

§ 450-125. C-2 Central Business District. [Amended 8-17-1983 by Ord. No. 72-5]

- A. Purpose. This zone is intended to permit the development of unlimited commercial uses and services and to serve as a central trading area for the City. The facilities provided for here are those that should not be dispersed into smaller and more intimate shopping areas.
- B. Permitted uses in the C-2 District.
- (1) Any use permitted in the C-1 District, including second story apartments above commercial or office front building, provided the Building Code and all local and state adopted fire codes are met.¹ **[Amended 8-16-2000 by Ord. No. 99-11 ²]**
 - (2) Auction houses, not including animal auctions.
 - (3) Eating and drinking places, including bars, restaurants, and cocktail lounges.
 - (4) Entertainment, but not within 75 feet of any R District:
 - (a) Billiards parlors and pool halls.
 - (b) Dance halls.
 - (c) Games, electronics and pinball.
 - (d) Nightclubs.
 - (e) Theaters.
 - (5) Hotels and motels.
 - (6) Institutions:
 - (a) Churches or other places of worship, including incidental recreation and educational facilities.
 - (b) Hospitals.
 - (c) Museums and libraries.
 - (d) Private clubs.
 - (e) Schools and colleges, together with necessary facilities and equipment to insure their proper operation.
 - (7) Mortuaries.
 - (8) Offices, business and professional.
 - (9) Public utilities or utilities operated by mutual agencies consisting of water wells, gas metering and regulating stations, telephone exchanges, booster stations or conversion plants with the necessary building, apparatus or appurtenances incident thereto, but not

1. Editor's Note: See Ch. 135, Building Construction, and Ch. 233, Fire Prevention.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

including distribution mains, provided any buildings necessary to such utilities are similar in design and structure to other buildings in the area of proposed use.

(10) Radio or television studio or station.

(11) Retail sales.

- (a) Appliance stores, household.
- (b) Automobile, truck and trailer sales and rental agencies.
- (c) Automobile supply stores, new and used.
- (d) Bicycle, scooter and similar vehicle sales and rentals.
- (e) Boat and other marine sales.
- (f) Building material dealers.
- (g) Clothing stores, including:
 - [1] Leather goods.
 - [2] Military shops.
 - [3] Shoe stores.
- (h) Department stores.
- (i) Dry good stores.
- (j) Feed and grain stores.
- (k) Furniture stores.
- (l) Hardware stores.
- (m) Newsstands.
- (n) Paint and wallpaper stores.
- (o) Plumbing shops, but not plumbing contractors' yards.
- (p) Secondhand stores.
- (q) Specialty shops:
 - [1] Florist shops.
 - [2] Gift shops.
 - [3] Hobby supply shops.
 - [4] Jewelry stores.
 - [5] Locksmith shops.

- [6] Music stores.
- [7] Pet shops, pet supply stores.
- [8] Sporting goods stores.
- [9] Tobacco shops.
- [10] Typewriter sales.

(r) Supermarkets.

(12) Services.

- (a) Automobile laundry, car wash.
- (b) Bookbinding.
- (c) Cleaning and dyeing agencies, including incidental spotting, sponging, pressing and repairs.
- (d) Employment agencies.
- (e) Interior decorating shops.
- (f) Laundries, self-service.
- (g) Laundry agencies.
- (h) Services station for automobiles, provided it complies with the following requirements:
 - [1] Any tube or time repairing, battery charging or the like shall be conducted within a completely enclosed building.
 - [2] There shall be no outside storage of any kind.
 - [3] If any lubricating or washing is done outside the building, a solid wall, fence, or a compact evergreen hedge at least six feet high shall be maintained between such activity and any abutting or contiguous R-1, R-2, RA or RR Zone.
- (i) Shoe repair shops.
- (j) Tailor shops.
- (k) Typewriter repair shops.

(13) Signs for advertising, identification or direction pertaining to a use conducted within a building, provided:

- (a) The sign is located entirely on private property and no part of which shall extend over a sidewalk or property line.

