritorial Zoning Authority that such revisions be made; and

WHEREAS, after hearing, the Raton Colfax/County Extraterritorial Zoning Authority has duly considered such proposed change, and by affirmative vote accepted the same.

**NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE RATON
COLFAX/COUNTY EXTRATERRITORIAL ZONING AUTHORITY:**

ARTICLE III -SECTION 2 DEFINITIONS.

The following definitions shall be added.

Visual Buffer - A solid fence, which is preferred, or evergreen hedge, or combination there of, sufficient in height to screen, from public view, contents stored on the property. The property owner or his agent shall prepare a plan indicating how the screening is to be accomplished showing construction details or the number, type, size and spacing if evergreen plants are proposed. If plant material is proposed in place of solid fencing, the screening shall provide results within one year of planting and the ability of the proposed screening system to accomplish this goal shall be judged by the County Manager or designee. At no time shall any of the contents be stacked so as to be visible above the screen. No contents shall be placed outside the screen.

Screening is required when the storage or operation is located within six hundred feet (600') of residential exposures or a public right-of-way.

Screening is only required on the affected exposure. Subsequent residential development of any adjoining property shall require a visual buffer furnished and placed by the residential developer.

The construction of fences shall be uniform and to neat lines, free of bumps, sags, holes and other irregularities. No patchwork or multi-color type of construction shall be permitted nor shall construction from random salvage materials be permitted. Construction shall exhibit good workmanship and shall be durable and of a uniform color as to blend into the surrounding area.

The screening shall be continuously maintained and kept painted if painted initially and kept in good repair. Dead plant material shall be replaced at the start of the next planting season. The finish side of the fencing shall face out toward the street or adjoining properties.

ARTICLE IV-SECTION 1. USE DISTRICTS.

The following districts shall be added:

H-2	Junkyard District
C-4	Rural Commercial district

ARTICLE V - SECTION 12. L-1 - Light industrial district.

A Permitted Uses. Add the following permitted uses:

Any use permitted in the C-3 District
Utility Substations
Taxidermy when conducted entirely within a fully enclosed building.
Storage yards (not including automobile salvage facilities).

A. Permitted Uses - delete the following words that were a part of the original storage yard use:
“provided such yards are enclosed by a solid wall or fence at least six (6) feet in height”.

Replace Section 12.D as follows:

D. Required Visual Buffers:

Storage yards, established after the effective date of this ordinance, shall provide a visual buffer in accordance with the definitions section of this ordinance. 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 ordinance shall be exempt from the visual buffer requirements unless unsheltered junk is present on the property.

ARTICLE V -SECTION 13. H-1 -Heavy Industrial District.

- A. Permitted Uses and Structures. Delete the following permitted use:

Automobile wrecking and Salvage operations and similar type of uses when conducted within an area enclosed by a solid wall or fence at least six feet in height.

Replace Section 13.D as follows:

- D. Required Visual Buffer:

A visual buffer in accordance with that provided in the definitions Section of this Ordinance is required for all permitted storage yards and automobile wrecking and salvage operations in the H-I District existing prior to the effective date of this ordinance when wrecking and salvage was still allowed in the H-I Zoning District.

ARTICLE V - SECTION 14.

Add the following new Section

Section 14. C-4 Rural Commercial District.

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.

- A. Permitted Uses and Structures

Any use permitted in the C-3 district, plus race tracks, rodeo arenas and riding stables
Taxidermy
Veterinary Establishments

- B. Special Use

After a public hearing as required in Article II, Section 3, paragraph G-4, other uses may be permitted under a Special Use, if, in the opinion of the Zoning Authority, the proposed use is not offensive or incompatible in keeping with the character of the district.

- C. Dimensional Requirements.

Lot Area. Minimum required lot area shall be four (4) acres.

Lot Width. Minimum required lot width shall be one hundred (100) feet.

<u>Yard Requirements.</u>	Front Yard:	Structure:	25 feet
	Sign:	Sign:	10 feet

Side yard:	Structure:	25 feet
	Sign:	10 feet

Rear Yard:	Structure	25 feet
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Maximum Lot Coverage. The maximum lot coverage for the principal structure and accessory buildings shall be forty (40) percent.

Building Height. No building shall exceed 35 feet in height except for flagpoles, antennas, chimneys, and similar accessories to buildings, which are exempt from this height limitation.

Off-street Parking. Off-street parking and loading shall be provided in accordance with the requirements in Article VIII, Sections 1 and 3.

ARTICLE V SECTION 15.

Add the following new Section H-2:

Section 15. H-2 Junkyard Zone:

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.

A. Permitted Uses:

Any use permitted in the L-1 or H-1 Industrial District:
Automobile Wrecking
Storage of Wrecked Vehicles and Inoperable Equipment
Salvage Operations
Outside Recycling Operations
Outside Service and repair operations
Outside Storage Facilities
Concrete and Batch Plants

B. Special Exceptions, Dimensional Requirements, Requirements, Required Buffers, and Off Street Parking and Loading Shall be the same as for the H-1 District.

ARTICLE II - SECTION 5. - Fees, Charges and Expenses.

Section 5 (b) Revise the following fee:

<u>ACTION OR SERVICE</u>	<u>CHARGE</u>
CHANGE OF ZONING	\$250.00

ARTICLE IX - SECTION 1. - Exceptions and Modifications

Replace Section 1.E.3 as follows:

E. Placement of Accessory Buildings.

3. Accessory buildings, other than carports and garages, and uses, not attached to the main building or structure, shall be located not less than sixty (60) feet from the front lot line. Carports and garages shall conform to the principal structure front setback requirements as designated by its district classification.

PASSED, ADOPTED, SIGNED AND APPROVED THIS 27th day of July, 1998.



Raton/Colfax County Extraterritorial Zoning Authority

Joe M. Gallegos
Chairman, Colfax County Commission - Joseph Gallegos
Frank Cimino
Colfax County Commission - Frank Cimino
Scott Berry
Raton City Commission - Scott Berry

ATTEST:

Barbara Costillo
Colfax County Clerk