

ORDINANCE NO. 1005

AN ORDINANCE AMENDING SECTIONS 4 AND 5, ARTICLE VIII-A OF ORDINANCE NO. 807 RELATING TO AREA REGULATIONS AND PARKING REGULATIONS FOR TOWNHOUSES, REPEALING ALL OTHER ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH, PROVIDING FOR SEVERABILITY, DECLARING AN EMERGENCY, AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL, OF THE CITY OF ROSWELL, NEW MEXICO:

1. That Section 4, Article VIII-A of Ordinance No. 807 reading as follows:

Section 4. Area Regulations: The area regulations are the same as those in C District, except that side yards may be eliminated for townhouses having a party wall on the lot line. For townhouses at the end or extremity of each structural entity having exterior side walls, which are not party walls, the side yard provisions in C Districts shall apply. Front and rear yards shall be as required in C Districts. The intensity of use for townhouses shall be the same as that required in C districts.

Shall be amended to read:

a. Minimum lot area shall be 3,000 square feet per townhouse; a townhouse lot shall have a width of not less than 24 feet per dwelling unit. When single family detached units are built, yard requirements for the A zone shall be utilized.

b. Side yards may be eliminated for townhouses having a party wall on the lot line which conforms to Section 6. For townhouses at the end or extremity of each structural entity having exterior side walls, which are not party walls, the side yard provisions in C districts shall apply. Front and rear yards shall be as required in C districts.

c. There shall be a distance of not less than 10 feet between detached residential buildings.

2. That Section 5, Article VIII-A of Ordinance No. 807 reading as follows:

Section 5. Parking Regulation. The parking regulations in a T-H District shall be the same as the parking regulations for B district, provided that access to each parking space shall not be from a major collector street or arterial, and further provided that whenever an alley is used for vehicular access to one or more residential unit off-street parking spaces, such alley shall be paved in accordance with the requirements of the City specifications for public works construction.

Shall be amended to read:

Section 5. Parking Regulation. Whenever a structure is erected, converted or structurally altered for townhouse dwelling purposes,

at least two off-street parking spaces shall be provided on the lot for each townhouse unit. Access to each parking space shall not be from a major collector street or arterial, and further provided that whenever an alley is used for vehicular access to one or more residential unit off-street parking spaces, such alley shall be paved in accordance with the requirements of the city specifications for public works construction.

3. Repealer. That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or parts of any ordinance heretofore repealed.

4. Severability. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

5. Emergency and Effective Date. That this ordinance is necessary for the preservation of the public health, peace, safety and welfare of the inhabitants of the City of Roswell, Chaves County, New Mexico, and is hereby declared to be an emergency measure on the ground of urgent public need; and therefore, immediately upon its final passage, shall be recorded in the book of ordinances of said City kept for that purpose, authenticated by the signatures of the Mayor and City Clerk, shall be published in the Roswell Daily Record, a legal newspaper, published and of general circulation in said City, and this ordinance shall be in full force and effect five days after such publication.

PASSED, ADOPTED, APPROVED AND SIGNED this 11th day of
OCTOBER, 1977.

CITY SEAL

ATTEST:

Sarah L. Carter
Sarah L. Carter, Acting City Clerk

Jerry N. Smith
JERRY N. SMITH, Mayor