

Filed For Record 7-23-97 at 9:49AM Barbara Castille, Recorder
HOME OCCUPATION - DEFINITION

ORDINANCE NO. 97-8

AN ORDINANCE AMENDING THE RATON-COLFAX COUNTY
EXTRATERRITORIAL ZONING ORDINANCE NO. 81-1 REGARDING
HOME OCCUPATIONS.

WHEREAS, the Raton-Colfax County Extraterritorial Zoning Commission has made a recommendation to the Authority and has formulated revisions to the Extraterritorial Zoning Ordinance 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 RATON-COLFAX COUNTY
EXTRATERRITORIAL ZONING AUTHORITY:

ARTICLE III, Section 2 - Definitions. Home Occupation shall be amended as follows:

Home Occupation. Any commercial use conducted entirely within any structure on any residential lot zoned R-1, R-4, R-5, RM-1, MHS and MHP only purposes where such use is clearly incidental and secondary to the primary use of such lot(s) for dwelling purpose and does not change the character thereof.

Permissible home occupation designation shall be allowed if all the following requirements are met:

1. The area of the residence or separate structure designated for commercial use as home occupation shall not exceed 25% of the ground floor area of the primary residential dwelling structure located on subject lot.
2. No persons other than residents of the dwelling may be employed for the home occupation.
3. The proposed commercial use shall not change the character of the lot nor the surrounding neighborhood. Questionable uses shall be reviewed by the Extraterritorial Zoning Board and any other entity deemed necessary by the board prior to approval, at such time, the use shall be considered as a conditional use.
4. No signs may be displayed anywhere on the lot advertising the commercial use. Businesses requiring signs are required to be located on property in commercial zoned areas.
5. A New Mexico Tax Number and County of Colfax Occupation License must be obtained for the commercial use after approval by the Zoning Officer.
6. If retail sales are to occur, at least two off-street parking spaces shall be available on the lot where the occupation is proposed. See off-street parking requirements.
7. No exterior display of stock, goods, and /or materials.
8. No equipment or process shall be used which creates noise, vibration, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence or outside the dwelling if conducted in other than a single-family residence. In case of electrical interference, no equipment or process shall be used which creates visible or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
9. Those home occupations issued Colfax County occupation licenses prior to the enactment of this ordinance shall be subject only to provisions 1, 3, and 5 of this ordinance.

PASSED, ADOPTED, SIGNED AND APPROVED THIS 27th day of June, 1997.



Raton-Colfax Count Extraterritorial Zoning Authority

Barbara Castille
Scott Burg

ATTEST:

Barbara Castille
Colfax County Clerk