- (b) The sign is so located as not to reflect into any RR, RA, R-1, R-2 or any residential portion of PC, RH1, or CH1 Zones.
 - (c) A freestanding sign does not exceed 25 square feet.
 - (d) A sign attached to a building or wall does not protrude more than 4 1/2 feet from the wall of the building and no point of which is lower than eight feet from the ground and does not extend beyond the property line or over the sidewalk.
- (14) Stations, bus, railroad, and taxi.
- (15) Transfer companies for furniture and household goods.
- C. Uses requiring special use permit.
 - (1) Apartments will be allowed as a secondary usage to a commercial use in a building when an adequate, separate access is provided to the secondary usage.
 - (2) Cannabis consumption area or cannabis retailer, which requires a license pursuant to the New Mexico Cannabis Regulation Act³ ("CRA"), at least 300 feet from zones RA, RR, R-1, R-2 or R-3. **[Amended 12-8-2021 by Ord. No. 21-18 ; 10-11-2023 by Ord. No. 23-08]**
 - (3) Day care or boarding of children.
 - (4) One single-family dwelling on any lot or parcel of land in the C-2 Zone may be permitted, provided that said dwelling shall be used only by the owner or lessee of the lot or parcel on which said dwelling is erected or is to be erected, or by an employee of said owner or lessee, said dwelling to be used only in conjunction with any commercial use permitted under the terms of this section. Mobile homes will not be included as dwelling units in the C-2 District.
 - (5) The renting of rooms and/or the providing of table board, not to exceed six paying guests.
 - (6) Automobile off-site sales or otherwise known as supplement lots for the sale of automobiles by a hosting dealer or organization. Such off-site sales shall be permitted under a special use permit, provided compliance with the following requirements: **[Added 2-18-2004 by Ord. No. 04-04]**
 - (a) All persons, firms, corporations or associations of any character requesting an automobile off-site sales license to engage in the sale of more than four motor vehicles shall be licensed as a dealer, as defined by the State of New Mexico Vehicle Code (NMSA 1978, § 66-1-1 et seq.).
 - (b) Off-site sales are permitted in C-2 or C-3 Zones by first obtaining a special use permit from the City of Las Vegas Board of Adjustment.
 - (c) Maximum length of time of event is not to exceed three days.

3. Editor's Note: See NMSA 1978, § 26-2C-1 et seq.

- (d) Hosting dealers, organizations or others, as defined herein, shall provide a full detailed letter of intent requesting approval for automobile off-site sales. The letter shall include location, number of vehicles held for sale, specific dates of event, proposed hours of operation. This information shall also be provided on the City's application form for this purpose. All requests must be submitted 30 days prior to the hearing by the Board of Adjustment.
- (e) All vehicle dealers, other than motorcycles dealers, within the City of Las Vegas will be solicited by the hosting dealer and provided the opportunity to offer vehicles for sale at the proposed location. Participant dealer fees shall not be greater than a fair share of actual expenses incurred by the host dealer. Such requests shall be in the form of certified mail. Copies of all said letters and return receipts shall be provided to the City of Las Vegas Community Development Department staff 14 days prior to the Board of Adjustment hearing.
- (f) A complete listing and current dealer licenses for all dealers accepting an invitation to participate shall be provided to the City 14 days prior to the hearing.
- (g) Provided the special use permit is granted by the Board of Adjustment, the host dealer shall obtain a City of Las Vegas business registration/license indicating site inspection and approval by the Las Vegas Fire Department and zoning approval by the Community Development Department.
- (h) The entire site and facilities that are being utilized must be ADA compliant, to include indoor ADA compliant bathroom facilities. Mobile offices must meet building code required by the Uniform Building Code.⁴
- (i) The host dealer shall provide a copy of the lease agreement with the current, legal owner of the property or a copy of the deed showing proof of ownership for the off-site location.
- (j) A copy of the liability insurance policy for every participating dealership, including the host dealer, covering the off-site location and the specific dates of the off-site sales event.
- (k) A rider to the bond for every participating dealer covering the off-site location and specific sales dates.
- (l) Automobile off-site sales business regulation fees shall be \$110 per day, shall be paid upon the issuance of a business registration.
- (m) All other State of New Mexico vehicle requirements, including permits and licenses, shall be furnished to the City of Las Vegas prior to the sales event.
- (n) The City of Las Vegas may, when any person, firm or corporation holding a special use permit under the provision hereof has been adjudged guilty of violating any City ordinance in relation hereto by any court of competent jurisdiction, revoke the license after due notice and hearing and is further subject to penalties and fines as

4. Editor's Note: See Ch. 135, Building Construction.

defined by City ordinance.

