

A Guide to Building
in
RATON, NEW MEXICO

City of Raton
Department of Planning and Zoning

A Guide to Building in Raton, New Mexico
Department of Planning and Zoning

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Department of Planning and Zoning

Contact List

Office of the City Manager

Pete Mileta, Jr., City Manager

24 Savage Avenue

P.O. Box 910

Raton, NM 87740

505.445.9551

fax: 505.445.3398

email: pmileta@cityofraton.com

Office of the City Clerk/Treasurer

Michael Anne Lannon, City Clerk/Treasurer

224 Savage Avenue

P.O. Box 910

Raton, NM 87740

505.445.9451

fax: 505.445.3398

email: mlannon@cityofraton.com

Department of Planning and Zoning

Jennifer Sparaco, CZO, CFM, Planning Director

224 Savage Avenue

P.O. Box 910

Raton, NM 87740

505.445.9181

fax: 505.445.3398

email: jsparaco@cityofraton.com

Raton Water Works (RWW)

Dan Campbell, General Manager

224 Savage Avenue

P.O. Box 99

Raton, NM 87740

505.445.3861

fax: 505.445.1089

email: rww@bacavalley.com

Raton Public Service (RPS)

Glenn Fisher, General Manager
344 North 2nd Street
P.O. Box 40
Raton, NM 87740
505.445.9861
fax: 505.445.8425
email: glenn.fisher@netscape.com

Raton Natural Gas

1360 South 2nd Street
P.O. Box 308
Raton, NM 87740
505.445.3613
fax: 505.445.7695

Zia Natural Gas Co.

316 Maxwell Avenue
Maxwell, NM 87728
505.375.2277
fax: 505.375.2753

Raton Fire Chief

Chief Dave Pasquale
127 Clark Avenue
P.O. Box 910
Raton, NM 87740
505.445.2700
fax: 505.445.2709
email: ratonchief@qwest.net

Colfax County Planning Department

Colfax County Manager's Office
County Building
Raton, NM 87740
505.445.9661
fax: 505.445.2902

Raton Municipal Addressing

Jennifer Sparaco, Planning Director
224 Savage Avenue
P.O. Box 910
Raton, NM 87740
505.445.9181
fax: 505.445.3398
email: jsparaco@cityofraton.com

Colfax County E-911/Rural Addressing

Manual Vallejos

116 South 3rd Street

Raton, NM 87740

505.445.7050

fax: 505.445.4750

email: colfax_e911@qwest.com

Construction Industries Division (CID)

Regulation and Licensing Department

Frank Ladd, Chief Building Inspector

2550 Cerrillos Road

P.O. Box 25101

Santa Fe, NM 87504

505.476.4700

fax: 505.476.4619

website: www.rld.state.nm.us/cid

Manufactured Housing Division

2550 Cerrillos Road

Santa Fe, NM 87505

505.476.4700 ext. 6

505.476.4770

fax: 505.476.4702

website: www.rld.state.nm.us/mhd

Local General Construction Inspector

Edward öTinyö Sanchez

Construction Industries Division

HC 63, Box 701

Raton, NM 87740

505.445.9052

website: edward.sanchez@state.nm.us

State Electrical Inspector

Paul Behrendsen

Construction Industries Division

549 East 7th Street

Cimarron, NM 87714

505.376.2490

website: paul.behrendsen@state.nm.us

State Mechanical Inspector

Michael Cole

Construction Industries Division

HC 34, Box 2G

Sapello, NM 87745

505.387.5040

website: michael.cole@state.nm.us

New Mexico Department of Transportation

Traffic Safety Bureau

P.O. Box 1149

Santa Fe, NM 87504-1149

505.827.0427

Environment Department

1243 South 2nd Street

Raton, NM 87740

505.445.3621

website: florence.higgins@nmenv.state.nm.us

Raton City Commission

224 Savage Avenue

Commission Room

Raton, NM 87740

Meets 2nd and 4th Tuesday of each month

Raton Planning and Zoning Commission

224 Savage Avenue

Commission Room

Raton, NM 87740

Meets 2nd Thursday of each month, as scheduled

Raton Extraterritorial (ETZ) Planning and Zoning Commission

224 Savage Avenue

Commission Room

Raton, NM 87740

Meets 4th Thursday of each month, as scheduled

Raton City Ordinances

Online: www.amlegal.com

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Planning and Zoning Department

Permitting Procedures

The City of Raton Department of Planning and Zoning recommends the following procedures when starting the design/construction/purchasing process.

