§ 154.121 COMMUNITY COMMERCIAL DISTRICT (C-2).

(A) *Purpose.*

(1) The purpose of the Community Commercial (C-2) District is to provide for more intensive commercial services than in the C-1 District for numerous neighborhoods in the geographic area.

(2) This district is intended to maintain the service function of whole communities within the county; or to locate a present foreseeable demand for medium-size scale centers in an area where access, traffic-turning movement and off-street parking can be provided in a convenient and economic manner.

(B) *Permitted uses.* In the C-2 District, the following uses shall be permitted subject to the standards and limitations set forth in division (F) and pursuant to §§ 154.035 through 154.040 for site design review:

(1) All uses permitted in the C-1 District;

(2) Shopping centers;

(3) Hotel or motel;

(4) Tavern bar or lounge;

(5) Farm equipment sales;

(6) Greenhouses, plant nurseries, or landscaping;

(7) Indoor recreational facilities;

(8) Veterinary hospitals with outdoor facilities;

(9) Lumber sales;

(10) Gas stations and repair;

(11) Animal feed stores; without side storage facilities;

(12) Essential public utility structures;

(13) (a) Dwelling in conjunction with a commercial use.

(b) If a dwelling is a mobile home, it shall in addition to the requirements of this section, also be subject to the mobile home standards set forth in § 154.172;

(14) Accessory uses; an accessory use shall comply with the standards and limitations for principal uses except that fences, walls and hedges may be permitted in any required property or along the edge of any yard, subject to the clear-vision area requirements of § 154.120(F)(8).

(15) Retail stores, in which, incidental to the retail operation products may be manufactured, compounded, processed, assembled, or distributed to retail, including carpentry, ceramics, fabric cutting and sewing, furniture making, upholstering, sign making, decorating, catering, baking, confectionary making, provided the use under this division complies with the following standards:

(a) All primary activities shall be conducted within a enclosed building structure, and all outside storage must be enclosed by a 6 foot solid wall or fence.

(b) The number of persons engaged in the manufacturing, processing, assembling or treating of products shall be limited to 15, excluding office, clerical or delivery personnel.

(c) Any store shall be operated principally as a retail business.

(d) Activities or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other cause.

(e) Retailing of any consumer product and provision of any customer, personal, or business service, provided it is not listed as a conditional use in this zone, and with the following limitations:

1. Automobile, truck, trailer sales provided that a solid wall or fence 6 feet high

shall be maintained along any side of the area abutting or contiguous to any residential zone.

2. Auto, trailer and truck rental, service, sales, storage, provided the lot is graded and surfaced with paving or other pervious material.

3 Trucks and trailers parked outdoors for rental sales or storage, provided stored or inoperable vehicles shall be screened and subject to the site design review criteria of §§ 154.035 through 154.040 of this chapter;

(16) Signs, pursuant to the sign provisions set forth in §154.166;

(17) Public facilities;

(18) Transfer or storage of household goods or food products in a building less than 5,000 square feet, including self-

storage mini-warehouses, provided:

(a) Outside lighting is so located, screened, or shaded so as not to reflect off the premises.

(b) All storage is within completely enclosed 1-story structures not to exceed 12 feet in height.

(c) The site must be enclosed by a solid wall or fence on all sides facing or abutting any Residential Zone District.

(20) Firewood sales; and

(21) Similar uses similar in character, scale and performance, or with similar noise, odor, traffic, air and water quality impacts on neighboring properties.

(C) Conditional uses. In the C-2 District, pursuant to the Type B application procedure as set forth in §154.076, and subject to the conditional use review criteria listed in § 154.057, and subject to §§ 154.035 through 154.040 for site design review and any other applicable criteria established by this chapter, the following uses may be allowed conditionally.

(1) Adult amusement/entertainment establishment, including, but not limited to, adult bookstore, adult theater, adult video rental and arcade, provided:

(a) The use is located at least 2,000 from another adult amusement establishment, adult bookstore, adult photo amusement establishment, adult photo studio, adult theater, adult video arcade, and adult body oil or lotion demonstration parlors;

(b) The use is located at least 1,000 feet from the nearest conforming residential use; and

(c) The use is located at least 2,000 feet from any church or school.

