



# Development Handbook

## 2016

- ⊗ Building Permits
- ⊗ Business Development
- ⊗ Economic Development Opportunity
- ⊗ Housing Development
- ⊗ Important Names and Numbers
- ⊗ Land Use Requirements
- ⊗ Subdivision Development
- ⊗ Utilities Information and Services

# TABLE OF CONTENTS

<b>Mission Statement.....</b>	<b>4</b>
<b>Introduction.....</b>	<b>4</b>
<b>Community Development Department.....</b>	<b>5</b>
What is the difference between a Building Permit and Planning Permit?.....	6
What are Impact Fees?.....	7
What if I wish to change the zoning of my property?.....	7
Planning Application Review.....	7
Subdivision Development.....	8
Subdivision Review Process.....	9
What if I wish to subdivide land that is outside the City limits?.....	10
How do I annex my property into the City of Aztec and establish a zoning district?...	11
What steps are needed to setup utility hookups for NEW commercial or residential structure? .....	11
<b>Utility Department .....</b>	<b>13</b>
What do I do if I want to connect to the City of Aztec utilities at an existing building or home? .....	13
What if I am constructing a new building or dwelling and need to install new services? .....	13
How much will utilities cost me?.....	14
Where do I get natural gas services?.....	15
Where do I get telephone services?.....	15
Where do I get cable television services? .....	15
Where do I get solid waste services?.....	15
<b>Electric Department .....</b>	<b>16</b>
<b>Parks and Recreation Department .....</b>	<b>17</b>
<b>Public Works Department .....</b>	<b>18</b>
<b>Economic and Business Development.....</b>	<b>19</b>
Do I need a license to operate a business in Aztec?.....	19
What is economic/business development and how does the community play a role? .....	19
Aztec's Economic Restructuring and Renewal Plan.....	19
What resources are available to qualifying entities? .....	20
Who is "qualified" for economic development projects? .....	20
<b>San Juan County Building Department .....</b>	<b>22</b>
How much do Building Permits cost?.....	22

**New Mexico Department of Transportation (NMDOT)..... 23**  
    What transportation infrastructure is available? ..... 23  
**Other Important Contacts..... 24**  
**Glossary of Terms..... 25**  
**References ..... 39**

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## MISSION STATEMENT

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***“Our purpose is to provide the public with a sound understanding of the development procedures required for land development and assist the public to the appropriate entities so that they may fully understand the feasibility of their project(s).”***

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## INTRODUCTION

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**Land Development** is primarily regulated by the City of Aztec; however there are a variety of other agencies and departments involved in the review process of developing land. The primary departments involved in developing land within the city include:

- Community Development Department
- Public Works Department
- Utility Department
- Electric Department

To comply with the State of New Mexico Building Code requirements, the City of Aztec contracts with the San Juan County Building Inspector to review all plans for residential and commercial construction. This includes building plans, electrical, plumbing, and mechanical related regulations.

Other essential entities for development may include:

- New Mexico Department of Transportation
- New Mexico State Environment Department
- New Mexico State Engineers Office
- San Juan County Fire Marshall
- National Flood Insurance Program (NFIP)

The process of land development depends on the project. It may be as easy as submitting a plan map to the Community Development Department for a land use permit, or a survey drawing for a lot split/boundary adjustment (Alternate Summary Plat), or a full set of drawings for a commercial site plan or a large subdivision with drawings prepared by a licensed engineer, architect and or registered surveyor. For review by the agencies mentioned above. Either way this manual will help you through the most common City of Aztec procedures for land development.



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## COMMUNITY DEVELOPMENT DEPARTMENT

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201 W. Chaco St.  
Aztec, NM 87410  
334-7605

[www.aztecnm.gov/communitydevelopment/department.html](http://www.aztecnm.gov/communitydevelopment/department.html)

The Community Development Department is located in City Hall and responsible for the day to day activities surrounding land use development such as:

- **Land Use Administration**  
Zoning Amendments, including zone changes, variances, conditional uses
- **Subdivision Review Process**  
Alternate Summary Plats, Minor Subdivision, Major Subdivisions
- **Long-Range Planning**  
Land Use Studies along new roadways, location of new public spaces, determination of future development patterns controlled by utilities
- **Commercial Development**  
Review of proposed development for conformance with city requirements
- **Flood Permits**  
Determination of areas in 100 year flood zone, assist with request for Letters of Map Revision
- **Addressing**  
New construction receives addresses in connection with an organized method and in connection with the 911 emergency call/location system

The City is divided into areas, or zoning districts that describe the allowable uses in those areas. The uses include such things as residential vs. commercial, the allowable height of buildings and the amount of land that can be occupied by structures; the relationship of buildings on site to adjacent parcels and the access road, and numerous other regulations. This is called 'zoning' and the location of zones and their uses are the result of a land use planning process that is open to the public. Land use planning concentrates on devising comprehensive policies which link development to the social, health and economic well being of the community. For a copy of the *Land Use Regulations* contact the Community Development Department or view the document at [www.aztecnm.gov/citycode/chapter26-landuse.pdf](http://www.aztecnm.gov/citycode/chapter26-landuse.pdf).

The role of the *Land Use Regulations* is to shape an orderly and compatible land use pattern and to promote healthy, manageable growth. The benefits of *Land Use Regulations* include minimizing incompatible adjacent land uses, economizing on the extension of public facilities, maintaining an attractive community, and encouraging

economic development. According to the “*Official Land Use Regulations*” of the City of Aztec the following are regulated:

- Height, number of stories, and size of buildings and other structures;
- Size of yards, courts and other open spaces;
- Percentage of lot that may be occupied;
- Density of population; and
- Location and use of buildings, structures and land for trade, industry, residence, or other purpose, and to encourage and facilitate the orderly growth and expansion of the City.

Responsibilities of the Community Development Department include:

- Processing of land use permit applications.
- Schedule plan reviews with various agencies.
- Applications for preliminary plat and final plat approval for subdivisions. There are several types of subdivisions.
- Applications for Variance to existing land use and subdivision regulations.
- Application for Change of Zoning District.
- Applications for Conditional and Special Use Permits.
- Applications for Oil and Gas Well sites.

### **What is the difference between a Building Permit and Planning Permit?**

A Building Permit is based on the International Building Code (2009) required by the State of New Mexico and deals directly with the design, construction, and maintenance of a building or structure. The San Juan County Building Department requires a copy of Aztec’s planning permit to be submitted with applications for review. This is done for two reasons: it ensures coordination between the City of Aztec and San Juan County in the proper order, and saves the applicant time in submitting for a project that may not be allowable and discovered late in the review process.

The Planning Permit deals with the allowable uses on a parcel, the relationship of proposed development to existing development, the location of structures to buildings, lot lines, fences and other physical developments quality of materials, use and occupancy. It also deals with flood control and signage requirements. These issues are set forth in the City of Aztecs Municipal Code, Chapters 9, 18, and 26.

You will need a Planning and Building Permit for the construction, alteration, moving, or demolition of buildings. It is also required if you want to expand your building, add a garage, carport, or other add-on options. You do not need a Planning Permit for, repairs to a building’s exterior, including re-roofing. Nor is a planning permit required for interior remodeling of buildings in Aztec. It is important to understand that our planning

and building permits set minimum standards and safeguard our community's safety, health, and property investments made by previous developments.

