

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5

Ordinance/Resolution# 11-022

Council District: 1

For Meeting of July 26, 2010
(Adoption Date)

TITLE: A RESOLUTION TO APPEAL THE DENIAL DECISION OF THE PLANNING AND ZONING COMMISSION ON A REQUEST FOR AN INFILL DEVELOPMENT PROPOSAL (IDP) FOR PROPERTY LOCATED AT 725 N. SANTA FE STREET. THE REQUEST IS TO ALLOW THE DEVELOPMENT OF A SEASONAL, TEMPORARY, NON-COMMERCIAL SIX-SPACE RV PARK ON THE SUBJECT PROPERTY. THE PURPOSE OF THE REQUEST IS TO PROVIDE A LOCATION FOR TRAVELING VOLUNTEERS OF HABITAT FOR HUMANITY TO RESIDE AT WHILE BUILDING HOMES IN THE CITY OF LAS CRUCES. THE IDP IS A REQUEST TO DEVIATE FROM ALL OF THE CITY OF LAS CRUCES RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS SUBMITTED BY ED JOHNSON OF THE MESILLA VALLEY HABITAT FOR HUMANITY, PROPERTY OWNER (IDP-42).

PURPOSE(S) OF ACTION: The applicant is requesting to appeal the denial decision made by the Planning and Zoning Commission on June 22, 2010 for an infill development proposal (IDP) that would allow the development of a seasonal, temporary, non-commercial six-space RV park.

Name of Drafter: Adam Ochoa <i>AO</i>		Department: Community Development		Phone: 528-3204	
Department	Signature	Phone	Department	Signature	Phone
Community Development	<i>AO</i>	528-3066	Budget	<i>[Signature]</i>	541-2107
			Assistant City Manager	<i>[Signature]</i>	541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The undeveloped property is located within the Infill Development Overlay district which allows for a streamlined development process as a means of encouraging new development and redevelopment in the central portion of the City. The infill development process allows the applicant to submit a single development application proposing multiple development aspects of the property such as development standard deviations including setbacks, minimum lot size, maximum height, etc

The applicant, Ed Johnson of the Mesilla Valley Habitat for Humanity, is requesting an infill development proposal (IDP) that would allow the development of a seasonal, temporary, non-commercial six-space RV park on the subject property located at 725 N. Santa Fe Street. The vacant subject property is zoned R-2 (Multi-Dwelling Low Density) and encompasses a total of 0.18 ± acres. The applicant would like to utilize the subject property as a seasonal, non-commercial six (6) space RV park for the purpose of providing a location for traveling volunteers of Habitat for Humanity to reside at while in Las Cruces building homes. The Mesilla Valley Habitat for Humanity will be increasing the number of houses they build in a year from 4 to 9 and

need the proposed RV park for their volunteers to stay at. The RV park will also contain a small laundry facility for the volunteers to use. The property will only be used as an RV park seven (7) months out of the year from October to April. The subject property is located across the street from the Habitat for Humanity offices on Santa Fe Street.

After reviewing the applicant's proposed plan, staff recommended that a buffer would be required between the subject property and the adjacent western single-family home. The applicant responded by proposing to install a six (6) foot tall wooden fence along the north, south and west property lines as well as proposing to plant seven (7) shade trees along the western property line to serve as a landscape buffer between the subject property and the adjacent residential lot.

The applicant is seeking to deviate from the 2001 Zoning Code Mobile Home Park/Recreational Vehicle Park development standards, i.e. zoning, setbacks, minimum density, minimum lot size, minimum space size, road designation (See Attachment "D"). These standards are for actual commercial RV Parks and the proposal is not intended to be a commercial operation.

The applicant is proposing six (6) spaces measuring 18 feet in width by 40 feet in length. The entire 0.18 +/- acre lot will be surfaced with 3/8th inch stone and RVs will have access to the lot from Santa Fe Street. The applicant is also proposing to build a 108 square foot laundry facility in the north-west portion of the subject property. All 6 spaces will each have its own electric, sewer and water hook ups and all water run-off will be contained on site in a ponding area. Given the small scale of the proposal and its intended use, staff does not feel these deficiencies outweigh the benefits to the community provided by Habitat for Humanity through its construction of affordable housing within the City of Las Cruces.

In May 2004, the Mesilla Valley Habitat for Humanity received approval from the Planning & Zoning Commission for a similar infill development proposal for property located at 750 N. Santa Fe Street. The applicant was approved to develop that property into a five-space non-commercial RV park.

On June 22, 2010, the Planning & Zoning Commission (P&Z) denied the infill development request (IDP) for Case IDP-42 by a vote of 1-3 (two commissioners absent, one commissioner vacancy). Staff recommended approval to the P&Z for the IDP request with the following conditions:

- No structures exceeding 13 feet in height shall be allowed on the subject property.
- A landscape buffer shall be required along the western property line.
- The Infill Development shall be approved for a period of five (5) years. After such time the applicant shall resubmit the RV Park for administrative reevaluation and approval.

During the meeting a member from the public commented against the infill proposal stating that it did not fit in with the existing surrounding neighborhood. The member from the public did not believe that a seasonal RV park was the right thing to develop on the subject property. The P&Z stated that the new RV park would not fit in with the surrounding neighborhood either. The

P&Z also stated that there may be other more suitable places that the proposed seasonal RV park would work out better.

On June 23, 2010 the applicant filed the appeal of the P&Z decision with the Community Development Department.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

1. Resolution
2. Exhibit "A" – Property description & IDP
3. Attachment "A" – Basis of appeal & supporting documents
4. Attachment "B" – Staff Report to the Planning and Zoning Commission for Case IDP-42
5. Attachment "C" – Draft minutes from the June 22, 2010 Planning and Zoning Commission
6. Attachment "D" – 2001 Zoning Code Mobile Home/Recreational Vehicle Park Development Standards.
7. Attachment "E" – Vicinity Map

OPTIONS / ALTERNATIVES:

1. Vote YES to approve the Resolution. This action reverses the Planning and Zoning Commission decision and permits the applicant to develop a seasonal, temporary, non-commercial six-space RV park with the conditions stipulated by staff on the subject property located at 725 N. Santa Fe Street.
2. Vote NO to deny the Resolution. This action upholds the decision made by the Planning and Zoning Commission. The applicant will not be allowed to develop a seasonal, temporary, non-commercial six-space RV park on the subject property located at 725 N. Santa Fe Street.
3. Modify the Resolution and vote YES to approve the modified Resolution. The Council may modify the Resolution by adding conditions as deemed appropriate. This can be accomplished by staff submitting a substitute Resolution.
4. Table/Postpone the Resolution and direct staff accordingly.

RESOLUTION NO. 11-022

A RESOLUTION TO APPEAL THE DENIAL DECISION OF THE PLANNING AND ZONING COMMISSION ON A REQUEST FOR AN INFILL DEVELOPMENT PROPOSAL (IDP) FOR PROPERTY LOCATED AT 725 N. SANTA FE STREET. THE REQUEST IS TO ALLOW THE DEVELOPMENT OF A SEASONAL, TEMPORARY, NON-COMMERCIAL SIX-SPACE RV PARK ON THE SUBJECT PROPERTY. THE PURPOSE OF THE REQUEST IS TO PROVIDE A LOCATION FOR TRAVELING VOLUNTEERS OF HABITAT FOR HUMANITY TO RESIDE AT WHILE BUILDING HOMES IN THE CITY OF LAS CRUCES. THE IDP IS A REQUEST TO DEVIATE FROM ALL OF THE CITY OF LAS CRUCES RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS SUBMITTED BY ED JOHNSON OF THE MESILLA VALLEY HABITAT FOR HUMANITY, PROPERTY OWNER (IDP-42).

The City Council is informed that:

WHEREAS, the Mesilla Valley Habitat for Humanity, the property owner of 725 N. Santa Fe Street, has submitted the following infill development proposal:

- a) The development of a seasonal, temporary, non-commercial six (6) space RV park for the purpose of providing a location for traveling volunteers of Habitat for Humanity to reside at while in Las Cruces building homes; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on June 22, 2010, denied said infill development proposal by a vote of 1-3 (two commissioners absent, one commissioner vacancy).

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the denial decision by the Planning and Zoning Commission is hereby reversed.

(II)

THAT granting this infill development proposal is in accordance with Section 38-10, Criteria for Decisions, of the Las Cruces 2001 Zoning Code, as amended.

(III)

THAT the property owner is hereby granted conditional approval of the infill development proposal for the property located at 725 N. Santa Fe Street: The

development of a seasonal, temporary, non-commercial six (6) space RV Park for the purpose of providing a location for traveling volunteers of Habitat for Humanity to reside at while in Las Cruces building homes, as illustrated on Exhibit "A" attached hereto and made part of this Resolution.

(IV)

THAT the conditions be stipulated as follows:

- No structures exceeding 13 feet in height shall be allowed on the subject property.
- A landscape buffer shall be required along the western property line.
- The Infill Development shall be approved for a period of five (5) years. After such time the applicant shall resubmit the RV Park for administrative reevaluation and approval.

