

**TOWN OF RED RIVER
ORDINANCE 2007-1**

AN ORDINANCE AMENDING TOWN OF RED RIVER ORDINANCE 2000-5, RELATING TO PLANNING & ZONING, DATED JUNE 27, 2000, AS AMENDED. THIS ORDINANCE AMENDS ARTICLE 5. BUILDING PERMIT. ARTICLE 6. DEFINITIONS. YARD FRONT. ARTICLE 7. ZONES. SECTION B. GENERAL PROVISIONS. SUBSECTION 8. AND ARTICLE 13, GENERAL BUSINESS ZONE, SECTION D, HEIGHT, AREA AND SETBACK REGULATIONS. AMENDING TOWN OF RED RIVER ORDINANCE 2001-4, RELATING TO PLANNING & ZONING. SECTION 1, SUBSECTION C. NUMBER 4. REAR YARD SETBACK. PROVIDING FOR PENALTY AND AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF RED RIVER, NEW MEXICO.

SECTION 1. AMENDMENT

- A. ARTICLE 5. BUILDING PERMIT of ORDINANCE 2000-5 dated June 27, 2000, as amended, is amended by adding the following:**

“ No commercial building permit shall be issued unless the building plans have been reviewed and approved by the Planning and Zoning Administrator, Planning and Zoning Commission and the Town Council.”

SECTION 2. AMENDMENT

- A. ARTICLE 6. DEFINITIONS. YARD FRONT of ORDINANCE 2000-5 dated June 27, 2000, as amended, is amended to read:**

YARD FRONT – A yard extending between side lot lines across the front of a lot between the building and the street. In any required front yard, no fence or wall shall be permitted which materially impedes vision between a public street way or a private drive having access thereto, special consideration shall be given to exclude objects over 30 inches in height in a 25 foot triangle at such intersections of drive and public way.

In corner lots which do not have double frontage, the minimum front yard shall be five (5) feet. The side set back abutting the street shall be one (1) inch. In corner lots with more than two frontages, the Administrator shall determine the front yard requirements, subject to the following limitations:

- A. At least one front yard shall be provided having the full depth required generally in the zone for front yards.**
- B. The vision clearance as defined in these definitions shall be provided. Parking depth of required front yards shall be measured at right angles to a straight line adjoining the foremost points of the side lot lines. The foremost points of the side lot line, in the case of required rounded property corners of 25-foot radius at street intersections, shall be assumed to be the point at which the side and front lot lines would meet without such rounding. Front and rear lines of a required minimum front yard shall be parallel.**

SECTION 3. AMENDMENT

- A. ARTICLE 7. ZONES. B. GENERAL PROVISIONS, SUBSECTION 8. of ORDINANCE 2000-5 dated June 27, 2000, as amended, is amended to read:**

- 8. "All construction within the Town shall comply with Frontier or Alpine styles of architecture. All commercial structures shall be subject to Architectural review by the Planning and Zoning Administrator, the Planning and Zoning Commission and the Town Council."**

SECTION 4. AMENDMENT

- A. ARTICLE 13. GENERAL BUSINESS ZONE. SECTION D. HEIGHT, AREA, AND SETBACK REGULATIONS of ORDINANCE 2000-5 dated June 27, 2000, as amended AND SECTION 1. SUBSECTION C. NUMBER 4. OF ORDINANCE 2004-01 are amended to read:**

SECTION D. HEIGHT, AREA AND SETBACK REGULATIONS

These requirements apply to every structure, other than a wall, fence, landscape deck, flagpole or sign, provided that the accepted structures comply with vision clearance as provided herein:

- 1. Minimum lot area: NONE**
- 2. Front yard setback shall be a minimum of five (5) feet.
Exception: Property located in an area from Jayhawk Trail to Caribel Trail and adjacent to Main Street, the front setback shall be zero (0) feet for the construction of porches only. Porches may be covered but may not be enclosed and shall not extend beyond the property line.**
- 3. Side set back shall be none with the exception that double-frontage lots and corner lots shall have a one (1) inch set back on additional front yards.**
- 4. Rear yard setback shall be a minimum of five (5) feet. Where property is adjacent to an alley or National Forest Boundary, the setback shall be one (1) inch.**
- 5. Maximum height of buildings and structures shall be no more than sixty-five (65) feet, not to exceed four (4) stories.
Height of buildings and structures more than sixty-five (65) ft. may be considered if found to be advantageous to the development of Red River and only with the approval of the Planning and Zoning Administrator, the Planning and Zoning Commission and the Town Council.**
- 6. Snow retention devices shall be required to control snow shedding from roofs onto Town streets and/or sidewalks.**
- 7. Maximum height of flagpoles, antenna, church steeple, chimney or similar element shall not exceed seven (7) feet from height of building.**
- 8. Any free standing antenna shall not exceed sixty-five (65) feet. No free standing antenna shall be erected or constructed without first obtaining a Conditional Use Permit from the Town.**

SECTION 5. SEVERABILITY

If any part or provision of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such part or provision shall be determined to be severable and such decision shall not affect the remainder of this Ordinance.

SECTION 6. PENALTY

For any violation of this Ordinance, there shall be a fine of not more than five hundred (\$500.00) and imprisonment of not more than ninety (90) days, and each and every day of a violation of this Ordinance constitutes a separate offense punishable as a separate offense.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after passage and publication as provided by law.

**PASSED, APPROVED AND ADOPTED THIS 23RD DAY OF JANUARY, 2007 IN RED RIVER,
NEW MEXICO.**

ATTEST:

TOWN OF RED RIVER

**JUDY BRUNSON
MUNICIPAL CLERK**

**LINDA CALHOUN
MAYOR**