- (7) Small brewery. [**Added 10-19-2011 by Ord. No. 11-17**]
- (8) Domestic winery. [**Added 10-19-2011 by Ord. No. 11-17**]
- (9) Craft distillery. [**Added 10-19-2011 by Ord. No. 11-17**]

D. Uses expressly prohibited.

- (1) Agriculture and cannabis producer activity which requires a license pursuant to the New Mexico Cannabis Regulation Act⁵ ("CRA"). [**Amended 12-8-2021 by Ord. No. 21-18 ; 10-11-2023 by Ord. No. 23-08**]
- (2) Industrial.
- (3) Residential.

E. Development standards. The following minimum required conditions shall apply:

- (1) Business in enclosed buildings. All business, services, or processing shall be conducted wholly within a completely enclosed building, except for the sale of automotive fuel, lubricants, and fluids at service stations, and such other outdoor display or storage of vehicles, materials and equipment as hereinbefore specifically authorized or as may be authorized by the Board.
- (2) Production for sale at retail. All products produced on the premises, whether primary or incidental, shall be sold at retail on the premises where produced.
- (3) Use must be nonobjectionable. Processes and equipment employed in goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.
- (4) New merchandise. Goods for sale shall consist primarily of new merchandise, except for goods customary to art, antique, or rare bookstores.
- (5) Lot area. No minimum required.
- (6) Lot dimensions. No minimum required.
- (7) Population density. None, residential development not permitted in this zone.
- (8) Yards. None required except where a lot or parcel in the C-2 Zone is adjacent to a residential zone, the required yards in the residential zone shall prevail on the adjacent commercial lot or parcel.
- (9) Off-street parking. See § 450-33 of this chapter.
- (10) Loading. Every commercial building hereafter erected or established in a C-2 Zone shall have and maintain an off-street loading and unloading area for the convenience of motor vehicles providing service to the commercial use so established.

5. Editor's Note: See NMSA 1978, § 26-2C-1 et seq.

- (11) Lighting. See same as the C-1 Zone.
- (12) Height regulation. No principal structure shall exceed three stories or 45 feet in height, unless otherwise permitted by the Commission and/or the Design Review Board, if applicable. These regulations shall not apply to structures cited in § 450-37. **[Amended 5-19-2004 by Ord. No. 04-09]**
- (13) Solid waste collection. Every commercial activity hereafter established must include in their plans a specific location of waste receptacle(s), established service route and a designated loading pad within the boundaries of the lot or parcel of land.
- (a) The location for placement of City-owned receptacles shall be free of obstructions such as poles, low-hanging wires, curbs, walls, etc.
 - (b) The service route shall be established if alleyways are not available. The route shall be designed in a way so that ingress and ingress of the collection vehicle is accomplished without having to operate in reverse. Construction of the route way, including the loading pad, should include six inches of base course and four inches of asphalt, if asphalt is to be utilized. Utilization of concrete will require six inches of reinforced, 3,000 psi concrete.
 - (c) The loading pad shall be constructed where alleys are not available. The loading pad will be enclosed on three sides with blocked walls. The minimum size shall accommodate one three-cubic-yard container. Minimum measurements of the enclosure should be 6 1/2 feet in width, five feet in height and five feet in depth. Actual size should not be determined prior to consulting with City solid waste officials, since size will depend primarily on service required.
 - (d) The City will not be liable for damage to either the route way of loading pad as a result of the basic service routine.
- (14) Landscaping required when adjacent to R District. Uses adjacent to or backing on a residential district shall erect within five feet of the adjacent property line a six-foot-high fence. Live shrubbery three feet high, either within or outside of the fence, is to be planted and allowed to grow to the height of the fence and, after that, to be maintained at the height of the fence. Prior to the issuance of a building permit, the builder shall provide evidence that the landscaping shall be accomplished, and the permit shall be made contingent upon the landscaping. Failure to complete these requirements shall be cause for the property owner or builder to be subject to the provisions in Article XI of this chapter.