(V)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____ 2010.

(SEAL)

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

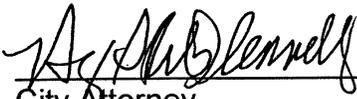
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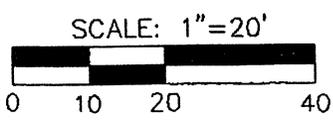
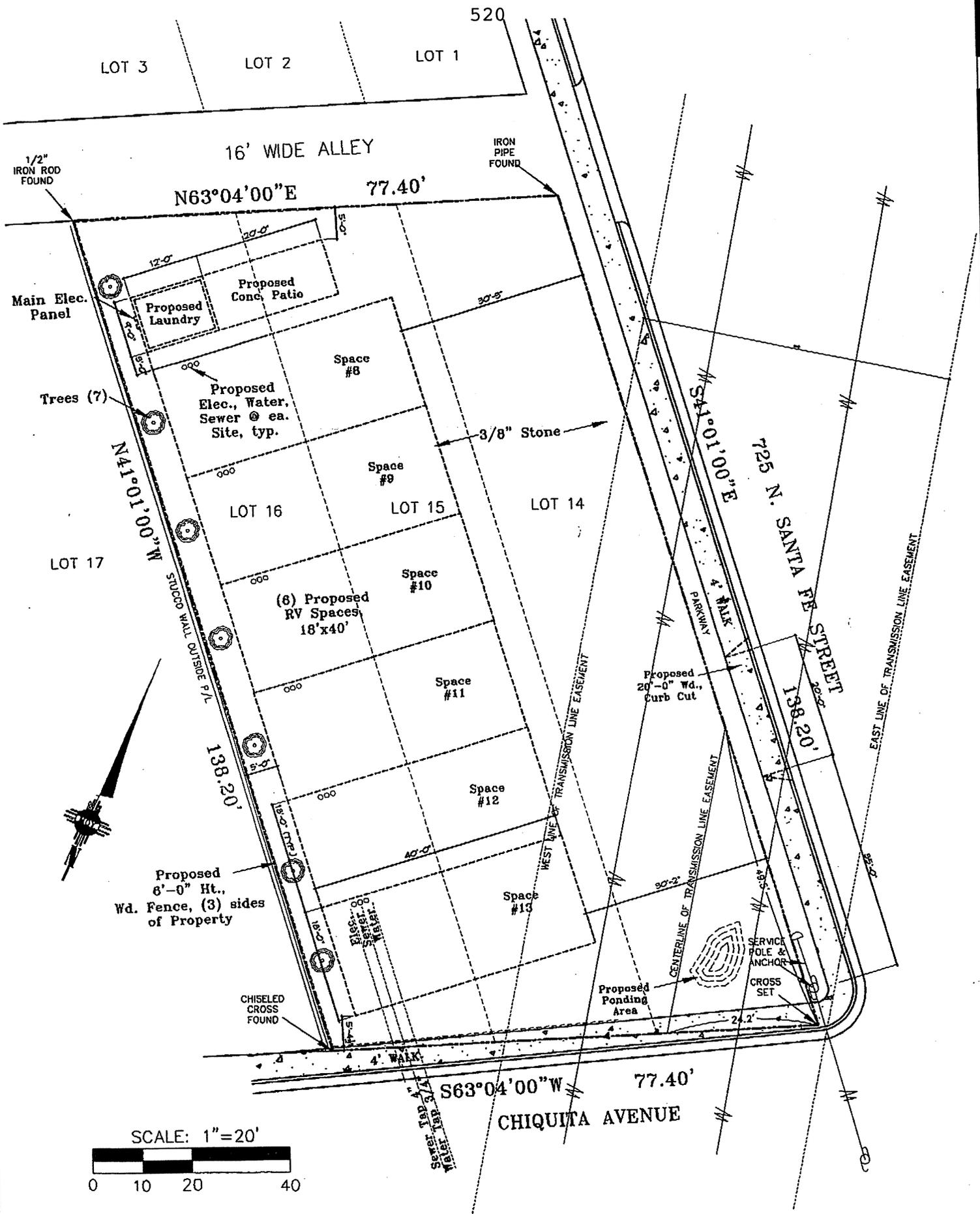
APPROVED:

Mayor

VOTE:

Mayor Miyagishima	_____
Councillor Silva	_____
Councillor Connor	_____
Councillor Pedroza	_____
Councillor Small	_____
Councillor Sorg	_____
Councillor Thomas	_____


City Attorney



IDP SITE PLAN



Hammer it home!

June 23, 2010

Adam Ochoa
City of Las Cruces
700 N Main
Las Cruces, NM 88001

Dear Adam,

Mesilla Valley Habitat for Humanity would like to appeal the findings of the P&Z Council on June 22, 2010. This action was in regard to the proposed RV Park at 725 Santa fe.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Johnson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ed Johnson
Executive Director
Mesilla Valley Habitat for Humanity



Hammer it home!

May 18, 2010

Jennifer Robinson
City of Las Cruces
700 N Main
Las Cruces, NM 88001

Jennifer,

The property we have been talking about is located at 725 N Santa Fe across the street from our office. We would be adding 6 RV spaces to this address. The RV spaces will be for the Care-a-Vanner's that travel to Las Cruces to help build houses. Mesilla Valley Habitat for Humanity will be increasing the number of house we build in starting in September from 4 to 9. We need additional Care-a-Vanner help to do this. The lots will only be used for 7 months of the year Oct-April. This is a non-commercial use. They people who use the lots are not charged for staying. This is the same use as 750 Santa Fe. What do we need to do to get a permit to build it out?

Sincerely,

A handwritten signature in black ink that reads "Ed Johnson". The signature is written in a cursive, flowing style.

Ed Johnson
Executive Director
Mesilla Valley Habitat for Humanity


City of Las Cruces®

TO: Planning and Zoning Commission

PREPARED BY: Adam Ochoa, Acting Planner *AO*

DATE: June 22, 2010

SUBJECT: Case IDP-42 (Infill Development)

RECOMMENDATION: Approval – Conditional

Case IDP- 42: A request for approval for an infill development proposal (IDP) for property located at 725 N. Santa Fe Street. The subject property encompasses 0.18 +/- acres of vacant land and is zoned R-2 (Multi-Dwelling Low Density). The applicant is proposing to construct a seasonal, non-commercial six-space RV park for Habitat for Humanity on the subject property. The purpose of the request is to provide a location for traveling volunteers of Habitat for Humanity to reside at while in the City of Las Cruces building homes. The IDP is a request to deviate from the City of Las Cruces Recreational Vehicle Park development standards (i.e. zoning, minimum lot size, roadway designation, minimum space size, setbacks, etc.) Submitted by Ed Johnson of Mesilla Valley Habitat for Humanity, property owner.

BACKGROUND

This undeveloped property is located within the Infill Development Overlay district which allows for a streamlined development process as a means of encouraging new development and redevelopment in the central portion of the City. The infill development process allows the applicant to submit a single development application in which the Planning and Zoning Commission (P&Z) may consider multiple development aspects of the property such as development standard deviations including setbacks, minimum lot size, maximum height, etc.

The subject property is located at 725 N. Santa Fe Street. The vacant subject property is zoned R-2 (Multi-Dwelling Low Density) and encompasses a total of 0.18 ± acres. The applicant would like to utilize the subject property as a seasonal, non-commercial six (6) space RV Park for the purpose of providing a location for traveling volunteers of Habitat for Humanity to reside at while in Las Cruces building homes. The Mesilla Valley Habitat for Humanity will be increasing the number of houses they build in a year from 4 to 9 and need the proposed RV Park for their volunteers to stay at. The RV Park will also contain a small laundry facility for the volunteers to use. The property will only be used as an RV Park seven (7) months out of the year from October to April. The subject property is located across the street of the Habitat for Humanity offices on Santa Fe Street.

After reviewing the applicant's proposed plan, staff recommended that some type of buffer would be required between the subject property and the adjacent western single-family home. The applicant responded by proposing a six (6) foot tall wooden fence along the

north, south and west property lines as well as proposing to install seven (7) shade trees along the western property line to serve as a landscape buffer between the subject property and the adjacent lot.

The applicant is seeking to deviate from the 2001 Zoning Code Mobile Home Park/Recreational Vehicle Park development standards (i.e. zoning, setbacks, minimum density, minimum lot size, minimum space size, road designation, etc.) However, these standards are for actual commercial RV Parks and the proposal is not intended to be a commercial operation. Given the small scale of the proposal and its intended use, staff does not feel these deficiencies outweigh the benefits to the community provided by Habitat for Humanity through its construction of affordable housing within the City of Las Cruces.

