



**RESOLUTION NO. 2019-35**

**A RESOLUTION AMENDING OFFICIAL ZONING  
MAP OF THE CITY OF RATON, BY AMENDING THE ZONING DESIGNATION  
FROM MOBILE HOME SUBDIVISION (MHS) TO R-5 RESIDENTIAL DISTRICT FOR  
A TRACT OF LAND DESCRIBED AS LOTS 17 THROUGH 20, BLOCK 16 OF  
FAIRVIEW ADDITION, CONSISTING OF 3.70 ACRES MORE OR LESS.**

**WHEREAS**, the City Commission has considered to change the zoning of a tract of land located at 444 Woodrow Avenue from MHS (Mobile Home Subdivision District) to R-5 (Residential District); and

**WHEREAS**, the previous land usage on the property consisted of the non-conforming use of a mobile home park and such non-conforming use has ceased; and

**WHEREAS**, the current MHS zoning designation constitutes spot zoning that is incompatible with the character of the surrounding area and inconsistent with the City's comprehensive plan for development; and

**WHEREAS**, the highest and best land use of the property is residential and R-5 designation will be consistent with abutting land uses and zoning designation; and

**WHEREAS**, the Raton Planning and Zoning Commission has considered the zoning change and have recommended in favor of the proposed zoning amendment; and

**WHEREAS**, after hearing, the Raton City Commission has duly considered such proposed change and by affirmative vote accepted the same.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the City of Raton, Colfax County, New Mexico that:

**Zoning for property described, owned by Mark Pena, is hereby amended from MHS (Mobile Home Subdivision District) to R-5 (Residential District).**

**Property to be rezoned is described as a tract of land described as Lots 17 through 20, Block 16 of Fairview Addition; consisting of 3.70 acres more or less.**

**PASSED, ADOPTED, SIGNED AND APPROVED** this 25<sup>th</sup> Day of June 2019.

**CITY OF RATON**

**James Neil Segotta, Jr., Mayor**

**ATTEST:**

**Michael Anne Antonucci, City Clerk**

R016745

R015745

R016392

R011380

R014503

R013844

R014183

R013361

R010740

R011026

R014322

R014529

R013079

R013598

R014331

R011442

R014315

R014903

R013700

R014956

R013851

R014901

R011503

R014288

R013751

R013998

R014556

R012045

R013414

R012974

R014955

R012914

R020154

R012874

R011276

R014508

R016663

R015559

R018681

R012664





**Request for Rezoning Consideration  
Former Site of Mountain View Mobile Home Park  
April 15, 2019**

As the City Manager of the City of Raton, I am requesting consideration of a rezoning action. I hereby request an affirmative recommendation from the Raton Planning and Zoning Commission for the proposed rezoning.

The tract is described as Lots 17, 18, 19 and 20 of Block 16 of the Fairview Addition to the City of Raton. The tract abuts Arnold Street, West Woodrow Avenue and Market Street. The tract is currently vacant, but was the former site of the Mountain View Mobile Home Park. The mobile home park was functional until 2012 when utilities were turned off for non-payment, and numerous nuisance ordinance violations were recorded. The property was adjudicated by a Bankruptcy Court and cleanup of the property was completed by the City of Raton. The 3.70 acre tract is currently owned by Mark Pena.

The current zoning of the tract is MHS Mobile Home Subdivision. The Brilliant Addition area is primarily R-5 Residential, including adjacent areas located north and east of the Mountain View tract. The horse racetrack area to the south is zoned C-4 Rural Commercial District, and the Webster Oil/ Duran Oil complex located west of the tract is zoned C-3 General And Highway Servicing District.

I am requesting consideration of the zoning amendment for the following reasons:

1. The use of Mobile Home Park or Mobile Home Subdivision is incompatible with the surrounding area, which is predominately single-family housing;
2. The current zoning of MHS constitutes a spot-zone, which is undesirable for orderly development. The City of Raton has initiated a comprehensive planning to reduce or eliminate spot-zoning;
3. The use of mobile home park likely pre-dated the current zoning ordinance and enjoyed grandfathered protection. However, the use of the tract for mobile home park ceased approximately 7 years ago and the tract has remained vacant since 2012. Therefore, it is my opinion that the tract should re-develop in a manner that is not offensive or incompatible in keeping with the residential character of the adjacent district and of the surrounding area.
4. Mobile Home Park would constitute a non-conforming use, as MHS district allows the establishment of mobile home subdivisions as defined by Chapter 156 – Zoning Code . The minimum overall land area shall be 4 acres or greater for MHS.



I would propose to amend the zoning designation of this tract to R-5 Residential district.

The R-5 Residential District is established as a district in which the principal use of land is for single-family structures. The regulations of this district are intended to provide areas of the community for those persons desiring relatively small residential lots. The regulations are intended to discourage any use which, because of its character, would interfere with the residential nature of this district.

The R-5 single-family residential zone would preclude the placement of single-wide mobile homes, however, other types of modular or manufactured housing would be allowed. This proposed rezoning would be consistent with the City's comprehensive plan for development and would establish the higher and better land usage of the tract. The zoning amendment would also result in higher support for area property values.

Submitted By:

A handwritten signature in black ink, appearing to read "Scott Berry", with a long horizontal flourish extending to the right.

Scott Berry, P.E.  
City Manager