### **What are Impact Fees?**

Impact fees are used to pay for the additional uses on city infrastructure, such as parks and streets, brought about by the construction of a new home and the anticipated use of city parks by its occupants. This fee is separate from other fees, such as those charged for utility hook ups fees and building inspection. The fees are payable at the time a Planning Permit is issued. As of 2016, an impact fee of \$500 is charged for all new residential construction and is applied to the development or expansion of existing City Parks.

### **What if I wish to change the zoning of my property?**

Proposed land use amendments (zoning) should be discussed with the Community Development Department for familiarization with current City policies. Applications for amendments are available in the Community Development Department and shall be submitted along with the required fee and attachments. Attachments include a property legal description and an aerial photo. It is recommended that the applicant consult with the Community Development Department about the request prior to making application. Community Development can advise the applicant about the likelihood of the zone change result based upon surrounding land uses and zoning information as well as other projects that may already be in process. Community Development will review the request and make a recommendation to the City Commission. Adjacent neighbors will be notified of the request and a public notice will be published in the local newspaper. This process can take at least 30 days but should not be more than 60 days, depending on the timing of the City Commission meetings and when the application is received.

### **Planning Application Review**

A comprehensive review of your project is undertaken to understand your proposed project, its infrastructure needs as well as to assess any impacts that may arise as a result of the project. The Community Development Department will coordinate the review of your project, which provides the city with the opportunity to obtain any additional information regarding issues that may have otherwise gone unnoticed until further analysis of the project.

Examples include the need to acquire an access permit from the New Mexico Department of Transportation (NMDOT) or the capacity of water and sewer services to the site.



If the project is large or complicated or if it impacts various City ordinances, a pre-application meeting may be required. This process is free and can help answer or address many questions and concerns that otherwise might slow down the review and approval process. Although each project typically needs only to demonstrate that it complies with the City's ordinances, particular design considerations and concerns may need to be addressed due to any unique characteristics of the location or site. Each application is evaluated on its own unique set of circumstances and reviewed accordingly.

During the Planning Application Review meeting all of the city departments meet to discuss the project and highlight any concerns or additional information that may be required for an approval. Subsequently Community Development will notify the developer about the meeting's outcome and inform the applicant in writing about information requested during the Planning Application Meeting. Also, the committee or individual members may request to schedule a field visit of the project area. Such investigations often help gain a better understanding of any site constraints or development considerations. Requests for site visits will be coordinated through the Community Development Department.

## **Subdivision Development**

Any project that involves the subdividing of land in the City of Aztec must receive final approval from the City Commission, except for those subdivisions involving only two (2) parcels referred to as Alternate Summary Plats. If you are interested in subdividing property within the City limits of Aztec or within the designated Planning and Platting Jurisdiction (PPJ) of the City of Aztec, please contact the Community Development Department for a copy of the City of Aztec Subdivision Regulations or view the document on [www.aztecnm.gov/citycode/chapter23-subdivisions.pdf](http://www.aztecnm.gov/citycode/chapter23-subdivisions.pdf). The purpose of the regulation is to:

- Protect and provide for the orderly development of land.
- Assure every parcel has access to a public street.
- Ensure each proposal meets the minimum zoning standards.
- Guide the future growth and development of the City of Aztec in accordance to the Comprehensive Plan of Aztec and of the PPJ.
- Assure the adequacy of drainage facilities; to safeguard the water table and minimize flood hazards.

- Encourage the wise use and management of natural resources throughout the City for the benefit of all residents and visitors.
- Preserve the natural beauty of the City of Aztec and to ensure appropriate development with regard to those natural features.

## **Subdivision Review Process**

Subdividing land can be a very involved, detailed process and can take several months to years to complete. The review process and timeline depends on the type of subdivision, the number of lots, the proposed uses in the lot (some have a mix of uses that require zone changes), and the overall complexity of providing infrastructure to the proposed development., However the general steps to the process are outlined as follows:

- Conceptual Plan. Developer contacts Community Development Department for preliminary discussion and review- classification of subdivision.
- Staff and Developer Discussion. Developer meets with planner and agencies to review regulations and procedures, and review with department heads.
- Staff Review. Plat is reviewed for completeness. All required documents and materials must accompany the application in order for the formal review process to begin.
- Timeline. Applications for preliminary plat require at least five (5) weeks.
- Applicant Notification. A letter of completeness or incompleteness is sent to the applicant, consultant, and/or designee.
- Public Notices. The application is sent out for review to agencies and notice is sent to surrounding neighbors for input into the Staff Summary.
- Preliminary plat is placed on the City Commission's agenda when all information is submitted.
- Public Meeting. The City Commission meets to hear the application to approve, conditionally approve, or deny the preliminary plat. A continuance can be called if additional information is required.
- Final Plat Submittal. If approved, an application for final plat approval can be submitted for review by the Commission. The final plat request is placed on the next scheduled City Commission meeting. City Commission meets to approve or deny approval of final plat.
- Recordation of Plat. If approved, signing and recordation at San Juan County records is required and done by the Community Development Department.

**IMPORTANT:** Per the New Mexico State Code all plats are deemed final and subsequently are required to post a performance bond or proof of financial ability to complete the development within five years. This will be spelled out in a subdivision agreement that both the city and developer enter into prior to the start of construction. This agreement will express the timeline the developer has, along with other obligations. The maximum timeline allowable in a development agreement is five (5) years. THEREFORE; it is important for the developer to consider presenting larger subdivisions in phases. The “concept plan” can be the overall development, however the final plat should only represent the portion of development that a developer feels can be accomplished in the five year period of time. The city has ‘suspended’ subdivisions in the past that were deemed unable to meet the terms of the development agreement.

### **What if I wish to subdivide land that is outside the City limits?**

By State Statute, there is an area defined outside of the City limits known as Planning and Platting Jurisdiction (PPJ). This area is commonly referred to as the Extra-Territorial Zone (ETZ). The City of Aztec and San Juan County have concurrent jurisdiction of this area when land is being subdivided.

The State established the PPJ to allow municipalities to have some control over the growth and development of land beyond corporate limits. The additional review allows for increased land compatibility when such areas are brought into the City through annexation. As we know there are many variables to annexation and the specific prediction of areas around the City to be annexed is dependent upon many factors.

The City requires all subdivisions to meet City standards. Variances may be requested during the application process. Often times the variance requested has to do with requirements that are typical of city subdivision design elements such as sidewalks and roadway lighting. The farther away from the city, the more likely the City Staff and Commission will consider the variance. If the variance is for street paving, for example, then approval might be subject to the developer creating an escrow account for road maintenance to be paid into by all owners. This account is necessary for roads not accepted by the County and to ensure safety of the land owners.

## **How do I annex my property into the City of Aztec and establish a zoning district?**

You should contact the Community Development Department and arrange for a meeting to discuss the annexation process. In New Mexico there are three methods of annexation that should be considered prior to initiating a request for annexation to the city. The general criteria for annexing property into the city include:

1. Property must be adjacent to the City boundary;
2. A signed Annexation Petition including the legal description of the property and an accompanying map of property;
3. The Annexation Petition or legal request will be submitted to the City Commission for review and approval through an ordinance.
4. A licensed surveyor will be required to draw the official boundary change map at the applicant's expense.
5. After the intent to adopt the ordinance, a public meeting is held for final approval of the ordinance. If approved the plat will be filed with the County Clerk and the annexation will become final after a thirty (30) day appeal period.