FINDINGS

1. This is a request for approval of an Infill Development Proposal for approximately 0.18 ± acres of land located at 725 N, Santa Fe Street. Santa Fe Street is classified as an existing local roadway on the MPO Major Thoroughfare Plan.
2. The subject property is within the Infill Development Overlay having a specified zoning designation of R-2 (Multi-Dwelling Low Density).
3. The adjacent land use and zoning include:

	<u>Zoning</u>	<u>Land Use</u>
North	R-2	Residential
South	R-2	Residential
East	C-2	Habitat for Humanity Offices
West	R-2	Residential

4. The applicant is proposing to construct a seasonal, non-commercial six (6) space RV Park for the purpose of providing a location for traveling volunteers of Habitat for Humanity to reside at while in Las Cruces building homes.
5. The Infill Subdivision is consistent with the following goals, objectives, and policies of the Comprehensive Plan:

Land Use Element Goal 1

Policies:

- 1.8.1. The infill area shall be defined as the area buffered by Interstate 25 on the east, University Avenue to the south, Valley Drive from University Avenue to Hoagland Road on the west and Hoagland Road/Three Crosses/N. Main Street as the northern boundary.
- 1.8.2. Infill development shall be compatible with the existing architecture, landscaping, and character of the surrounding neighborhood.

- 1.8.4. The City strongly encourages the developer to seek participation from adjacent landowners and neighbors of the proposed development via a neighborhood meeting where all neighborhood concerns may be addressed.
- 1.8.5. Incentives to create infill development will be considered for all types of development in the infill area.
- 1.8.6. Additional infill policies and incentives to create infill development shall be furthered defined through the development of an Infill Policy Plan.

Urban Design Goal 3

Policy:

- 3.10.1. Infill development, both new development and redevelopment, should be required to respect the architectural styles, bulk, setbacks, color, scale, character and site design relationships of the existing neighborhood.

RECOMMENDATION

As presented in the findings above, the proposed Infill Development is supported by several Land Use Elements & Urban Design Goals found in the 1999 Comprehensive Plan. The proposed Infill Development appears to be compatible with the existing architecture, landscaping, and character of the surrounding neighborhood. A seasonal, temporary RV Park currently already exists across the street from the subject property on the Habitat for Humanity office property. This Infill Development also respects the existing neighborhood by providing a wooden fence and landscaping as a buffer for the subject property.

Staff has reviewed this Infill Development proposal and recommends approval with conditions, based on the preceding findings:

- No structures exceeding 13 feet in height shall be allowed on the subject property.
- A landscape buffer shall be required along the western property line.
- The Infill Development shall be approved for a period of five (5) years. After such time the applicant shall resubmit the RV Park for administrative reevaluation and approval.

OPTIONS

1. Approve the Infill Development as recommended by Staff.
2. Approve the Infill Development with additional conditions as determined appropriate by the Planning and Zoning Commission.
3. Deny the Infill Development.

ATTACHMENTS

1. Development Statement
2. Proposed Site Plan
3. Aerial Map
4. Vicinity Map

DEVELOPMENT STATEMENT for Infill Applications

Please type or print legibly

Please note: The following information is provided by the applicant for information purposes only. The applicant is not bound to the details contained in the development statement, nor is the City responsible for requiring the applicant to abide by the statement. The Planning and Zoning Commission or City Council may condition approval of the proposal at a public hearing where the public will be provided an opportunity to comment.

Applicant Information

Name of Applicant: Mesilla Valley Habitat for Humanity
 Contact Person: Ed Johnson
 Contact Phone Number: 575-2024327
 Contact e-mail Address: edhfh@gwestofdice.net
 Web site address (if applicable): _____

Proposal Information

Location of Subject Property 725 Santa Fe
 (In addition to description, attach map. Map must be at least 8 1/2" x 11" in size and clearly show the relation of the subject property to the surrounding area)
 Current Zoning of Property: R-2
 Acreage of Subject Property: .246
 Total number of proposed lots if a subdivision: 1
 Detailed description of intended use of property. (Use separate sheet if necessary):
6 PART TIME NON COMMERCIAL RV SPACES AND
A LAUNDRY ROOM
 Proposed square footage and height of structures to be built (if applicable): 10' High
108 SQ. FT LAUNDRY ROOM WITH 180 SQ. FT PATIO
 Anticipated hours of operation (if proposal involves non-residential uses): _____
 Anticipated traffic generation _____ trips per day (if known).
 Anticipated development schedule: Work will commence on or about July 1st 2010
 and will take approximately 90 DAYS to complete.

INFILL DEVELOPMENT PROCESS SUPPLEMENTAL INFORMATION

To utilize the Infill Development Process (IDP), your property must qualify under the definition of Infill Parcel contained in Section 6.2J of the Las Cruces Zoning Code, as amended. To be scheduled for Planning and Zoning Commission consideration of this proposal, all required submittal elements must be submitted. To assess the needs for this IDP proposal, you need to meet with one of the staff planners to complete this application and receive the necessary information regarding submittal requirements.

THE APPLICANT(S) OR THEIR REPRESENTATIVE MUST ATTEND THE PLANNING AND ZONING COMMISSION MEETING.

This application is a request for the following: (Please check all that apply)

- Variance
- Business Registration
- Planned Unit Development (including land use changes)
- Special Use Permit
- Building Permit
- Subdivision
- Sign Permit

Project Property Address/Location: 725 Santa Fe

Current Legal Description or Plat of Survey of Property Attached: YES NO
(Application will not be accepted without description or plat or survey)

Proposed Use of Property: 6 TEMPARY PART TIME RV PARKING
NON-COMMERICAL

Property Owner(s): MESILLA VALLEY HABITAT FOR HUMANITY

Mailing Address: 720 Santa Fe City LAS CRUCES St. NM Zip 88001

Phone Numbers: Work 575-525-0415 Home 575 202-4327

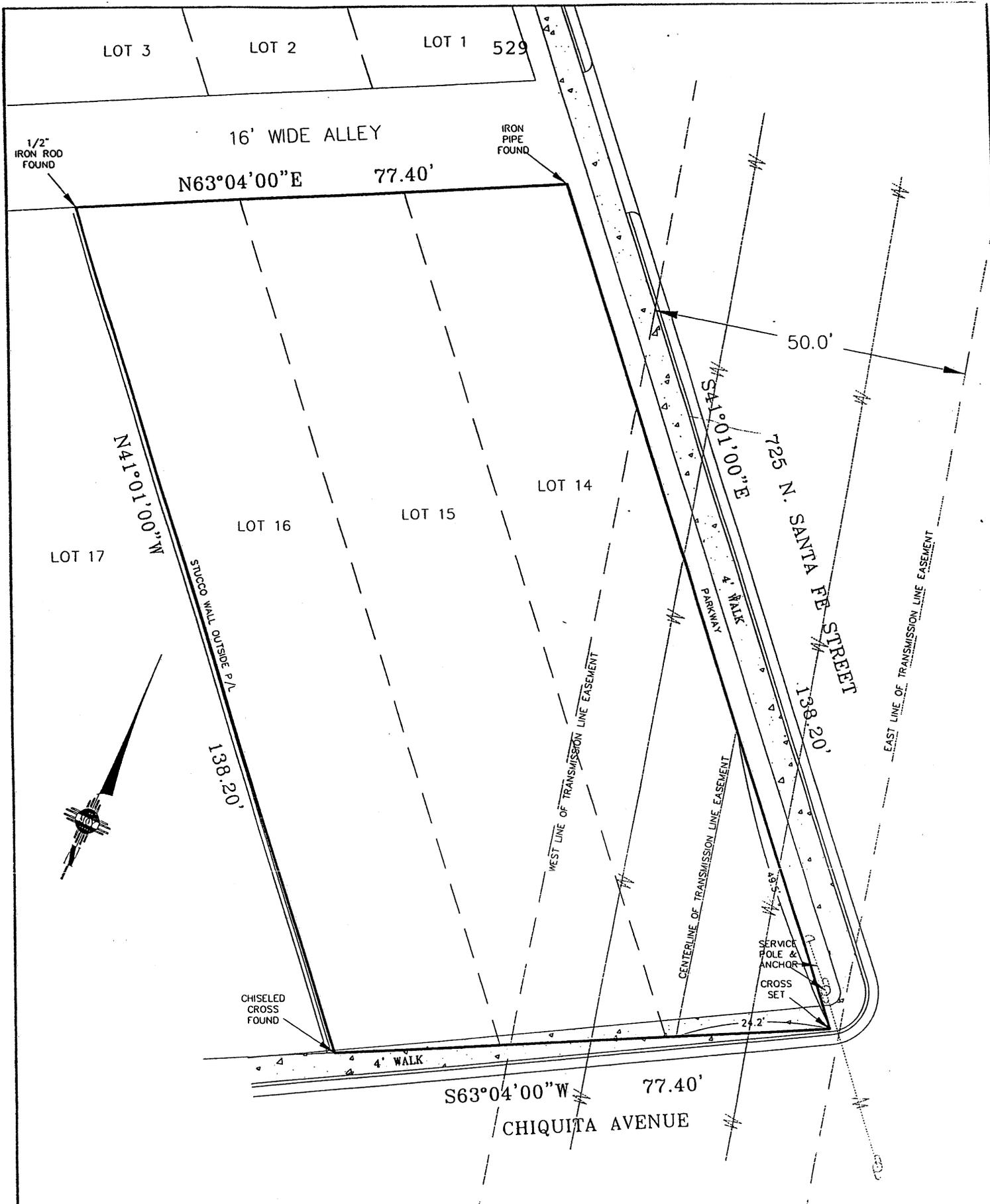
Applicant(s): MESILLA VALLEY HABITAT FOR HUMANITY

Mailing Address: 720 Santa Fe City LAS CRUCES St. NM Zip 8801

Signatures: *Edward John* *Edward John*
Property Owner(s) Applicant(s)

Executive Director Executive D

NOTE: NO APPLICATION WILL BE ACCEPTED WITHOUT THE SIGNATURE OF THE OWNERS(S) OF RECORD OF THE DESCRIBED PROPERTY. IF MORE THAN ONE OWNER, ALL OWNERS SHALL SIGN THE APPLICATION.