1. Any person interested in building, renovating or making improvements within the municipal boundaries of Raton or the Extraterritorial Zone (three miles outside the city limits) should contact all applicable utility companies to determine availability and/or location of utilities.
2. Before beginning the design/construction/purchasing process interested parties should verify property lines, setbacks, lot coverage maximums, zoning district, flood plain designation and permitted uses for the property by contacting the Planning and Zoning Department.
3. Upon completion of the design process and prior to the construction process, a zoning permit shall be obtained for the project.
4. Applicant shall apply for an E-911 physical address (when necessary) with either the Raton Municipal Addressing Department (inside municipal boundaries) or Colfax County E-911/Rural Addressing Department (Extraterritorial Zone/Colfax County).
5. After obtaining a zoning permit, the Applicant will receive a building permit application signed by the Planning and Zoning Department indicating zoning approval. This application shall be completed and submitted to Construction Industries Division (CID) with all necessary drawings, fees and other required information.
6. All commercial structures and uses, within the municipal boundaries, will require review/approval from the City of Raton Fire and Emergency Services.
7. Prior to installation of water/sewer meters at served property, Applicant will be required to complete an application for tap, connect order, tap checklist and to submit all appropriate fees. In addition for all unserved property Applicant will be required to complete an extension contract, if water/wastewater utility service is possible.
8. Once the project has been approved by both the Raton Department of Planning and Zoning and State of New Mexico Construction Industries Division (CID), construction may begin.
9. As determined by CID and State Licensing, inspections may be required.

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Department of Planning and Zoning

Frequently Asked Questions

Where and when are zoning permits required?

- A City of Raton zoning permit is required for any person within the municipal boundaries or the Extraterritorial Zone (a zone incorporating, approximately, a three [3] mile radius from Raton municipal boundaries) wishing to build or construct. A zoning permit is required for ANY type of construction within these territories including, all residential construction, such as dwellings, residences, mobile homes, modular homes, decks, garages, additions, carports, playhouses, alterations, accessory buildings, portable buildings, Morgan buildings, barns, sheds and any and all other type of construction or placement of any type of structure. Zoning permits are required for ALL commercial construction including new structures, additions, alterations, relocations, storage units, portable buildings, accessory buildings, roof work and ANY and ALL other type of construction, alteration or placement of any type of structure.

What is required to apply for a zoning permit?

- In order to secure a zoning permit an Applicant must provide a diagram delineating lot dimensions, setback dimensions, square footage and location of all proposed new construction, square footage and location of all existing structures and the location of any structures to be demolished. In addition, a zoning permit application must be completed and submitted with the appropriate drawings and a \$35.00 non-refundable fee. Applications shall be accompanied by such drawings of the proposed work, including floodplains, sections, elevations, parking plans and structural details as required by the Planning Director.

How long will it take to obtain a zoning permit?

- The Department of Planning and Zoning reviews and issues zoning permits **ONLY** on Mondays and Thursdays of each week. If either of the days is a holiday, permits will be issued on the next regular business day. If the Planning Director is out of the office on either of the days, permits will be issued on the next regular business day the Director is in the office. The Department of Planning and Zoning handles requests on a first come, first serve basis. In most cases if all diagrams, drawings, applications and fees are completed and submitted properly and all zoning requirements are met, a zoning permit will be issued on the same day. If paperwork and fees are submitted after 4:00 pm on Monday or Thursday, the review or issuance of a permit will be the next regular permit issuance day.

How long is a zoning permit valid?

- If work described in any zoning permit has not begun within 2 years from the date of issuance, the permit shall expire. If substantial completion of work described in any zoning permit has not been attained within 3 years from the date of issuance, the permit shall expire. If the zoning permit for any project expires or becomes invalid a new zoning permit shall be sought.

What is a setback?