The requested zoning district of an annexed property will be identified at the same time the annexation is scheduled for intent and final adoption. It too will be adopted through an ordinance process to amend the official City Zoning map.

## **What steps are needed to setup utility hookups for NEW commercial or residential structure?**

**Step 1:** Contact the Community Development Department for a Land Use permit. Information requested on the permit include the following:

- Land use district
- Electric load required
- Water tap size
- Sewer tap size
- Boundary survey
- Physical address or lot number.
- Site plan showing nearest street and intersection.
- Proposed location of sewer tap, electric and water meters.

**Step 2:** Consult with a general contractor, electrician, and/or plumber to determine the specific needs of your building.

- Step 3:** The Community Development Department will coordinate meetings with the appropriate utility departments (Electric, Public Works, Water, etc) to determine placement and cost of City utilities. Many times this will require scheduling a site visit between the developer and city utility director.
- Step 4:** On completion of the permit, visit the Utility Department to setup an account for water, sewer, and electric and pay any development or connect fees.
- Step 5:** Once the account has been created, necessary fees paid, and installed services have passed inspections, the Utility Department will generate the appropriate work orders to the necessary departments to provide utility services.

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## UTILITY DEPARTMENT

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201 W. Chaco St.  
Aztec, NM 87410  
334-7671, 334-7672, OR 334-7673  
[www.aztecnm.gov/utility/office.html](http://www.aztecnm.gov/utility/office.html)

The Utility Department is responsible for administering the City of Aztec's billing system. It also processes all requests for utility hookups to the municipal water system, sewer system and electric system.

### **What do I do if I want to connect to the City of Aztec utilities at an existing building or home?**



No permit is required from the Community Development Department. The applicant for utilities only needs to visit the Utility Department to establish an account and obtain utilities. A deposit may be required upon completing a Utility Service Application. The deposit requirement may be waived for residential customers if a letter of good credit is presented. Information regarding the deposit for a water service and for electric service is available from the Utility Department.

### **What if I am constructing a new building or dwelling and need to install new services?**

You will need to begin the process at the Community Development Department. It is here where an application/permit will be initiated to begin construction of a new building. The Community Development Department will coordinate with the other city utility departments which will include the Electric Department and Public Works. The general process is as follows:

1. Make application to the Community Development Department so that a Planning Application Review process can be initiated.
2. After the Planning Application has been reviewed, payment of all necessary fees must be made to the Utility Office before final approval of the permit is granted,
3. The Utility Department will enter a work order after installed services have passed proper inspections. Monthly fees will be billed upon meter installations. Meter installations are usually completed within 48 hours.

If there are issues with any of the utilities in terms of connection, further meeting, consultations, and possibly field visits will be required before the application can obtain final approval. The Community Development Department will coordinate such meetings.

**How much will utilities cost me?**

Utility costs can vary by size and use of each structure. It is best to check with the Utility Department (505-334-7670) to inquire about current fees. Also, available on the City’s website: [www.aztecnm.gov/utility/utility-fees.pdf](http://www.aztecnm.gov/utility/utility-fees.pdf) and in Chapter 16 (Fee Schedule) of the City Code. As of December 2015 the fee structures are as follows:

**WATER RIGHTS FEES**

<u>Size of Meter</u>	<u>With Wastewater Return</u>	<u>Without Wastewater Return</u>
5/8 inch	\$600	\$900
1 inch	\$1,500	\$2,250
1-1/2 inch	\$3,000	\$4,500
2 inch	\$4,800	\$7,200
3 inch	\$9,600	\$14,400
4 inch	\$15,000	\$22,500

**WATER METER & INSPECTION FEE**

Inspection Fee	\$300
5/8 inch meter	\$155
1 inch meter	\$250
1-1/2 inch meter	\$1,200
2 inch meter	\$1,400
Greater than 2 inch	Requires Consult with Public Works

**SEWER TAP FEES**

Inspection fee	\$300
4 inch tap	\$500
6 inch tap	\$700
8 inch tap	\$1000

The Public Works Department (505-334-7660) will be contacted before any water or sewer line extension is approved. The City of Aztec will install the water meter, however the customer is responsible for installing the lines for water and sewer service. This includes tapping into City's mains. The city requires that work on its water and sewer infrastructure be performed by a licensed plumber. Construction Standards are available upon request at the Public Works, Community Development, or Utility Office and also online at [www.aztecnm.gov/construction/standards.html](http://www.aztecnm.gov/construction/standards.html)

### **Where do I get natural gas services?**

New Mexico Gas Company (NMGC) provides natural gas services to the consumers in Aztec. NMGC handles all new requests, hook-ups, billing, and disconnections.

(505) 325-2881

[www.nmgco.com](http://www.nmgco.com)



### **Where do I get telephone services?**

Century Link provides the local telephone service to Aztec residents.

(877) 720-3428

[www.centurylink.com](http://www.centurylink.com)



CenturyLink

### **Where do I get cable television services?**

The local cable television service provider is Comcast.

(505) 327-6143

[www.comcast.com](http://www.comcast.com)



### **Where do I get solid waste services?**

Solid waste services are provided by Transit Waste (Waste Corporation of America – WCA) via contract with the City of Aztec. The City will bill you for the services rendered as part of your monthly utility bill. The Utility Department will make the appropriate requests for solid waste services for your residence and also reviews the costs via regular bidding procedures to make sure it obtains the best pricing for Aztec Residents. Any project needing a large roll-off container for trash removal MUST obtain service from Transit Waste as they have an exclusive contract to provide all trash services within the city limits of Aztec.

(505) 634-2510 (New Mexico)

(970) 884-8009 (Colorado)

[wcawaste.com/locations/transit-waste-hauling](http://wcawaste.com/locations/transit-waste-hauling)



## ELECTRIC DEPARTMENT

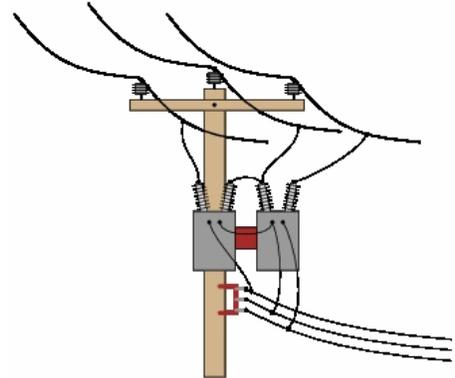
402 S. Light Plant Rd.  
Aztec, NM 87410  
334-7667

<http://www.aztecnm.gov/electric/department.html>

### **Who provides electricity and how do I get service?**

The City of Aztec is an electric utility provider and provides electric service within its municipal borders. There are other electric providers that cover various areas beyond Aztec. Requests for electrical hookups are made at the City of Aztec Utility Office existing structures and buildings. Electric service for new structures or buildings are reviewed as part of the Planning Application Review process. Applications are made on either Residential or Commercial Development applications.

If a line extension is necessary then an Electric Representative will want to meet with you on-site. This meeting will develop a cost estimate for the construction of a power line to your property. Once you have paid for any development fees and deposits, then the Utility Office will notify the Electric Department via a work order, after which the work for your site will be scheduled.