NOTE:

FLOOD ZONE "X"; AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, IN MAP NO. 35013C0631 E, EFFECTIVE SEPTEMBER 27, 1991.

THIS PLAT MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION

SCALE: 1" = 20'



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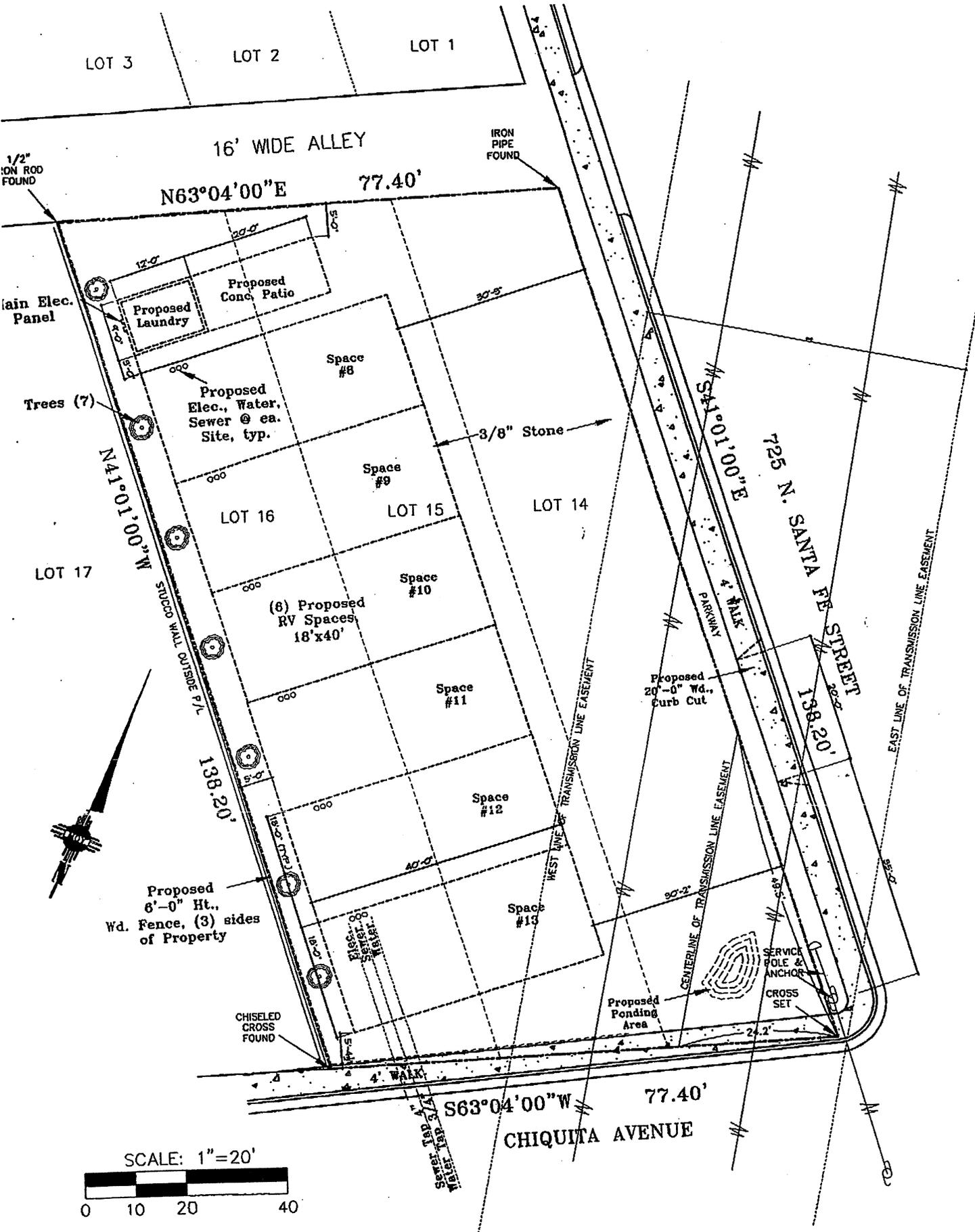
Hachment #2

530

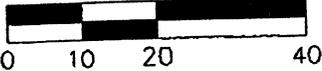
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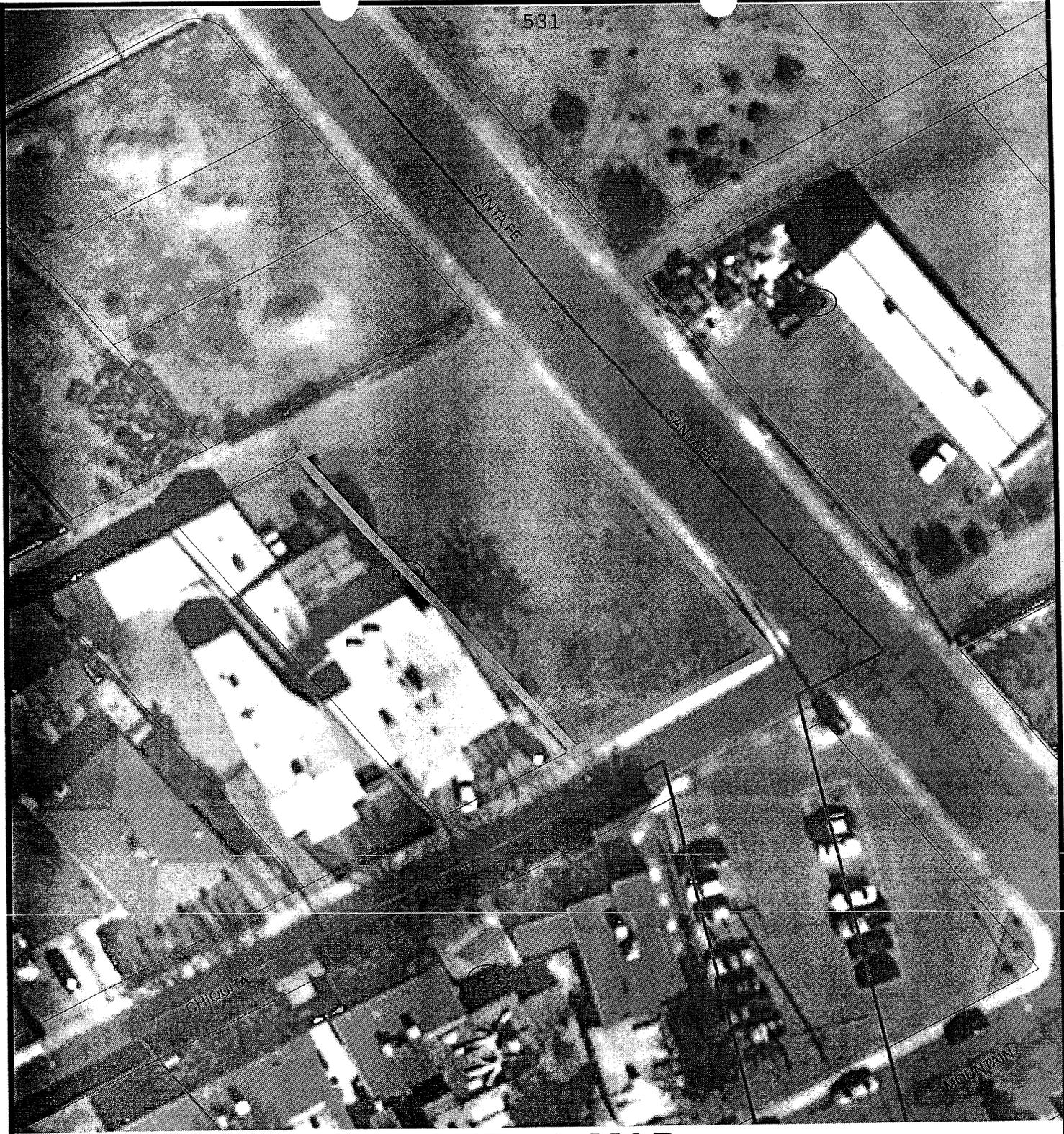
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SCALE: 1"=20'

