

**CITY OF ELEPHANT BUTTE
ORDINANCE NO. 143**

**AN ORDINANCE OF THE CITY OF ELEPHANT BUTTE, NEW MEXICO
AMENDING SECTION 155.029 OF THE ELEPHANT BUTTE CODE OF
ORDINANCES, IMPLEMENTING LOT COVERAGE REQUIREMENTS AND
AMENDING REQUIREMENTS OF UN-WALLED CARPORTS WITHIN THE R-1-D
SINGLE-FAMILY ZONING DISTRICT**

WHEREAS, the code of ordinances currently does not establish a lot coverage requirement for properties within the R-1-D zoning district and maintains restrictive setback requirements for un-walled structures given the smaller-than-average lot sizes of properties within the district; and

WHEREAS, the City has determined that it would be in the best interest of the public welfare and safety to balance a relaxation of those setback restrictions while ensuring protection of adjacent property owners; and

WHEREAS, amendments to the zoning code may be authorized upon review of the proposed amendments by the Planning & Zoning Commission and after the governing body has conducted a public hearing on the proposed amendments; and

WHEREAS, the proposed amendments were reviewed and favorably recommended by the Planning & Zoning Commission on April 22, 2014 and the governing body did conduct a duly advertised public hearing on May 21, 2014.

NOW THEREFORE, BE IT ORDAINED By The Governing Body Of The City Of Elephant Butte, that section 155.029 of the Code of Ordinances of the City of Elephant Butte be amended as follows with **BOLD CAPITAL** lettering indicating new material:

Section one. Section 155.029(C)(6) is amended as follows:

(C) *Building/development requirements.*

(6) **Setbacks AND OPEN SPACE/LOT COVERAGE.** Minimum setbacks are:

(a) Front setback: 5 feet;

(b) Side setback: 5 feet, **A TOTAL MINIMUM 10-FOOT SEPARATION BETWEEN UNITS WILL BE MAINTAINED, EXCLUDING UN-WALLED METAL CARPORTS, WHICH MAY BE PLACED TWO (2) FEET FROM THE SIDE PROPERTY BOUNDARY PROVIDING THAT NO PORTION OF THE CARPORT OVERHANGS CLOSER THAN 2 FEET TO THE PROPERTY LINE;** and

(c) Rear setback: 5 feet.

(d) **OPEN SPACE/LOT COVERAGE. NO MORE THAN 90% OF ANY LOT MAY BE COVERED BY ANY STRUCTURE(S) OR ALTERNATIVELY BY ANY IMPERMEABLE SURFACES.**

Section two. All other provisions of section 155.029, R-1-D Single-Family Residential zoning district, not specifically amended in section one herein, shall remain unchanged and in full force and effect as written.

Section three. Effective date. This ordinance shall become effective five days following publication.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Elephant Butte, New Mexico, this 21 day of May, 2014.

BY:

Eunice Kent
Eunice Kent, Mayor

Attest:

Rose Garretson
Rose Garretson, City Clerk