## PARKS AND RECREATION DEPARTMENT

303 S. Ash Ave.  
Aztec, NM 87410  
334-7664

[www.aztecnm.gov/parks/department.html](http://www.aztecnm.gov/parks/department.html)

The City of Aztec has eight public parks. To reserve a pavilion or use at a park, contact the Utility Department and submit a reservation form with a non-refundable fee. Applications are available online at:

[www.aztecnm.gov/utility/ReservePavilion.pdf](http://www.aztecnm.gov/utility/ReservePavilion.pdf)



Basic park rules:

1. Water and electricity are not provided.
2. Portable potties are not provided.
3. Alcohol is not permitted in any City of Aztec park unless an alcohol permit has been obtained. Security must be provided by the Aztec Police Department as a condition for approval for every alcohol permit.
4. Some of the parks have charcoal barbecue grills available for use.
5. For groups larger than one hundred (100), the City reserves the right to require security personnel at the user's cost.
6. It is recommended that you visit the park you are planning to use for your function and become familiar with the available amenities. This will help you be comfortable with the park you select and plan for any unmet needs.

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## PUBLIC WORKS DEPARTMENT

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610 Western Drive  
Aztec, NM 87410  
334 7660 OR 334-7661  
[www.aztecm.gov/publicworks/department.html](http://www.aztecm.gov/publicworks/department.html)

The Public Works Department is responsible for the operation and maintenance of the water and wastewater treatment facilities and their distribution systems. This includes all water and sewer lines, pumps, hydrants, manholes and the equipment associated with these services. Public Works also maintains roads, sidewalks, curbs and gutters, drainage of the public right of ways, and various other public improvements.



If you are developing a parcel of land and wish to know the proximity of water and sewer lines and what the requirements are for the development of roads, sidewalks and other public improvements please contact the Public Works Department.

### **Do I need a license to operate a business in Aztec?**

Any profession, trade or occupation that will conduct business in the City of Aztec must obtain a City Business License before conducting any business. Applications for new business permits can be obtained and submitted to the Utilities Department or online at [www.aztecnm.gov/business/center.html](http://www.aztecnm.gov/business/center.html). Business licenses are only valid for one (1) calendar year (January 1<sup>st</sup> to December 31<sup>st</sup>). There is a flat fee and the cost is not prorated. The Utility Office coordinates numerous needs for every business, including electric hook ups, water and sewer meters and taps as well as billing for those services as well. The Department of Utilities will also coordinate your business address with Community Development for land use approval, and any other approvals that might be necessary as a part of your specific business.

### **What is economic/business development and how does the community play a role?**

Cities in New Mexico are primarily funded by the collection of Gross Receipts Tax (GRT) or “Sales” Tax on goods and services. This funding mechanism drives cities to grow or expand commercial districts in hopes of returns in the form of greater taxes collected to provide the basic services needed. Increases in Gross Receipts Tax may not be “Economic Development” but the increased tax base provides more opportunities from within the community.

Economic Development may be defined as an increase in the rate of economic growth, measured in terms of changes in output or income per capita. The rate of saving that supports investment and capital formation can drive the growth process. Aztec as a “government/bedroom/retirement community” does not necessarily fit the classic output model.

The best services that the City of Aztec can provide with regard to Economic Development is to assist with site location and to walk potential businesses/investors through the review and permitting processes. Many communities do not have the time to provide specialized service to individual businesses. However Aztec’s team consists of numerous agencies that communicate through the Planning Application Review process to handle your project expeditiously and courteously.

### **Aztec’s Economic Restructuring and Renewal Plan**

You may pick up a copy of Aztec’s Economic Restructuring and Renewal Plan from the Community Development Department or download it from the city web site [www.aztecnm.gov/plans/EconomicStrategicPlan.pdf](http://www.aztecnm.gov/plans/EconomicStrategicPlan.pdf). The purpose of the plan is to provide “Qualifying Entities” an opportunity to have the City participate in the development of the business.

### **What resources are available to qualifying entities?**

1. The sale, lease or granting of government owned land or other property in return for pledges to provide new jobs and an increase in the tax base.
2. The City may undertake building and leasing to suit or selling or granting a facility in return for new jobs and an increase in the tax base.
3. Infrastructure development may be provided in return for pledges to provide new jobs and increase tax base.
4. The total amount of public money expended and the value of credit pledged in the fiscal year in which that money is expended by a local government for economic development projects pursuant to Article 9, Section 14 of the constitution of New Mexico and the Local Economic Development Act shall not exceed five (5%) percent of the general fund expenditures of the local government in that fiscal year. The value of any land or building contributed to any project pursuant to a project participation agreement shall not be subject to the limits of the subsection.

### **Who is “qualified” for economic development projects?**

As defined in the Local Economic Development Act, Section 5-10-3G NMSA 1978, as amended, “qualifying entity” means a corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or a combination of two or more of the following:

1. An industry for the manufacturing, processing or assembling of any agriculture or manufactured products;
2. A commercial enterprise for storing, warehousing, distributing or selling products of agriculture, mining, or industry, but, other than as provided in Paragraph (5) of this subsection, not including any enterprise for sale of goods or commodities at retail or for distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;
3. A business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than as provided in Paragraph (5) of this subsection, not including business primarily engaged in the sale of goods or commodities at retail;
4. An Indian tribe or pueblo or a federally chartered tribal corporation; or
5. A telecommunications related enterprise that makes the majority of its sales to persons outside New Mexico.

Application for economic development projects requesting economic assistance from the governing body which may receive priority include, but are not limited to:

1. Manufacturing firms (including intellectual property such as computer software);
2. Projects, which enhance the exporting capacity of companies and/or provide goods and services which currently have to be imported into the community;
3. Private companies seeking to build expand or relocate facilities;
4. Private companies, which provide facilities or services which enhance the ability of local businesses to operate;
5. Organizations which assist business start-ups or bring small companies together to increase their competitive abilities. This must involve a tangible project which will create jobs and promote an industry. Examples include, but are not limited to:
  - Business incubators;
  - Art incubators or coalitions;
  - Public markets for farmers, gardeners, crafts, etc.;
  - Organizations which foster economic development by promoting work force development efforts such as apprenticeships or other job training programs; and
  - Organizations which foster economic development;
6. Projects in industry clusters listed above are particularly encouraged, but others are eligible to apply as well.

“Economic Development Project” means the provision of direct or indirect assistance to a qualifying entity by a local or regional government, and includes the purchase, lease, grant, construction, reconstruction, improvement or other acquisition or conveyance of land, building or other infrastructure; public works improvements essential to the location or expansion of a qualifying business; and payments for professional services contracts necessary for local or regional governments to implement a plan or project.

## SAN JUAN COUNTY BUILDING DEPARTMENT

209 S. Oliver Dr.  
Aztec, NM 87410  
334-4315  
[www.sjcounty.net](http://www.sjcounty.net)



The City of Aztec entered into an agreement with San Juan County to provide building inspection services for the city. The relevant amount of building permits would not be cost effective for the city to fund a professional staff otherwise, and this saves Aztec and San Juan County tax payers money by not duplicating services that are already available. New Mexico law requires all new structures conform to the International Building Code and, as such, inspections of the work conducted per code must be reviewed by qualified inspectors. These services include:

- Review plans and specifications submitted to obtain building permits
- Conduct field/on-site inspections
- Inspect buildings for compliance with the International Building 2007 Code
- Issue Certificates of Occupancy

### **How much do Building Permits cost?**

You may request a fee structure form from the Building Official at 505-334-4315. The Building Permit fee is determined by the valuation of construction. Please contact the Building Department for current fees.

## NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

District Five Office  
P.O. Box 4127  
Santa Fe, NM 87502-4127  
(505) 995-7700 or 1-800-388-6630  
<http://dot.state.nm.us>



### What transportation infrastructure is available?

The City of Aztec has several State and Federal highways that pass through town. The State of New Mexico Department of Transportation reviews requests for new accesses on its highways and state routes. If approved, the NMDOT will issue an Access Permit. This process can be lengthy and take upwards of six (6) months, so it is imperative that developers of projects immediately apply for an access permit if warranted. The various State and Federal highways in Aztec are:

- US 550 (Main Avenue & NE Aztec Blvd) travels from Bernalillo through Aztec, north toward the Colorado State Line.
- NM 516 (W Aztec Blvd) heads west toward Farmington.
- NM 173 (Navajo Dam Rd) heads east toward Navajo Dam.
- NM 574 (N Light Plant Rd) heads north toward La Plata, Colorado.

If your property has frontage on a State Highway you will need to contact NMDOT regarding access and construction standards and other requirements concerning your development. The City of Aztec does not control access or dictate construction standards with NMDOT right-of-way.

It's important to remember the access issue relative to Aztecs highways because the majority of land zoned for commercial uses is located along these corridors. Before development occurs along these roads the New Mexico Department of Transportation is to be notified as to the proper procedures necessary for development. Issues that NMDOT needs to address include, but are not limited to the following:

- The placement and number of entrances and exits
- Drainage onto the highways
- Median alterations or improvements or landscaping
- Acceleration or deceleration lanes
- Traffic impact analysis
- Intersection improvements
- Proper signage and signalization
- Landscaping within the right-of-way

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## OTHER IMPORTANT CONTACTS

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**Aztec Fire Department**  
201 W. Chaco St.  
Aztec, NM 87410  
Fire Marshall, Kevin Simpson  
(505) 334-1180

**Housing Authority**  
7450 E. Main, Suite C  
Farmington, NM 87401  
(505) 327-5654

**San Juan County Building Inspection**  
209 S. Oliver Dr.  
Aztec, NM 87410  
(505) 334-4315  
[www.co.san-juan.nm.us](http://www.co.san-juan.nm.us)

**Aztec Post Office**  
601 S. Rio Grande  
Aztec, NM 87410  
(505) 334-6181  
<http://new.usps.com>

**Manufactured Housing Regulation and License Department**  
Rick Cochrane  
2550 Cerrillos  
Santa Fe, NM 87505  
(505) 330-7156

**San Juan County Rural Addressing**  
209 S. Oliver Dr.  
Aztec, NM 87410  
(505) 334-4314  
[www.co.san-juan.nm.us](http://www.co.san-juan.nm.us)

**Aztec Municipal Schools**  
1118 W. Aztec Blvd,  
Aztec, NM 87410  
(505) 334-9474  
[www.aztecschools.com](http://www.aztecschools.com)

**New Mexico State Land Office**  
3539 E 30<sup>th</sup> Suite 205  
Farmington, NM 87402  
(505) 326-5716  
[www.nmstatelands.org](http://www.nmstatelands.org)

**San Juan County Public Works / Roads**  
305 S. Oliver Dr.  
Aztec, NM 87410  
(505) 334-4520  
[www.co.san-juan.nm.us](http://www.co.san-juan.nm.us)

**Better Business Bureau**  
308 N. Locke Ave  
Farmington, NM 87401  
(505) 326-6501  
[www.betterbusinessbureau.com](http://www.betterbusinessbureau.com)

**New Mexico Gas Company**  
603 W. Elm  
Farmington, NM 87499  
(505) 950-1997  
[www.nmgco.com](http://www.nmgco.com)

**Comcast**  
1911 N. Butler  
Farmington, NM 87401  
(505) 327-6143  
[www.tci.com](http://www.tci.com)

**Bureau of Land Management**  
1235 La Plata Hwy  
Farmington, NM 87401  
(505) 599-8900  
[www.blm.gov](http://www.blm.gov)

**CenturyLink Telephone Service**  
809 South Drake  
Farmington, NM 87401  
(800) 225-5879  
[www.qwest.com](http://www.qwest.com)

**Transit Waste**  
203 Idaho St.  
Bloomfield, NM 87413  
(505) 634-2510  
[trwaste@cptnet.com](mailto:trwaste@cptnet.com)

**Environmental Department**  
3400 Messina Drive, Ste 5000  
Farmington, NM 87402  
(505) 566-9741 (Main Office)  
(505) 325-2458 (Underground Storage Tank)

**SJC Quality Center for Business**  
5101 College Blvd.  
Farmington, NM 87402  
(505) 566-3699  
[welch@sjc.cc.nm.us](mailto:welch@sjc.cc.nm.us)

**United States Department of Agriculture**  
1427 W. Aztec Blvd  
Aztec, NM 87410  
(505) 334-3090  
[www.usda.gov](http://www.usda.gov)

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## GLOSSARY OF TERMS

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### **What do all those Planning and Zoning Words Really Mean?**

The following is a list of terms used in a number of the City Code chapters regarding land use, subdivisions, utilities, etc.

#### **Addition**

A structure added to the original structure at some time after the completion of the original. An extension or increase in floor area or height of a building or structure.

#### **Abutting**

Adjacent to and touching.

#### **Access Permit**

A permit issued by the New Mexico State Highway and Transportation Department for the construction, maintenance, and use of a driveway or public street connecting to a highway.

#### **Accessory Living Quarters**

Is a dwelling unit permit on the same parcel of land with a conforming or non-conforming use, provided that such a unit is not used as a commercial or industrial unit, that no other residential dwelling unit is located on the same parcel. (See also C-1 Zone)

#### **Accessory Use or Structure**

A use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal or dominant use or structure.

#### **Acre**

A measure of land area containing 43,560 square feet.

#### **Adverse Possession**

The right of an occupant to acquire title to a property after having continuously and openly used and maintained a property over a statutory period of time without protest from the owner of record.

#### **Adoption**

The term adoption shall include the word "adoption", "amendment", "passage", and "effective date" of this zoning code or amendments thereto. All such terms whenever used shall be synonymous.

#### **Agriculture**

The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock,

including beef cattle, sheep, swine, horses, ponies, mules or goats or any hybrids thereof including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, nursery, floral, ornamental, and greenhouse products; or land devoted to a soil conservation or forestry management program.

**Airport**

Any tract or area which is now being used or is contemplated for use as a take-off or landing area for aircraft, and any support, contiguous or appurtenance areas used or intended for use of airport buildings, facilities, or right-of-ways. Approach zones for landing patterns are not included in the general description of an airport.

**Alley**

A public or private way which offers only a secondary access to abutting property.

**Alteration**

Alter or alteration shall mean any change of size, shape, character or use of a building or structure.

**Americans With Disabilities Act (ADA)**

A 1990 federal law designed to bring disabled Americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities, and services.

**Apartment**

A room or suite of room's intended, designed or used as a residence by a single family unit.

**Apartment House**

See "Multiple Family Dwelling".