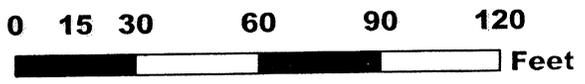


SITE PLAN



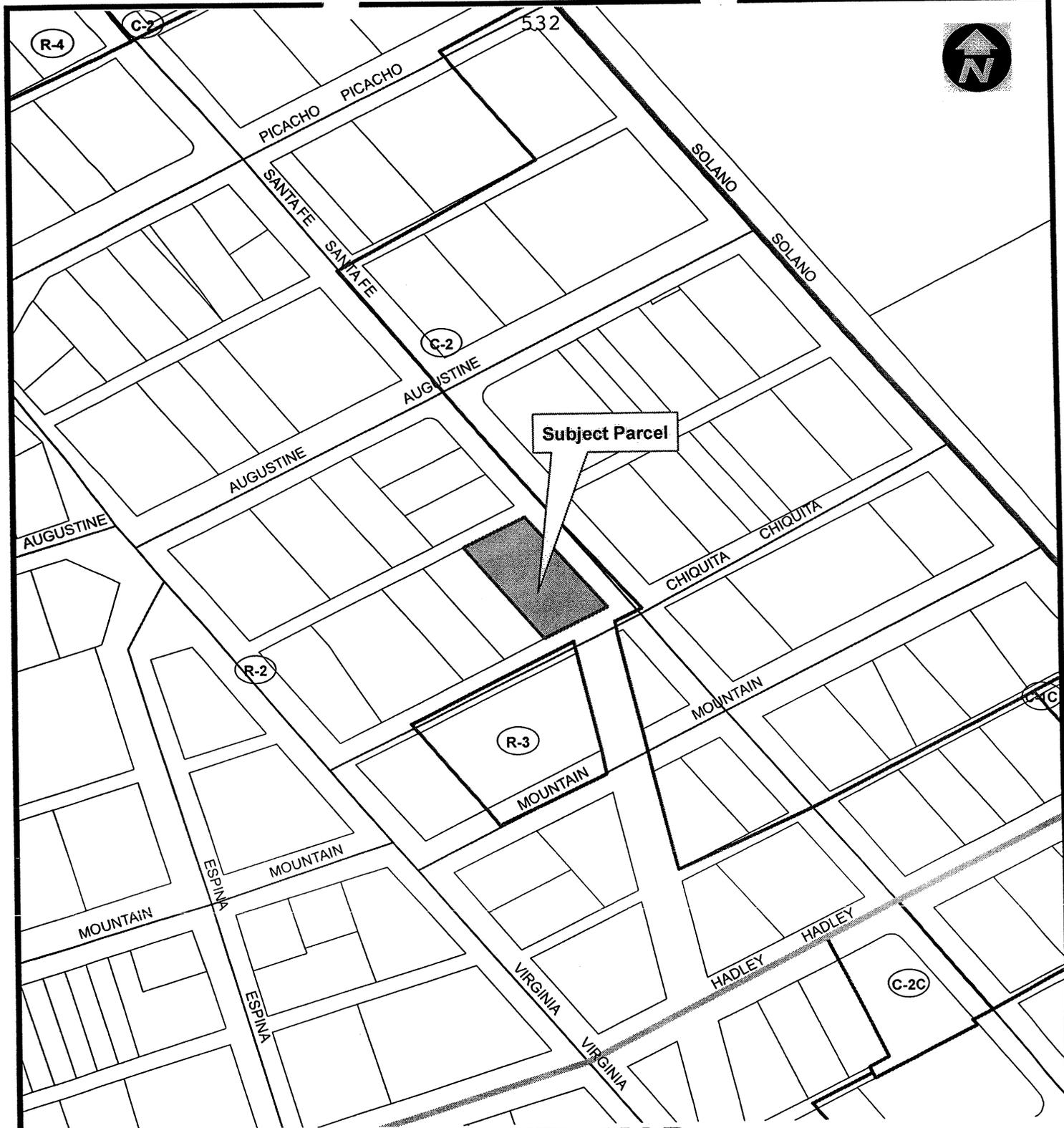
AERIAL MAP

CASE NO. IDP-42
PARCEL: 02-05384
OWNER: MESILLA VALLEY HABITAT FOR HUMANITY
ADDRESS: 725 N. SANTA FE STREET
ZONING: R-2



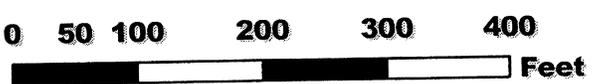
This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (505) 528-3043.

Community Development Department
 575 S Alameda Blvd.
 Las Cruces, NM 88001
 (505) 528-3222



VICINITY MAP

CASE NO. IDP-42
PARCEL: 02-05384
OWNER: MESILLA VALLEY HABITAT FOR HUMANITY
ADDRESS: 725 N. SANAT FE STREET
ZONING: R-2



This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (505) 528-3043.

Community Development Department
575 S Alameda Blvd.
Las Cruces, NM 88001
(505) 528-3222

- 1
2 Rodriguez: Mr. Chairman, we would recommend that the buffer requirement would go
3 from 10-feet to zero-feet, but the accessory structure itself would be at three-
4 feet from the rear property line. So you're essentially eliminating the need for
5 the buffer. As part of this Infill development proposal, the buffer requirement
6 would go away. It's just that you would move the accessory structure from
7 not being on the property line, though it would reside three-feet from the
8 property line.
9
- 10 Crane: Mr. Shipley, can you withdraw your motion and re-phrase it? Do you follow
11 what she means?
12
- 13 Shipley: I guess the requirement goes to, see number two the opaque buffer yard
14 requirement of 10-feet to zero-feet, and the accessory structure would be
15 required to be no closer to the wall or the property line than three-feet.
16
- 17 Crane: Is that what you're getting at, Ms. Rodriguez? Okay. In that case, I think you
18 need to withdraw the motion and restate it.
19
- 20 Shipley: No, we just amended it, so it's okay.
21
- 22 Crane: Pardon me?
23
- 24 Shipley: We amended it so it's okay. She'll get it.
25
- 26 Crane: Very well, is there a second to the motion?
27
- 28 Evans: I second.
29
- 30 Crane: All right, Gentlemen, your votes. Commissioner Shipley.
31
- 32 Shipley: Aye findings, discussion, and site visit.
33
- 34 Crane: Commissioner Evans.
35
- 36 Evans: Aye findings and discussion.
37
- 38 Crane: Commissioner Beard.
39
- 40 Beard: No findings and discussions, site visit.
41
- 42 Crane: And the chair votes aye findings, discussions, and site visit. The motion
43 passes 3:1. Thank you.
44
- 45 ★ 4. **Case IDP-42:** A request for approval for an infill development proposal (IDP) for
46 property located at 725 N. Santa Fe Street. The subject property encompasses
47 0.18 +/- acres of vacant land and is zoned R-2 (Multi-Dwelling Low Density).
48 The applicant is proposing to construct a seasonal, non-commercial six-space
49 RV park for Habitat for Humanity on the subject property. The purpose of the

1 request is to provide a location for traveling volunteers of Habitat for Humanity to
 2 reside at while in the City of Las Cruces building homes. The IDP is a request to
 3 deviate from the City of Las Cruces Recreational Vehicle Park Development
 4 standards (i.e. zoning, minimum lot size, roadway designation, minimum space
 5 size, setbacks, etc.) Submitted by Ed Johnson of Mesilla Valley Habitat of
 6 Humanity, property owner.

7
 8 Crane: Next item is Case IDP-42, a request for approval of an infill development
 9 proposal for a property located at 725 N. Santa Fe Street to construct a
 10 seasonal non-commercial six-space RV park for Habitat for Humanity. Mr.
 11 Ochoa.

12
 13 Ochoa: All right, Gentlemen. Fourth case for tonight is an infill, Case IDP-42. It's an
 14 infill development proposal for property located at 725 N. Santa Fe. Here's a
 15 vicinity map of the subject property located here in the purplish/ pink,
 16 currently zoned R-2, located across the street from the actual offices of
 17 Habitat for Humanity on the corner of Santa Fe and Chiquita, approximately a
 18 block west of Solano.

19 Again, the infill development proposal allows the applicant to submit a
 20 single development application in which the Planning and Zoning
 21 Commission may consider multiple development aspects of the property such
 22 as development standards, deviations including setbacks, minimum lot size,
 23 maximum height, etc. Subject property is located at 725 Santa Fe Street and
 24 it is currently zoned R-2 Multi-Dwelling Low Density and encompasses a total
 25 of approximately 0.18 acres. The subject property is currently vacant. The
 26 applicant would like to utilize the subject property as a seasonal, non-
 27 commercial, six-space RV park for the purpose of providing a location for
 28 traveling volunteers of Habitat for Humanity to reside at while in Las Cruces
 29 building homes. The RV park will also contain a small laundry facility for the
 30 volunteers to use. The Mesilla Valley Habitat for Humanity will be increasing
 31 the number of houses they build in a year from four to nine, and they need
 32 the proposed RV park for their volunteers to stay at while building homes in
 33 Las Cruces. The property will only be used as an RV park seven months out
 34 of the year from October to April.