(2) Amusement enterprise, provided any lighting shall be so located, screened, or shaded so as not to reflect off the premises.

(3) Baseball batting or archery range, provided the area shall be fenced or otherwise designed to prevent any balls or arrows from going off the premises.

(4) Golf driving range, including commercial activities specifically related to the operation of the use, such as a pro shop for the sale or rental of golf equipment, and usual concession stands, provided the site contains at least 6 acres and that fencing shall be provided, or the use so designed as to prevent balls from being driven off the premises.

(5) Kart track, including "go-cart" track and similar facility, provided that the site contains at least 3 acres and be located at least 1,000 feet from any dwelling and at least 100 feet from any public way; the spectator area shall be protected from the vehicular area by suitable fencing, bumpers, or other protective devices; any off-site street parking area shall be subject to regulations as defined for parking lot; and hours of operation shall be between 9:00 a.m. and 10:30 p.m.

(6) Children's amusement park, provided that amusement devices shall be located at least 300 feet from any dwelling; hours of operation shall be between 9:00 a.m. and 10:30 p.m.; any public address system shall be modulated; any off-street parking area shall be subject to regulations as defined for parking lot; ponies shall be permitted on the premises only during the hours of operation; and the site shall be enclosed by a wall or fence at least 6 feet high.

(7) Blood bank, plasma center.

(8) Utility facility, subject to §§ 154.035 through 154.040 for site design review; and

(9) Similar uses similar in character, scale and performance, or with similar noise, odor, traffic, air and water quality impacts on neighboring properties.

(D) *Prohibited uses.* Uses of land and water not specifically mentioned in this section, and not allowed as a similar use, are prohibited in the C-2 District.

(E) *Non-conforming uses.* Non-conforming uses found in the C-2 District are subject to the non-conforming use provisions of § 154.059 as well as any other applicable provisions of this chapter.

(F) *Standards and limitations.* In the C-2 District, the following standards and limitations shall apply:

(1) *Size.* The size of commercial centers shall reflect real market demand in the community areas to be served and the spacing of these centers shall be commensurate with the spacing of existing centers and arterial or collector intersections.

(2) *Character and rural atmosphere to be preserved.* In areas adjacent to state highways, the layout and design of these centers shall ensure that the view from the highway and rural atmosphere of the county are not impaired and that the scale and service requirements of the facilities do not have an adverse impact on the character of the adjacent and surrounding neighborhoods.

(3) *Dwelling density.* Structural densities shall be in accordance with NMED well and septic standards and limitations.

(4) *Parcel size and dimension.* The minimum parcel size for newly created parcels shall meet the NMED well and septic system standards for the intended use.

(5) *Setbacks.*

Location	*Minimum setback*
Front yard.	30 feet
Side and rear yard	25 feet

(6) *Parcel coverage.* The maximum parcel coverage shall be appropriate to the use, subject to §§ 154.035 through 154.040 for site design review.

(7) *Access.* To the extent possible C-2 uses shall be located adjacent to arterial or collector roads.

(8) *Clear-vision areas.*

(a) No fence or planting shall be allowed higher than 3 feet in the clear vision area of 15 feet from the intersection property line.

(b) Commercial development shall also refer to the New Mexico State Access Manual or AASHTO Standards.

(9) *Height.*

(a) The maximum building height for any dwelling shall be 35 feet;

(b) The maximum building height for all other structures shall be 60 feet; and

(c) Appurtenances usually required to be placed above the roof level and not intended for human occupancy such as spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys and wind generators shall not exceed 20 feet in height above roof line.

(10) Accessory uses. An accessory use shall comply with the standards and limitations for principal uses except as follows: fences, walls and hedges may be permitted in any required yard or along the edge of any yard, subject to the clear-vision area requirements of § 154.091(G)(6).

(11) Off-street parking. Off-street parking and loading requirements for any use in the C-2 District shall be as provided in §§ 154.035 through 154.040.

(12) Landscaping. Landscaping shall be required in conformance with §154.167 of this chapter.

(Ord. 2004-05, passed 9-15-2004; Am. Ord. 04, passed 9-15-2004; Am. Ord. 2006-06, passed 6-16-2006) Penalty, see § 154.999