**Apartment Hotel**

A building designed for, or containing apartments, individual guest rooms, suites, or rooms and apartments, and which may also furnish services ordinarily furnished by hotels, such as, but not limited to, drugs and notions, barber and beauty shops, curios, tobacco and news stands and the like, when such uses are contained solely within the structure and the primary entrances thereto are from the lobby or from within the building.

**Basement**

A story in a building having less than one-half of its total height below grade.

**Boarding or Lodging House**

A building containing not more than five (5) guest rooms providing lodging with or without meals for which compensation is received; said rooms to be in addition to a single dwelling unit.

**Buildable Area**

The portion of a lot remaining after required yards have been provided.

**Build**

To construct, assemble, erect, convert, enlarge, reconstruct or structurally alter a building or structure.

**Building**

Any structure, temporary or permanent, having a roof impervious to weather and used or intended for the purpose of shelter or enclosure of persons, animals, chattels or property of any kind. This definition shall include canvas or plastic covered frameworks or vehicles situated on the property serving in any way the functions of a building, but does not include slatted or screened enclosures not having a roof impervious to weather.

**Building, Accessory**

A building which is subordinate to the principle use of the main building on a lot and which is serving a purpose customarily incidental to the principle use, and which is located on the same lot or parcel of land as the main building.

**Building Lines**

Same shall be determined from the extreme support of the roof of the main structure or appurtenance thereto.

**Buffer Strip, Planted**

A strip of land along a property line reserved for screening purposes from adjoining properties or public rights of way and planted with trees and/or shrubs in a manner so as to provide year-round screening.

**Carport**

A structure having a roof impervious to weather, either self-supporting or sharing one or two common walls with the principal structure, having at least two more-or-less open sides and used or intended for the shelter or partial enclosure of automobiles.

**Cellar**

A story having more than one-half of its total height below grade.

**Centerline of Street**

The centerline of a street is the line surveyed and monumented by the City as such, or if not surveyed and monumented, it shall be a line running midway between the right-of-way lines of the street.

**Church**

A structure designed, used or intended for the purpose of conducting religious services including, but not limited to educational, social and other activities associated with the organization.

**City**

The City of Aztec, New Mexico.

**Clinic**

A clinic is an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by practicing healing services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, naturopaths, chiropodists, optometrists, dentists, or any like profession, the practice of which for healing is lawful in the State of New Mexico.

**Club, Private**

Private Club shall mean and include those associations and organizations of a fraternal or social character, not operated for profit, and shall exclude casinos, nightclubs, bottle clubs or other such institution operated as a business.

**Code**

"Code", "This Code" shall all mean the Aztec City Code.

**Commission**

The City Commission established by statute and ordinance.

**Community Residential Programs**

Means a facility licensed or supervised by appropriate state or local agencies and utilized as a temporary residence (one year duration) where services are offered to persons who by reason of mental or physical disability, addiction to drugs, alcohol, incarceration, or family/school problems require specialized attention and care to achieve personal independence. The maximum number of residents in a facility would be fifteen (15).

**Community Residential Programs for Substance Abusers**

A community residential program for persons who require such services by reason of the effects of alcohol or drug abuse.

**Community Residential Corrections Program**

A community residential program for persons currently in the custody of, or recently released by, correctional authorities which is designed to offer an alternative to imprisonment and/or to facilitate ex-offender reintegration into community life.

**Completely Enclosed Building**

A building separated on all sides from adjacent open space, or from other buildings or structures by a permanent roof and by exterior or party walls, pierced only by windows and normal entrance or exit doors.

**Conditional Use**

A use that would not be appropriate generally without conditions attached thereto, such as, but not limited to: number, duration, location, restrictive provisions, etc., which

conditions if met, would promote the improved utilization of land or structures, appearance, prosperity or general well being, such conditional use having not been anticipated, would not be specifically provided for in district regulations as would be in a "Special Exception", however such conditional use shall be minor in nature and shall not substantially violate the prohibitions listed under "variances".

### **Condominium or Cooperative Apartment**

A building designed for or containing apartments and/or rooms or suites for individual or cooperative ownership by individuals or corporations or both, and which may furnish services for joint use of tenants such as, but not limited to: laundry facilities, swimming pools, saunas, hot tubs, gyms, social rooms, kitchens, and the like for the exclusive use of the owners and their guests.

### **Construction, Actual**

Includes excavation or fill, placement of construction materials on the site in permanent position and fastened in a permanent manner; except that when demolition or removal of an existing structure has been accomplished and/or excavation or fill has begun it shall be deemed to be actual construction, provided that work is diligently carried on until completion, with no period exceeding 60 days when no work is done on site.

### **Contiguous**

A relationship to or adjacent to which is separated only by an alley.

### **Convenience Store**

A retail business establishment designed and intended to provide limited shopping facilities for foodstuffs, notions, household needs, snacks, gasoline and oil, and the like.

### **Coverage Of A Lot**

That percentage by area of a lot or lots covered or occupied by buildings, including accessory buildings, determined by projecting lines of exterior walls to the grade surfaces.

### **Detached Structure**

Any structure shall have no party wall or common wall with another structure. Bridges, tunnels, breezeways and other similar means of connecting one structure to another shall not, for the purposes of this chapter, be considered to constitute a path wall or common wall.

### **Dwelling**

Any building or portion thereof which is designed or used for residential purposes.

### **Dwelling Group**

Two (2) or more buildings which are utilized as dwellings located on the same lot. The individual dwellings may have a common division wall but such wall must be void of all openings.

**Dwelling, Single Family**

A building classified as a dwelling which contains one (1) living or family unit, and which contains one (1) or more rooms including a single kitchen and is designed primarily for living and sleeping purposes.

**Dwelling Unit**

One room or rooms connected together constituting separate, independent housekeeping facilities for residential occupancy, and physically separated from any other rooms or housekeeping facilities in the same structure, and containing independent cooking, bathroom and sleeping accommodations.

**Erected**

This word includes "built", "constructed", "re-constructed", "moved-upon" or any other operation on the premises applicable to actual construction as herein defined.

**Family or Family Unit**

One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, law or marriage, no such family shall contain over five (5) persons, excluding domestic servants employed on the premises.

**Farm**

A tract or area owned by one (1) person acting as a unit which is used for the growing of the usual farm products and their corresponding storage as well as the raising thereon of the usual farm poultry and animals, except swine. A farm does not include commercial feed lots, commercial dairies or other intensive livestock raising on tracts of less than forty (40) acres. The farm shall include the sale and distribution of farm products other than machinery and signs not exceeding forty (40) square feet are allowed for the advertising of such farm products. Only products which are grown or raised upon the property will be eligible for sale thereby making a division between a major commercial enterprise and private farming.

**Fence**

An open structure made of wire, stone, masonry, plastic or wood which encloses space.

**Fence, Solid or Wall**

A continuous non-transparent surface exclusive of openings for ingress and egress. Wire or chainlink fencing is not to be construed as satisfying this definition unless such fabric has slats.

**Filling Station**

Buildings and premises where gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, principally for automobiles, and where, in addition, minor repairs and minor adjustments may be performed. Uses permissible at a filling station, as herein defined, do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in working condition or other work involving undue noise, glare, fumes, smoke, or other

characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage nor a body shop.

**Floor Area**

The area in square feet for each story within the building or dwelling including all exterior walls. Interior patios or courts shall not be included.

**Garage Apartment**

An accessory or subordinate building, not a part of or attached to the main building, where a portion thereof contains living facilities for not more than one family and the enclosed space for at least one automobile is attached to such living quarters.

