

**16.16.100: R-4 RESIDENTIAL ZONE:****16.16.100.1: INTENT AND PURPOSE:**

The R-4 zone is intended for single-family and two-family residential areas where municipal water and wastewater services are supplied. (Ord. 03-07, 2003; Ord. 99-05, 1999)

**16.16.100.2: PERMITTED PRINCIPAL USES:**

The following uses shall be permitted in the R-4 zone:

Home occupation, provided that all conditions of section 16.20.070 of this title are met.

Manufactured homes on individual lots, provided that:

- A. The manufactured home is the core unit of a single-family residence;
- B. The manufactured home is modified in appearance to conform to neighborhood buildings;
- C. The axle and tongue of the unit are removed, and such modifications are completed within six (6) months of placement of the manufactured home on the site;
- D. The construction of the manufactured home shall comply with the department of housing and urban development's national manufactured housing construction and safety standards act of 1974, as may be amended from time to time;
- E. The installation, tie down, hookup and the like of the manufactured home shall comply with the state of New Mexico manufactured housing division rules and regulations ;
- F. The manufactured home shall be anchored to a concrete foundation and shall be skirted;
- G. Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use set forth in this title and in all other applicable town ordinances or regulations shall apply; and
- H. The application procedure outlined in section 16.12.040.4 of this title is followed. The penalty provisions of section 16.04.120 of this title shall apply to the owner of a manufactured home and/or to any person engaged in transporting and/or installing a manufactured home in violation of section 16.12.040.4 of this title.

Single-family dwelling.

Temporary manufactured home or other temporary prefabricated dwelling used as residence during construction of a permanent residence, provided that:

- A. The temporary residential use does not exceed six (6) months;
- B. The unit shall not be skirted nor shall the wheels, axle or tongue be removed;
- C. Rental or lease is prohibited;
- D. Minimum requirements for lot size, front, side and rear yard setbacks, and all other standards pertaining to single-family residential land use set forth in this title and all other applicable town ordinances and regulations shall apply; and
- E. The application procedure outlined in section 16.12.040.4 of this title is followed. The penalty provisions of section 16.04.120 of this title shall apply to the owner of a manufactured home and/or to any person engaged in transporting and/or installing a manufactured home in violation of section 16.12.040.4 of this title.

Two-family attached or semiattached residence, such as a duplex, townhouse, condominium or apartment. (Ord. 03-07, 2003; Ord. 99-05, 1999)

## Notes

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**16.16.100.3: PERMITTED ACCESSORY USES:**

The following accessory uses shall be permitted in the R-4 zone:

Guesthouse, so long as it is used only as an accessory to the primary residence, and is not an accessory to a two-family attached or semiattached residence.

Storage of no more than a total of one sports trailer, recreational vehicle, motor home, trailer or camper, provided that such unit:

- A. Is located within the setback requirements of this zone;
- B. Is not more than thirty feet (30') in length;
- C. Is not used for human habitation, while parked, for more than two (2) weeks in a calendar year;
- D. Is not permanently connected to any public or private utility system such as water, gas or electricity;
- E. Is parked on the side or rear of the lot and are not parked or situated on any public street, thoroughfare or right of way; and
- F. Is currently licensed and registered as required by the state of New Mexico.

Other uses customarily accessory, clearly incidental and subordinate to the permitted principal uses which are located on the same lot or parcel and do not involve the conduct of a business, other than a business permitted in the R-4 zone. (Ord. 03-07, 2003; Ord. 99-05, 1999)

**16.16.100.4: CONDITIONAL USES:**

The following uses shall be permitted in the R-4 zone only if a conditional use permit is granted:

Bed and breakfast inn or boarding house, provided that:

- A. Three thousand five hundred (3,500) square feet per guestroom shall be provided on the lot (clarification: minimum lot size shall be 3,500 square feet per guestroom);
- B. Not more than five (5) rooms are available for guest lodging, and this limitation may not be increased by variance;
- C. The manager resides in and occupies the bed and breakfast inn or boarding house;
- D. Provision of food and meals shall meet all applicable state and local regulations and shall be served only to guests of the bed and breakfast inn or boarding house;
- E. All applicable codes shall be met, including, but not limited to, fire code, building code and this title;
- F. The following off street parking requirements shall be met:
  1. One parking space per employee;
  2. One marked parking space for each guestroom; and
  3. One parking space for the resident manager.
- G. Only one sign, not to exceed four (4) square feet, that may be externally illuminated; and

H. Landscaping and all other applicable performance standards of this title and any other applicable town ordinance or regulation shall be met.

Guesthouse used for long term rental, so long as it is used only as an accessory to a primary single-family residence, and is not an accessory to a two-family attached or semiattached residence.

Manufactured home park, provided that it is developed as a planned unit development according to section 16.16.190 of this chapter.

The following nonresidential uses:

- A. Professional office or service.
- B. Dance, karate or personal performance studio.
- C. Daycare.
- D. Specialty retail, such as artist galleries, artist studios, delicatessens, meat and fish markets, bakeries, fruits and vegetables, desserts, and other specialty foods, specialty apparel and other specialty merchandise.
- E. Other commercial uses that are compatible and complementary in scale and appearance with the residential environment and provide business services and office facilities to residents of the neighborhood, but excluding appliance stores, automobile/pleasure craft dealership, large equipment sale and rental, machine shop, handicraft manufacturing, manufactured homes sale and service, package liquor, pet sales/grooming/obedience, pharmaceuticals/drugstores. (Ord. 03-07, 2003: Ord. 99-05, 1999)

#### **16.16.100.5: DEVELOPMENT STANDARDS:**

The following development standards shall apply to all property in the R-4 zone:

- A. Maximum Overall Density: Four (4) dwelling units and one nonresidential unit if conditionally or specially permitted per acre.
- B. Minimum Lot Size: One-fourth ( $\frac{1}{4}$ ) acre.
- C. Minimum Lot Width: Eighty feet (80').
- D. Minimum Setback Requirements:
  1. Front yard: Twenty feet (20') from the front property line;
  2. Side yards: Ten feet (10') from the side property lines; and
  3. Rear yard: Twenty feet (20') from the rear property line.
- E. Maximum Lot Coverage: Forty percent (40%) by all structures.
- F. Nonresidential Development: Nonresidential development, except bed and breakfast inns or boarding houses, shall comply with the following additional development standards:
  1. No more than three (3) employees;
  2. No outdoor exhibition or storage of stock;
  3. Only one sign, not to exceed four (4) square feet;
  4. The use is accessed by a public road;
  5. Adequate, safe and marked access, egress and ingress is provided; and

6. Parking required in section 16.20.040 of this title is provided within the setback requirements of this zone.

G. Performance Standards: All development, erection of structures, use of property, alteration of structures or land, or other matters occurring within the R-4 zone governed by this title shall meet or exceed all applicable performance standards <sup>1</sup> and criteria as set forth in this title and any other applicable town ordinance or regulation.

H. Planned Unit Development Standards: In addition to all other requirements of this title, if a planned unit development is proposed in the R-4 zone, then such a planned unit development shall meet or exceed all planned unit development standards set out in section 16.16.190 of this chapter. (Ord. 04-06, 2004; Ord. 03-07, 2003; Ord. 99-05, 1999)

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#### Notes

1. See chapter 16.20 of this title.