35 The applicant is seeking to deviate from the 2001 Zoning Code Mobile
 36 Home Park/Recreational Vehicle Park Development Standards and that
 37 includes all zoning, setbacks, minimum density, minimum lot size, minimum
 38 space size, road designation, and so on and so forth. These standards are
 39 for actual commercial RV parks. The proposal is not intended to be a
 40 commercial operation. The applicant is proposing to install a six-foot wall,
 41 excuse me, a six-foot tall wooden fence along the north, south, and west
 42 property lines as well as seven shade trees along the western property line to
 43 serve as a buffer between the subject property and the adjacent properties,
 44 including the adjacent single-family property to the west. Given the small
 45 scale of the proposal and its intended use, Staff does not feel these
 46 deficiencies outweigh the benefits to the community provided by Habitat for
 47 Humanity through its construction of affordable housing within the City of Las
 48 Cruces.

1 Here's a site plan of the proposed area, what it's going to look like,
 2 again, on the corner of Santa Fe and Chiquita. You can see the six lot lines
 3 here with, I believe, it'll be a 3/8 stone or gravel parkways. Here is where the
 4 proposed laundry facility will be. The six-foot tall wooden fence will run along
 5 the north, south, and western property lines along with the seven shade trees
 6 along the western property line to serve kind of as a buffer between the
 7 subject property and the adjacent one to the left which is a single-family
 8 home.

9 Staff has reviewed this development proposal and recommends
 10 approval with the following conditions: 1) no structures exceeding 13-feet in
 11 height shall be allowed on the subject property; 2) a landscape buffer shall
 12 be required along the western property line; and 3) the infill development shall
 13 be approved for a period of five years, after such time the applicant shall
 14 resubmit the RV park for administrative evaluation and approval. The
 15 Commissions options tonight gentlemen are to: 1) approve the infill
 16 development proposal as recommended by Staff; 2) to approve the infill
 17 development proposal with additional conditions determined appropriate by
 18 the P & Z; 3) deny the infill development; and 4) to table and postpone. That
 19 is the end of my presentation. The applicant is here to answer any questions
 20 as well, and I stand for questions.

21
 22 Crane: Commissioners? Mr. Ochoa, this is designed to take any RV up to the size of
 23 large motor coaches. Would that be permitted? Things like a bus? I see the
 24 lots are 16-feet by 30 some I think.

25
 26 Ochoa: I'll defer to the applicant for that question, sir.

27
 28 Crane: Thank you.

29
 30 Johnson: My name is Ed Johnson, Executive Director for Habitat here in Las Cruces.
 31 Good evening. We would accept motor homes, you know, up to about 35
 32 feet there. Typically 90% of the vehicles that come in are fifth wheels and
 33 travel trailers. In answer to your question, sir.

34
 35 Crane: Thank you. Commissioners, any questions for Mr. Johnson? Any member of
 36 the public wish to speak?

37
 38 Johnson: I'd like to finish a little bit of presentation.

39
 40 Crane: Mr. Johnson, did you have more to say?

41
 42 Johnson: Yes, sir.

43
 44 Crane: Okay. We will get to you in a minute, sir.

45
 46 Johnson: Habitat has been building homes for 23 years here in town. We've built 77
 47 homes so far and, I might add, without one foreclosure. Our increase from
 48 four to nine this year is the first step of a several year growth process where
 49 we like to do 15 the following year and 25 the year after that. We're looking at

1 growing rapidly. The need is huge. We're building nine homes this coming
2 year. We've got over 200 applicants for the homes. This is our base of labor,
3 skilled people as well as the people from the community that come and help,
4 and we need a lot more help to more than double the number of homes that
5 we're building.
6
7 Crane: Thank you, Mr. Johnson. Questions for Mr. Johnson? Commissioner
8 Shipley.
9
10 Shipley: Mr. Johnson, in here it says a seven-foot wooden fence, or six-foot wooden
11 fence, I think is what it says.
12
13 Johnson: Yes, sir.
14
15 Shipley: I was trying to remember what the adjacent homes have fences there. Do
16 they have fence or do they have rock walls?
17
18 Johnson: Well, right behind the fence is about a four-foot rock wall, but we would put a
19 taller fence there. It's the same height. Directly across the street and up one
20 block we had the same approval process for a six spot RV park that's there
21 now and we have that same height fence around that. If there's something
22 else you would desire we'd be open to that.
23
24 Shipley: So there is another park, an RV park.
25
26 Johnson: Yes, sir. I don't know how to operate, but just north of our office if you look at
27 that map. Up there on the corner, yeah, right there, where the cursor is there
28 we went through the same process about four or five years ago and it was
29 approved and we got five spaces there right now. But it's not enough when
30 we're increasing the number of homes that we're going to do. And that has
31 the same height fence around it.
32
33 Crane: Anything else, Mr. Johnson? Commissioners? Thank you, Mr. Johnson.
34 There is a member of the public who wished to speak.
35
36 Neher: My name is Daryl Neher. I'm a resident at 838 N. Manzanita Street. This is
37 my neighborhood.
38
39 Crane: Sorry, sir, I didn't catch your name.
40
41 Neher: Daryl Neher.
42
43 Crane: Neher.
44
45 Neher: This is my neighborhood and I don't want an RV park in it. I'm not happy
46 about the Habitat for Humanity building a chain link fence around that building
47 across the street from this lot. I do not want to see another fence go up
48 around the neighborhood like that. I don't want a bunch of traffic like that.

1 There are other RV parks around the city that they could stay at. I don't see a
2 reason to rezone this or allow this. I hope the Commission will vote no.

3
4 Crane: Thank you. Mr. Johnson, why do you want the people to be clustered here
5 rather than occupy space elsewhere?
6

7 Johnson: Well, typically, and we talked with the all the RV parks around town, the
8 lowest rate we can get anyone to do is about \$35 a night. These people are
9 traveling all the way across the United States at their expense to volunteer to
10 build homes for people here in this community. We don't charge them for that
11 space. We ask them to make a small contribution toward electricity and it's
12 their time and their experience and their skills that help us to do that. As far
13 as the traffic, there's probably going to be one to two RVs a week moving in
14 and out of there. Most of the people are coming and staying two and three
15 weeks. We've got several people that have already signed up that want to
16 stay a month or two months. So traffic is going to be very very small. And
17 the fence around the subject property we're talking about today is not chain
18 link, it's wooden.
19

20 Crane: Thank you. Mr. Beard.

21
22 Beard: To me a lot of this is open ended. It says standard deviations including
23 setbacks, minimum lot size, maximum height, etc, and where are all the
24 numbers for these, each one of these things? And what does etcetera
25 include?
26

27 Johnson: Well, there's only one structure on the property. It's a nine by twelve laundry
28 room. There are no other structures on the property. There are just spaces
29 where RVs are going to park.
30

31 Beard: It still says here Development Standards. I don't understand this. Is this were
32 the proposed vehicles that are going to be coming in there, the size of the
33 vehicles, or does this have to do with only that one building?
34

35 Ochoa: Mr. Chairman, Commissioner Beard, the Development Standards for an RV
36 Park are basically stipulated for a commercial use of an RV park, which there
37 are minimum requirements of 12 RVs to be located on the property at all
38 times to be considered an RV park. The required minimum driving aisles in
39 the RV park, minimum setbacks from streets on the RV park for a commercial
40 RV park in the City of Las Cruces. They are requiring a minimum of a
41 Collector roadway for commercial RV park, but again Staff views this, since
42 it's not a commercial RV park and no more than six would be on the subject
43 property at once, it doesn't even meet the definition of what an RV park under
44 the City of Las Cruces RV Park Standards would be, sir.
45

46 Beard: Well, is there a Standard for what an RV is?
47

48 Ochoa: Mr. Chairman, Commissioner Beard, there is one. Definition is located in our
49 Zoning Code of what exactly an RV park is, minimum size, and so forth like