**Garage, Private**

An accessory structure designed or used for inside parking of self-propelled private passenger vehicles by the occupants of the main building. A private garage attached to or a part of the main structure is to be considered part of the principal use. An unattached private garage is to be considered as an accessory building. A carport is considered a private garage.

**Garage, Repair**

Buildings and premises which may be designed and intended for some or all of the purposes described under "filling station" but which, unlike a filling station, includes provisions for major mechanical repairs and/or body work, provided that such repairs and work shall be conducted wholly within an enclosed building and that all vehicles not in safe operating condition shall be stored in areas completely concealed from view from any public way or from adjacent properties.

**Grade**

The average of the finished ground elevation at the center of all walls of a building or dwelling.

**Guest**

Any person or individual that rents or occupies a room for sleeping purposes.

**Guest House or Cottage**

A dwelling unit in a building separate from and in addition to the main residential structure on a lot, intended for intermittent or transient occupancy by gratuitous guests and not for rental, lease or otherwise used for profit.

**Height of Building**

The vertical distance from grade of the front elevation of the building to the highest point of the coping if a flat roof, or to the deck line of a mansard roof, or the average height between the plate and ridge of a gabled, hip, or gambrel roof.

**Home Occupation**

An occupation or profession customarily carried on by an occupant of a dwelling unit as a secondary use, which use is clearly incidental to the use of the dwelling unit for residential purposes.

**Hotel**

A building containing at least six (6) rooms designate for use as sleeping purposes and which have no provisions for cooking or kitchen privileges within the individual rooms.

**Institutional or Institutional Use**

Generally a building or structure used or occupied by a governmental unit or non-profit corporation and engaged in governmental or humanitarian uses.

**Kennel**

A premises where dogs and other domestic small animal pets are kept, sheltered, bred, raised and/or boarded for hire, profit or charge, or any premises where a greater number than five (5) of dogs, cats or both of an age greater than eight (8) weeks of age are kept, owned or maintained.

**Kitchen**

A room within a dwelling or building used or intended for use in cooking and the preparation of food.

**Laundromat, Laundry, Coin Operated**

A business which provides home-type washing, drying or dry-cleaning or ironing machines for hire to be used by customers on the premises.

**Living Area, Residential**

A space within the confines of the four walls of a structure which is completely enclosed by masonry, wood or glass and is habitable the year round. Garages and carports attached or detached are excluded.

**Loading Space, Off Street**

Space logically and conveniently located for bulk pick-ups and deliveries, scaled to deliver vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces, if any, are filled. Any required off-street parking space computations shall not include required off-street loading space.

**Lodging House**

A building or part thereof, other than a hotel or motel, where sleeping accommodations for three but not more than twenty persons is provided for hire more or less transiently without provisions for cooking by guests but which may or may not provide meals for guests and which may also serve as the residence for the owner or operator.

**Lot**

For the purposes of this zoning ordinance, a lot is a parcel of land with frontage on an improved public street approved private street and may consist of: (a) a single lot of record; part of a subdivision, the plat of which has been recorded in the office of the San Juan County Recorder, or a parcel of land, the deed of which was recorded on or before the effective date of this ordinance in the Office of the San Juan County Recorder; (b) a portion of a lot of record; (c) a combination of complete lots of record, or complete lots of record and portions of lots of record, or of combinations of portions of lots of record; (d) a parcel of land described by metes and bounds, provided that in no case of division or combination shall any residual lot or parcel be created that does not meet the requirements of this Zoning Ordinance or other applicable law.

**Lot, Corner**

A lot abutting upon two or more streets at their intersection.

**Lot, Double Frontage**

A lot having frontage on two non-intersecting streets as distinguished from a corner lot.

**Lot Frontage**

The front of a lot shall be considered to be that portion nearest to the street. For the purpose of determining yard requirements on corner lots and double frontage lots, all sides of a lot adjacent to streets shall be considered frontage and yards shall be provided as herein required.

**Lot Of Record**

A lot which existed through platting or metes and bounds description and was filed in the Office of the County Clerk or Recorder and is reflected on the records of the County Assessor prior to the date of adoption of this Ordinance.

**Lots, Measurement (A) Depth**

The depth of a lot shall be considered to be the distance between midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear. (B) Width - The width of a lot shall be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that the width between side lot lines at their-furthest points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width except in the case of lots fronting upon the turning circle of a cul-de-sac, where the eighty (80) percent requirement shall not apply.

**Manufactured Home**

A manufactured home or modular home is a single-family dwelling with a heated area of at least thirty-six (36) feet by twenty-four (24) feet and at least eight hundred sixty-four (864) square feet, constructed in a factory to the standards of the United States department of housing and urban development, the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et. seq.) and the Housing and Urban Development Zone Code II or the Uniform Building Code, as

amended to the date of the units construction, and installed consistent with the Manufactured Housing Act (Chapter 60, Article 14 NMSA 1978 and with the regulations made pursuant thereto relating to ground level installation and ground anchors.

### **Mining**

That land use and activity, including the land, necessary or incidental to the digging, excavating or otherwise procuring minerals, aggregates, and ores found in their natural state, but does not include the operating of a rock crusher or rock screen as commonly used in small sand and gravel operations.

### **Mobile Home**

A movable or portable housing structure larger than forty (40) feet in body length, eight (8) feet in width or eleven (11) feet in overall height, designed for and occupied by no more than one family for living and sleeping, purposes but does not include structures built to the standards of any municipal building code or other technical codes.

### **Mobile Home Park (Trailer Park)**

Premises under single ownership where two or more mobile homes or house trailers are parked for living or sleeping purposes or where spaces or lots are set aside or offered for rent for use by mobile homes for said purposes, including any land, building structure, facility used by, or activity engaged in by occupants of mobile homes on said premises.

### **Mobile Home Subdivision**

A subdivision designed and intended for residential use, where residence is exclusively in Mobile Homes or Trailer Houses, and lots are sold for the placing of Mobile Homes.

### **Motel**

A building or group of buildings containing sleeping accommodations or efficiency units in conjunction with which there may be tourist convenience facilities such as, but not limited to, restaurant, swimming pool or other recreational facilities primarily designed and intended for the use of guests.

### **Multiple Family Dwelling**

A residential building designed for or occupied by two or more family units with the number of families in residence not exceeding the number of dwelling units provided; with separate housekeeping, sleeping, bathroom, and kitchen facilities for each family.

### **Nonconforming Lots, Uses of Land, Uses of Structures and Premises and Characteristics of Uses**

Any building or land lawfully existing or occupied by a use at the time of adoption of this Zoning Ordinance or amendment thereto, which does not conform after adoption of this Zoning Ordinance or amendment thereto with the regulations of the district in which it is located.

**Nursery School**

A building or dwelling in which three (3) or more children are kept who are not members of a family and where supplemental parental care is provided and includes such functions as kindergarten, day nurseries and day care home for children.

**Nursing Home**

A home for the aged, chronically ill, or incurable persons in which three or more persons, not of the immediate family are received, kept or provided for with food and shelter or care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

**Occupied**

The word "occupied" includes arranged, designed, built, altered, converted to, rented, leased, or intended to be used or occupied.

**Parcel of Land**

A contiguous area or quantity of adjacent land that is owned by the claimant of property owner.