- A setback is the distance from the property line of a lot or parcel of land to a structure. Setbacks are ALWAYS measured from the property lines. Fence lines, retaining walls, sidewalks, curb and gutter, street edges, ditches or a neighbor's shed DO NOT constitute property lines. It is the responsibility of the Applicant to verify property lines for applicable lots and parcels of land.

How do I determine my setbacks and minimum zoning requirements?

- Setbacks and minimum zoning requirements are determined in accordance with a lot or parcel's Zoning District. Zoning Districts can be determined by verifying location on the City of Raton's Official Zoning Map (located at City Hall). Once a property owner has determined the zoning district of a particular piece of property minimum requirements can be determined by reviewing the Table Summarizing City Zoning Ordinances (attached to this document). For help determining zoning district designation please contact the Raton Planning and Zoning Department on Mondays or Thursdays.

What if I cannot meet the minimum setback or zoning requirements for my lot or parcel of land?

- If an Applicant cannot meet the minimum setback or zoning requirements for a particular project the Applicant may apply for a Variance. A Variance Request is an official request for a variation from required minimum zoning standards. An Applicant must complete a Variance Request Application, submit any necessary photographs or drawings as determined by the Department of Planning and Zoning and a \$150.00 non-refundable fee. The Variance process takes a minimum of two Planning and Zoning Commission Meetings.

Where and when are building permits required?

- State Building Permits are required for ANY and ALL commercial work, including new construction, additions, remodeling, roofing, relocation or demolition of an existing structure. State Building Permits shall be required for residential construction except as specified in Section 105 of the New Mexico Building Code. Any questions pertaining to State Building Permits or Codes should be directed to Construction Industries Division (CID).

What is required to apply for a building permit?

- When applying for a building permit from the State of New Mexico Construction Industries Division (CID) an applicant must first obtain approval from the City of Raton Department of Planning and Zoning. Additional requirements for obtaining a building permit can be found on the CID Building Permit Guide for Commercial Construction or the CID Building Permit Guide for Residential Construction, attached to this document. All other questions should be directed to CID.

How long is a building permit valid?

- Questions pertaining to state issued building permits should be directed to Construction Industries Division (CID) or the State Building Inspector.

Where and when is a sign permit required?

- A sign permit will be required for any person or business wishing to construct, erect or modify a sign within the municipal boundaries. Sign permits will be issued on Mondays and Thursdays of each week in accordance with the issuance of zoning permits (see above question). A sign permit shall be obtained for any sign or sign structure prior to placement or erection of the sign. No sign shall be allowed within the public right-of-way except as noted in Raton City Ordinances, Section 156.135. In addition, any person or business wishing to erect a sign within the public right-of-way on a state route, highway or interstate shall be required to obtain permission from the New Mexico Department of Transportation. Applicants should contact the State of New Mexico (CID) as signs may require a building permit.

What is required to apply for a sign permit?

- In order to secure a sign permit an Applicant must provide detailed drawings specifying dimensions, design, height and type of construction. A site plan will be required, specifying the exact location of the sign, size of the lot and the setbacks from the proposed new sign and structure to the property lines. At the discretion of the Department of Planning and Zoning, Applicants may be required to submit drawings and/or diagrams approved, stamped and signed by a licensed New Mexico engineer or architect. In addition, a sign permit application must be completed and submitted with the appropriate drawings and a \$15.00 non-refundable fee.

What is required to place a mobile home?

- Any person wishing to place a mobile home upon a lot within the municipal boundaries of Raton or the Extraterritorial Zone must obtain a zoning permit. To obtain a zoning permit, applicants must submit proof of Manufactured Home Tax Status Certification and Mobile Home Movement Certification available from the Colfax County Treasurer's Office and the Colfax County Assessor's Office. **Please note that single wide mobile homes will only be permitted in zoning districts designated as Mobile Home Subdivisions (MHS) or Mobile Home Parks (MHP).** In addition, Applicants must comply with regulations and requirements of the New Mexico State Manufactured Housing Division and complete a Manufactured Housing Permit Application.

What is required to construct/erect a carport?