- 1 that and whether it's running or not, different things like that is what the
2 definition states. If you like, I could read the definition for you.
3
- 4 Beard: Does this include we to have sewer disposal facilities there for them? So
5 you'd be dumping this into the city sewer system?
6
- 7 Johnson: Yes, sir. Each site will have its own separate dump station there which will be
8 tied into the city sewers. It'll go to the back and then out to the street to
9 Chiquita Street. You see on the drawing there that it says a sewer tap and a
10 water tap there and that'll come in and then there will be ... those little circles
11 right there is electric, water, and pedestal for electricity for each unit.
12
- 13 Crane: Anything else for Mr. Johnson? Thank you, Mr. Johnson.
14
- 15 Johnson: Thank you. Any further input from the public?
16
- 17 Crane: Yes, Mr. Neher.
18
- 19 Neher: Yeah, I understand the specifics of what you're calling or defining as a RV
20 park. If you park RVs there and you hook them up with sewer and electricity,
21 it's an RV park.
22
- 23 Crane: Quite. It does occur to me, Mr. Neher, that right now you're looking at a lot
24 that's at the end of the block and it's just growing nothing but weeds and
25 you're saying that you feel that to have that fenced at what was the height of
26 the fence, six-feet? Okay. A six-foot fence around and RVs there is going to
27 be worse for your neighborhood than the weed strewn lot?
28
- 29 Neher: Absolutely. That lot is zoned for residential. Somebody could build a house
30 there. Habitat for Humanity could build a house there if they wanted to. Not
31 an RV park. They can go somewhere else with their RVs. I volunteer for
32 Habitat for Humanity. It's a great organization but I don't want them ruining
33 my neighborhood. I know recently we just built a new house in that
34 neighborhood. It's a good looking house. Hope to build more. They don't
35 want to use this lot to build houses, sell it to me, I will.
36
- 37 Crane: Thank you. Now, Mr. Johnson, the Habitat owns this lot, right? And if you
38 hadn't come up with this idea you may be would've put a house on it? Well,
39 in your view this is something better to do with that lot.
40
- 41 Johnson: Our intention, sir, is to put in an RV site there for RVs. We have enough land
42 right now to build the nine homes. We've worked it out with the City. We've
43 purchased some land from the City. We've got some other plans for more of
44 a major development and working with the City. And we need the labor to
45 build the houses. We're mandated to use volunteer labor to build the house.
46
- 47 Crane: I understand.
48

- 1 Johnson: And that's why we build a house that appraises at \$150,000 and we sell it for
2 \$70,000 to that family.
3
- 4 Crane: Thank you. Mr. Beard, you had a point.
5
- 6 Beard: Yes, I have a question for the City. When an RV goes into an RV park, which
7 I've done before, I notice that some of the RVs turn on their engines. They
8 have generators going on. Is there a requirement in the City Code that says
9 that you can't use your vehicle engine or an axillary engine while you're
10 parked there?
11
- 12 Crane: While you're looking that up, Mr. Ochoa, it does strike me it's a good point. I
13 hadn't thought about that. If engines are idling, generators are running, and
14 you have a residence the other side of the fence, it could be an unpleasant
15 neighbor.
16
- 17 Ochoa: Mr. Chairman, Commissioner Beard, I believe there are no regulations on that
18 for an RV park in the City of Las Cruces. But there will be hook ups on this
19 one so I don't know how they'd be running that so forth like that. But under
20 the City of Las Cruces guidelines, I believe there's no regulations on that, sir,
21 for an RV park.
22
- 23 Johnson: I'd like to comment on that.
24
- 25 Crane: Mr. Johnson.
26
- 27 Johnson: Sir, we've been parking RVs on the lot next door for about five years. There
28 are homes directly across the street. There are homes just to the north. We
29 have not had one neighborhood complaint from anybody there. Most of these
30 folks are retired. You can shoot a cannon through there at nine o'clock at
31 night and they would be in bed. We don't have a lot of activity. They've
32 worked hard all day and there are no parties and there are no things like that
33 going on. Like I said, five years and not one complaint and I don't think we
34 have any generator issues.
35
- 36 Crane: Thank you. Commissioners, any further comment? Then I'll entertain a
37 motion that the request IDP-42 be approved. Pardon me, I don't have a
38 motion yet.
39
- 40 Evans: Mr. Chairman, I move that we approve Case IDP-42.
41
- 42 Crane: Thank you, Commissioner. Do I have a second?
43
- 44 Beard: Second.
45
- 46 Crane: Thank you. Your votes. Commissioner Shipley.
47
- 48 Shipley: Go ahead. You can come back to me.
49

- 1 Crane: Very well. Commissioner Evans.
 2
 3 Evans: I deny it based on that I don't believe it meets the surrounding area layout.
 4
 5 Crane: Okay. Commissioner Beard.
 6
 7 Beard: No, based on conditions that we've heard here and a site visit.
 8
 9 Crane: Chair votes aye with some reluctance. If this weren't Habitat for Humanity I
 10 wouldn't be voting aye. Commissioner Shipley.
 11
 12 Shipley: I vote nay. And the reason I vote nay is that there are certain uses that
 13 should be in a residential neighborhood. When you take an R-1
 14 neighborhood and start putting apartments and things of that nature or
 15 multiple uses, I don't think that's appropriate. It needs to be zoned
 16 accordingly. And now recognizing we're looking for ... to change this, to do
 17 that, but I think there are better places in the city and I also think that there
 18 would be a better choice if we get the neighbors to go out and talk to the RV
 19 folks and if you've got six people or eleven people coming out and they can't
 20 help by donating some space for those folks to live in an RV park, then we
 21 haven't gone far enough yet. And I would think that it would suit the
 22 community better and the neighborhoods better if we all pulled together and
 23 worked at doing that within the structure as opposed to piecemealing
 24 development of this nature. So therefore, I vote no, or nay on this for
 25 findings, discussion, and site visit.
 26
 27 Crane: Thank you, Commissioner. The motion fails 1:3. Thank you all.
 28
 29 5. **Case Z2800:** A request for a zone change from C-3 (Commercial High Intensity)
 30 to R-4 (Multi-Dwelling High Density and Limited Retail and Office) for 2.787 +/-
 31 acres of land located south of Valverde Loop on Mars Avenue, west of Del Rey
 32 Boulevard. The proposed use for this property is assisted living facilities. The
 33 application is submitted by Paul Miller, property owner.
 34
 35 6. **Case S-09-044:** A request for approval of a master plan known as the Beehive
 36 Village of Las Cruces. The subject property is comprised of 2.787 +/- acres and
 37 is zoned C-3 (Commercial High Intensity). The master plan proposes 2.787 +/-
 38 acres of assisted living facility uses with a proposed 15 to 18 beds per facility. It
 39 is proposed that the development will be subdivision in phases into five 0.53 to
 40 0.61 +/- acre lots with one facility proposed per lot. The subject property is
 41 located south of Valverde Loop on Mars Avenue, west of Del Rey Boulevard.
 42 The application was submitted by Paul Miller, property owner.
 43
 44 Crane: Finally, we get to our items that were moved from the consent agenda and
 45 since these pertain to the same plot of land, I will entertain a motion that the
 46 rules be suspended so the two of them can be discussed at the same time.
 47
 48 Shipley: So moved.
 49

Sec. 38-57 Mobile Home Parks / Recreational Vehicle Parks

A. MOBILE HOME PARKS (MHP). A MHP is allowed in the following zoning districts: R-2, R-3 and R-4, by complying with the conditions in this Section. A MHP may be developed as a Planned Unit Development. (See Section 38-55) Mobile homes, as defined herein, when used for living purposes shall be located solely within a MHP or on property zoned for mobile homes except in the case of a caretaker's residence or when used in a temporary construction yard. Refer to Section 38-57C for definitions.

1. Application. An application, the Development Statement, and site plan to build, enlarge or alter a MHP shall be submitted to the Community Development Department for consideration. If phasing of the MHP is proposed, the site plan shall clearly describe the order of phasing and how all requirements will be met. Approval of the MHP shall be required prior to the installation any mobile home, manufactured home or site-built structure.

2. Permitted Uses in a MHP:
 - a. Residential mobile homes with complete hookup to utilities. Manufactured homes or site built homes are permitted.
 - b. Accessory buildings, swimming pools, home occupations, and recreation areas and buildings.
 - c. Convenience establishments of a commercial nature, including laundries, stores, beauty shops and barbershops, may be permitted in mobile home parks subject to the following restrictions:
 - 1) Such establishments and their parking area shall not occupy more than seven percent (7%) of the area of the park;
 - 2) Shall be subordinate to the residential use and character of the park;
 - 3) Shall be considered accessory uses to the principal use of mobile homes or other dwelling types and shall be discontinued if the mobile home park is discontinued.
 - 4) Shall be located, designed and intended to serve frequent trade or service needs of persons residing in the park only; and
 - 5) Shall present no visible evidence of their commercial character outside the park.
 - d. Home for the Disabled.

