

154.09 C-1: RETAIL COMMERCIAL.

(A) *Purpose.* This district permits limited commercial uses such as those pertaining to the day-to-day needs of the residential populace.

(B) *Permissive uses.*

- (1) Stores for the sale of retail goods and products;
- (2) Restaurants, bars, and lounges which exclude drive up liquor dispensing windows;
- (3) Repair shops-electrical, radio, and television appliances, keys, and similar articles;
- (4) Shops-dressmaking, tailoring, laundry, dry cleaning, photo, pet, and similar trades;
- (5) Banks, theaters, and office buildings;
- (6) Churches and other places of worship, Sunday school buildings, and parish houses;
- (7) Bakeries and confectioneries where goods are sold at retail prices;
- (8) Parks, recreational parks, open spaces, and public utilities;
- (9) Nursery schools and daycare facilities;
- (10) Undertaking establishments;
- (11) Club houses, buildings for fraternal organizations, nonprofit public service organizations;
- (12) Medical complexes, professional offices associated with medical complexes, and veterinarians;
- (13) Construction trailers for a period not to exceed 21 days before construction plus the entire period of construction up to 6 months and no more than 30 days after construction has finished, provided that the use of the trailer is for assisting in the security of the construction site and facilitating the delivery of construction material, and that no sales are conducted from the construction trailer either before or after the site development is completed. If an extension is needed, application to and certification from the administration is necessary and may be granted for up to 120 days;

(14) Photocopying and blueprinting;

(15) Public facilities;

(16) Hospitals;

(17) Nursing homes and similar institutions;

(18) Temporary structures and enclosures used in construction of a building and used for storage of equipment and material. Such structure must be removed after the specific construction project is completed and not to remain on the premises for more than one month after completion. Temporary commercial structures used for seasonal purposes may be erected for a period of not more than 90 days. But, in no case shall the structure or enclosure be present for longer than one week after the ending of the season for which it was intended;

(19) Drive-in or drive-up window restaurants, and/or convenience stores, provided drive up liquor dispensing windows are excluded at such establishments; bowling alleys and other indoor recreational uses;

(20) Residential uses within the structures; and

(21) Offset press printing:

(a) Maximum of two offset printers;

(b) Maximum size of offset duplicator machines shall not exceed 20 inches each.

(22) Adults-only bookstores, adults-only motion picture theaters, adult entertainment centers, massage parlors, and saunas provided that such uses meet the requirements and/or restrictions set forth in Chapter [111](#).

(C) Conditional uses (requiring use permit).

(1) From Division G of the S.I.C. (Retail Trade) the following major group number: Major Group 55: automotive dealers and gasoline services stations, provided that:

(a) Lubricating, minor repairs, and associated activities are conducted within a completely enclosed building; or

(b) A solid masonry wall at least six feet high is erected between the activity and any abutting or contiguous residential zone;

(c) Applicants shall provide site plans which show lot dimensions, location and dimensions of proposed structures/facilities, parking, proposed signage, landscaping and buffers; if applicable, information with regard to the nature of the operation as well as hours of operation, for review and approval by the Planning and Zoning Commission.

(2) Private schools;

(3) Temporary model home/sales office:

(a) Setbacks shall be as per standard C-1 requirements or as approved by the Planning and Zoning Board; whichever is greater.

(b) Landscaping shall be as per standard C-1 requirements.

(c) Signage shall be as per standard trade sign requirements.

(d) The time limit for a model home is two years. The Planning and Zoning Commission may approve time extensions through the conditional use process.

(e) Applicants shall submit a site plan which shows lot dimensions, location and dimensions of all proposed structures, proposed signage, landscaping and landscape buffers; if applicable, for review and approval by the Planning and Zoning Commission.

(f) Sanitary facilities must be provided for during hours of operation.

(g) All nonconformities on the site shall be brought into compliance before a certificate of occupancy is issued.

(h) The model home/sales office is not to be used for residential purposes.

(i) Parking shall be as per standard C-1 requirements.

(j) Restoration of the model home site shall be accomplished within 30 days after the removal of the model home.

(4) Recycling collection centers provided that:

(a) Applicants provide site plans which show lot dimensions, location and dimensions of proposed structures/facilities, parking, proposed signage, landscaping and buffers; if applicable, information with regard to the nature of the operation, duration of the proposed use, and hours of operation, for review and approval by the Planning and Zoning Commission.