- Any person wanting to construct/erect a carport upon a lot within the municipal boundaries of Raton or a parcel of land within the Extraterritorial Zone must obtain a zoning permit. In addition, Applicants must comply with regulations and requirements of the New Mexico State Construction Industries Division. Pursuant to CID requirements a prefabricated building such as a metal carport is required to be placed on a permanent foundation. Drawings of the carport must be submitted to CID along with a Building Permit Application and a foundation plan stamped by a New Mexico licensed architect or engineer.

What other permit and agency reviews are required?

- A Floodplain Determination Application must be completed for every zoning permit issued. If the new structure is determined to be constructed within a floodplain a Floodplain Development Permit shall be required (see information below regarding Floodplain Development Permits).
- All commercial construction within the municipal boundaries requires review and approval by the Raton Fire and Emergency Services for compliance with applicable City and State Fire Codes. All questions and concerns should be addressed to the Raton Fire Chief.

What if I am located in a flood zone?

- Every zoning permit that is issued will be reviewed for floodplain determination and a Floodplain Determination Application will be issued. If the property is within a flood zone the Applicant will be notified. The City of Raton's Certified Floodplain Manager will require Applicant to complete a Floodplain Development Permit and shall determine if an Elevation Certification will be required based upon building location, flood zone and other considerations. Elevation Certificate Applications can be obtained from the Department of Planning and Zoning.

What is the difference between a land division and a subdivision?

- Please refer to the Raton City Ordinance for description of land divisions and subdivision. Generally, a land division is defined as a division of one tract of land into no more than two (2) parts, in a single calendar year. Subdivisions are defined as the creation of three (3) or more parts. However, Applicants shall review the City of Raton Subdivision Ordinances to be sure they comply with any and all other requirements for both land divisions and subdivisions.

What is required for the approval of a subdivision?

- A copy of the City of Raton Subdivision Ordinances can be obtained online at www.amlegal.com or from the Department of Planning and Zoning. Applicants should review ordinances and direct all questions to the City of Raton Planning Director.

What is required to divide a parcel of land?

- An Applicant will be required to schedule a preliminary meeting with the City of Raton Planning Director for initial review of land division request. No lot or parcel of land shall be divided in such a manner that either of the newly created lots does not meet minimum lot area requirements and all other zoning requirements. In addition, every lot or parcel of land created must abut a publicly dedicated road by at least 60 feet. An Applicant must submit a sketch plan to the Planning Department for initial review. The City of Raton Subdivision Ordinances list any and all requirements for a land division.

What is required for a boundary line/lot line adjustment?

- An Applicant requesting a boundary line adjustment is strongly advised to schedule a preliminary meeting with the City of Raton Planning Director to review boundary line adjustment request. Applicants should review the City of Raton Subdivision Ordinances to verify all requirements for a lot line adjustment.

What codes are applicable to the City of Raton?

- The New Mexico Building Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004.
- The 2003 International Building Code as adopted by the Construction Industries Division of the State of New Mexico, including Appendix Chapters B, C, E, H, I, and J, with an effective date of July 1, 2004;
- The 2003 International Residential Code as adopted by the Construction Industries Division of the State of New Mexico, including Appendix Chapters H, K with an effective date of July 1, 2004;
- The 2003 New Mexico Earthen Building Materials Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 New Mexico Existing Building Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 New Mexico Non-Load Bearing Straw Construction Building Standards as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 International Code Council Performance Code for Building and Facilities, including Appendix Chapters: A, B, C, D, and E, as published by the International Code Council;
- The 1997 Uniform Code for the Abatement of Dangerous Buildings as published (previously) by the International Conference of Building Officials;
- The 2003 New Mexico Uniform Mechanical Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 New Mexico Uniform Plumbing Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 New Mexico Uniform Swimming Pool, Spa and Hot Tub Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 New Mexico Solar Energy Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2003 New Mexico Energy Conservation Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- The 2002 New Mexico Electrical Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;

- The 2002 New Mexico Electrical Safety Code as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2004;
- Errata sheets to the adopted portions of the Codes promulgated by the International Code Council, International Association of Plumbing and Mechanical Officials and National Electrical Code;
- The Codes in divisions (1) through (16) of this section shall be known as the Uniform Construction Codes of the city. From the date on which this article takes effect [i.e., July 1, 2004] they shall be controlling within the municipal boundaries of the city.