**Parking**

The word "parking" shall mean the temporary, transient storage of private motor vehicles used for personal transportation while their operators are engaged in other activities. Parking shall not include the storage of new or used cars for sale, service, repairs, salvage or any other purpose than that above specified.

**Parking Lot**

A tract or area on a lot or plot which contains four (4) or more off-street parking spaces and which is surfaced with stabilized 3/4 inch gravel or paved with asphaltic concrete at least 1-1/2 inches thick and is graded to drain.

**Parking, Off-Street**

For the purpose of this Zoning Ordinance, off-street parking space shall consist of a space adequate for parking a standard sized automobile with room for opening doors on both sides, maneuvering room together with properly related access to a public street or alley.

**Person**

An individual, partnership, joining venture, club, association, organization, corporation, trust, or syndicate or any other group or combination of persons which act as a single unit.

**Planned Unit Development**

A tract of land which is developed as a unit under single ownership or control, which includes at least three (3) acres in area for commercial, residential, and public land uses

or ten (10) acres for manufacturing and agriculture uses. Standards for planned unit developments are set forth elsewhere in this ordinance.

**Plan Map**

A drawing that indicates the location of any buildings, accessory buildings, roadways and accessways, sidewalks, easements and the city's right's of way. This does not need to be prepared by an architect or engineer provided that the drawing meets the aforementioned requirements, including dimensions of all spaces and buildings (i.e. distance between the side yard and a house). Plan Maps are typically provided for smaller projects, such as the construction of a garage or deck on a residential lot. A plan map differs from a 'Site Plan' in that the latter is prepared by a licensed professional who certifies that the information is accurate.

**Plat**

A plat is a drawing prepared by a licensed engineer or surveyor and is intended to describe the boundary/boundaries of a parcel or parcels in connection with the subdivision of land and creation of new parcels. A plat is a requirement for any subdivision and will contain any recitations, restrictions, and legal description per standard surveying techniques. A commercial plat may be required in certain instances where commercial development involves combining lots, dedicating easements, or any mixed use development that could have multiple zoning classifications on separate parcels as in a Planned Unit Development.

**Porch**

A roofed-over space, with the roof impervious to weather, attached to the outside of the exterior wall of a building, which has no enclosure other than that above mentioned exterior wall or walls of the building to which it is attached. Open mesh screening shall not be considered an enclosure.

**Poultry**

Any chickens, turkeys, ducks, geese, guineas or other fowl excepting such recognized pet species as canaries, finches, parakeets, parrots, mynah birds, etc.

**Premises**

Includes the land, plot, lot or tract together with any building structures or dwellings thereon.

**Remodeling, Redecorating or Restoring**

Any change, removal, replacement or addition to existing walls, floors, ceilings and roof surfaces or coverings.

**Restaurant**

A restaurant is an establishment designed and used primarily for the purpose of serving meals to seated patrons. In a restaurant, as herein defined, alcoholic beverages, if otherwise lawful, may be served, but the service of same is clearly subordinate to the primary function of food preparation and service. Similarly, food may be sold for

consumption off the premises, but this service is also secondary and clearly subordinate to the above stated primary function of preparing the serving food to seated patrons.

### **Restaurant, Drive-In or Fast Food**

Such an establishment is designed and used primarily for the purpose of preparing and dispensing meals and food items to patrons for consumption off the premises or in automobiles on the premises. A drive-in or fast-food restaurant may also have a dining room or patio in which seated patrons are served, but where self-service is more common. The test to be applied in definition is that of secondary and clearly subordinate use or design for use.

### **Setback**

The shortest distance between a structure and the present or future street line or property line.

### **Shopping Center or Mall**

A group of retail stores and/or service establishments planned and developed as a unit for sale or lease, for the site upon which they are built.

### **Site Plan**

A site plan is a drawing of the property submitted with a residential or commercial development application and is prepared by a registered professional architect or engineer. Site Plans are typically required for large projects that involve excavation, new access cuts onto roadways or thoroughfares, easements and utility connections. A Site Plan differs from a Plan Map in that the latter is typically drawn by the applicant for a smaller project and is not created by a licensed professional.

### **Sign**

A single display surface or display device containing elements organized, related and composed to form a unit. Any device designed to inform or attract attention of persons not on the premises on which the device is located.

### **Special Use**

A special land use allowed in any zone, with special approval of the City Commission, when found to be in the interest of the public health, safety, morals and general well being of the City of Aztec.

### **Story**

The part of a building or structure from one floor to the next floor above or to the ceiling above if there is no second floor.

### **Street**

The public right-of-way which has been dedicated or secured for the public use and which affords the principle means of access to the adjoining lots or plots, but does not include an alley. The centerline of the street is a line halfway between the street right-of-way lines.

**Structure**

Anything constructed or erected which requires space on the lot or plot but does not include a trailer, mobile home, vehicle or tent.

**Structural Alteration**

Any change in the supporting frame or members of a building or structure, including such items as bearing wall, beams, columns, and trusses.

**Tract**

A parcel of land or a group of contiguous parcels of land having one owner.

**Trailer, Camping Or Travel (Includes Motor Home)**

A vehicle other than a mobile home used or so constructed as to permit being used as a conveyance upon the public streets or highways and duly licensed as such and constructed in such a manner as will permit occupancy thereof for human habitation, dwelling or sleeping places for one or more persons, not exceeding 35 feet in length. Such vehicle may be used for dwelling purposes for a maximum of fourteen (14) days in any calendar year on any given lot. The recreational vehicle may not be permanently connected to sewer lines, water lines, or electrical lines.

**Truck Stop**

A terminal advertised or used primarily for the refueling, washing, repairing, and servicing of trucks in excess of on ton rated capacity; said facility may include accommodations for eating and sleeping and other incidental facilities useful to truck drivers.

**Use**

The purpose under this ordinance for which land or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

**Variance**

A departure from the strict application of area, height or setback requirement of this Ordinance which is the result of the physical characteristics of the lot.

**Vision Clearance**

A triangular space at the intersection of a street with another street, drive or other path of vehicular access and within which no object wider than 12 inches shall project to a height greater than 30 inches including structures, vehicles, vegetation, or any other obstruction to clear eyesight. The area of vision clearance shall be determined by measuring along adjacent right-of-way lines a distance of twenty-five feet said points with a line thereby forming a triangle (excluding radii at block corners) with the two subject right-of-way lines.

**Yard, Front**

An open area extending across the full front of the lot and having a depth equal to the shortest distance between the front of the lot and nearest wall of the main building and is unoccupied and unobstructed by any structure, dwelling or building except a 3-foot wall.

**Yard, Side**

A Side Yard is the area of land that runs along the 'side' of a primary structure, such as a single family residential home. The side yard exists between the front facade and the rear facade, the linear planes created by land intersecting with both.

**Yard, Rear**

An open area extending across the full width of the rear of the lot and having a depth equal to the shortest distance between the rear lot line and the closest part of the building, structure, or dwelling.

**Zone**

A zoning district of designated land use regulations explained specifically within this ordinance.

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**REFERENCES**

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Lindbloom C. G. and Moskowitz H. S. 1993. *The New Illustrated Book of Development Definitions* by Rutgers, the State University of New Jersey

Dewberry and Davis. 1996. *Land Development Handbook – Planning, Engineering, and Surveying*. McGraw-Hill