(b) Applicants shall provide a statement of responsibility which verifies that as the host of the operation, the applicant shall be responsible for site maintenance in that it shall be free of litter, refuse, and recyclables.

(c) The applicant shall include plans with regard to the number and type of collection bins to be used. No open type bins will be allowed.

(d) Collection centers shall be located at minimum 100 feet from residential property.

(e) The applicant shall furnish information with regard to the disposal of the collected recyclable ensuring that they will not be disposed of at landfills.

(5) *Self storage facilities.* Applicants shall provide a site plan which includes at minimum the following information: lot dimensions, location and dimensions of proposed structures/facilities, parking, proposed signage, landscaping and landscape buffers and, if applicable, information with regard to the nature of the operation as well as hours of operation, for review and approval by the Planning and Zoning Board.

(D) *Area.* Minimum 1/2 acre (21,780 square feet).

(E) *Height.* Same restrictions as in R-1.

(F) *Setback.* Thirty-five-foot front setback only except where the parcel is adjacent to residential property in which case front, rear, and side setback adjacent to the residential property shall be equal to those in the residential zone.

(G) *Off-street parking.* Off-street parking shall be provided as set forth in Section [154.20](#).

(H) *Landscaping.* Appropriate landscaping shall be provided for visual relief along the frontage of the parcel; provided, that no less than 10% of the lot shall be landscaped, and no less than one-fourth of the 10% shall be located on the front. Cool season turf grass shall be limited to areas designated for recreational use and shall be limited to a maximum of 1,000 square feet or 20% of the total lot area, whichever is less. Cool season turf grasses include but are not limited to the following species: *Poa pratensis* (Kentucky Bluegrass), *Festuca* spp. (Fescues), and *Lolium* spp. (Ryegrasses). Plant materials shall be limited to species that are not listed as high water use in the City of Rio Rancho plant list. Existing turf and other plants installed prior to October 31, 2011, are exempt from this regulation.

(I) *Buffer zone.*

(1) *Buffer wall.* The buffer wall shall be a minimum of six feet in height and shall be constructed of masonry, sealed adobe, brick or other solid material.

(a) Where nonresidential property abuts residential property, the wall shall abut the property line;

(b) Where the nonresidential district is adjacent to the residential district and a public thoroughfare separates them, the wall shall be located ten feet inside the property line on the nonresidential property. The nonresidential structure may be used in lieu of a wall if it is solid (non-openings), and if it connects to the remainder of the buffer wall to form a continuous buffer for the nonresidential site.

(2) *Buffer landscaping.*

(a) Landscaped buffer areas shall be a minimum of ten feet in width measured perpendicular to the buffer wall.

(b) The landscaped buffer areas shall include a minimum of one buffer tree per 25 feet, or an approved equivalent screening density. Minimum tree sizes at the time of planting shall be three-inch caliper, 30-inch boxed variety or 30-gallon container, or at least 10 feet in height.

(c) Where nonresidential property abuts residential property, the landscaped buffer shall be located inside the buffer wall.

(d) Where the nonresidential district is adjacent to the residential district and is separated by a public thoroughfare, the landscape buffer shall be located outside the wall. In cases where the building is acting as a partial wall buffer, the landscape buffer may be more than ten feet in width to allow for the appropriate building setbacks.

(e) Buffer trees may be a mix of conifers and deciduous trees; however, the emphasis shall be placed on conifers.

(3) If the buffer wall plus retaining wall have an effective height of over eight feet on the residential side, the city shall decide the required height.

(4) *Metal buildings*. Unless otherwise specified in an approved master plan, area plan or corridor plan, the front facade of a metal building shall have a stucco exterior.

(5) Any lighting shall comply with the Night Sky Protection Act and be placed so as to reflect the light away from adjacent residential districts.

(6) No unreasonable noise, odor, or vibration shall be emitted by uses outside the boundaries of the Commercial District. Such comparison shall be made at the boundary of the Commercial District.

(7) Parking will be permitted in side and rear yard setbacks, but no accessory buildings will be permitted in that area.

(Ord. 02-004, § 9-1-9; Am. Ord. 04-042; Am. Ord. 11-20)