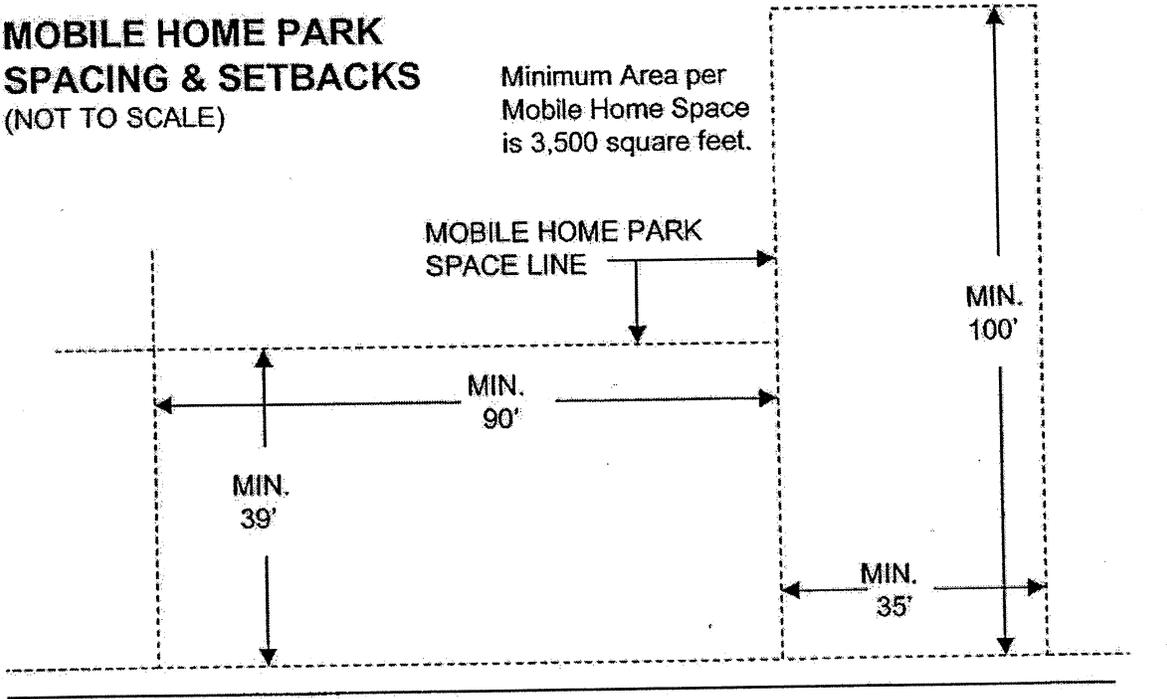
3. Mobile Home Park Standards.

Mobile Home Space (MHS) within a MHP

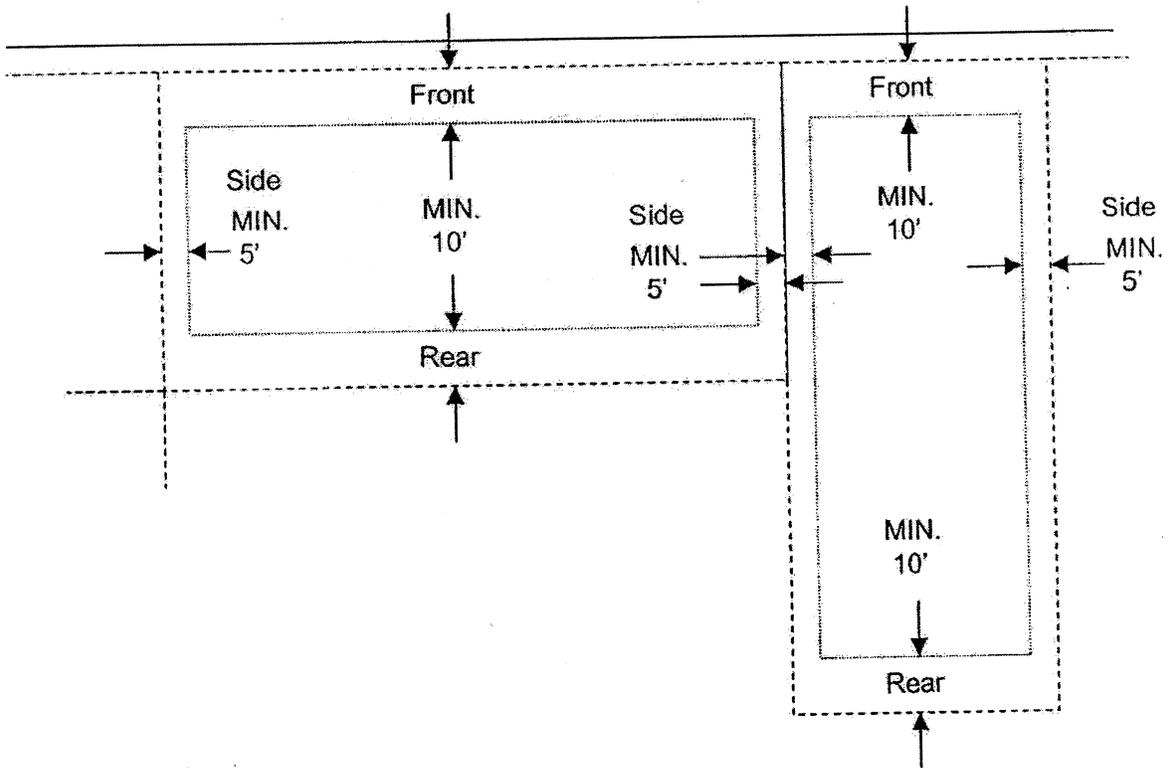
Area: Zoning Districts: R-2, R-3, and R-4
 Minimum MHS Square Footage 3,500 sq. ft.
 Width: 35' (if depth is 100') or 90' (if depth is 39') (minimum)
 Depth: 90' (if width is 39') or 35' (if width is 100') (minimum)
 Height: 35' (maximum) See Section 38-59.

MOBILE HOME PARK SPACING & SETBACKS (NOT TO SCALE)

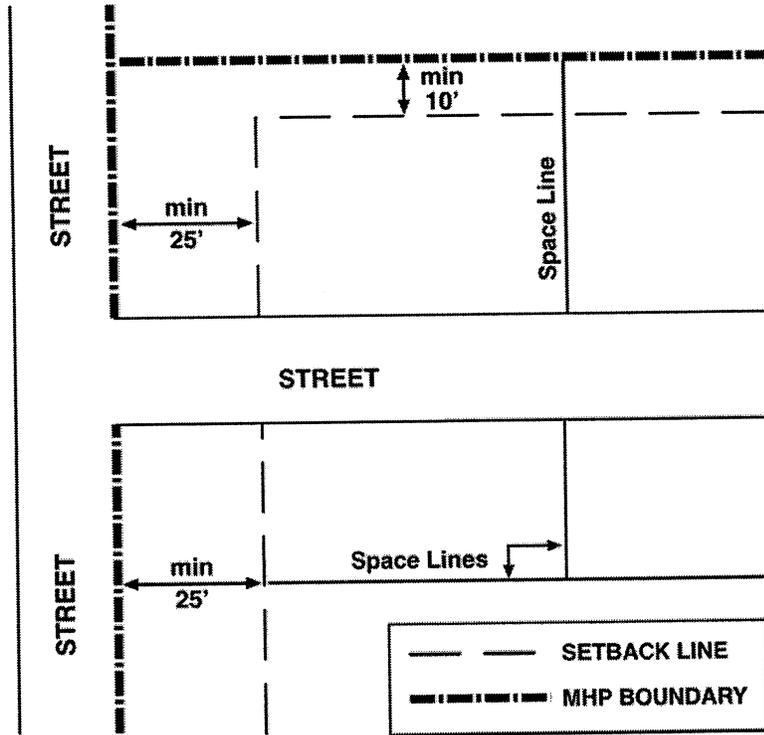
Minimum Area per
Mobile Home Space
is 3,500 square feet.



MOBILE HOME PARK STREET



**MHP
BOUNDARY
SETBACKS**



Setbacks & Spacing (minimum including awnings, canopies, decks and any other structures attached to, adjacent to or touching a mobile home) (See the Exceptions and Modification Section 38-62).

Dwelling unit front setback: 10'

Dwelling unit side setback: 5'

Dwelling unit rear setback: 10'

MHP boundary to any dwelling unit: 10', except adjacent to public right-of-way

MHP boundary to any dwelling unit: 25' adjacent to public right-of-way

Dwelling unit to any building including accessory building: 10'

Density

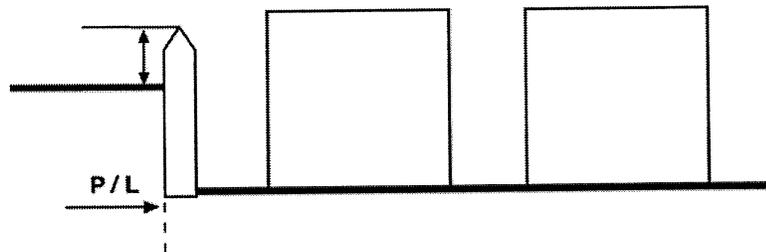
MHP minimum size is 5 acres and used for the continuous accommodation of twelve (12) or more occupied mobile homes.

One dwelling unit per mobile home park space

4. Design Standards.

- a. Swimming pools are permitted in accordance with other sections of the Municipal Code for private swimming pools and State environmental regulations.
- b. All mobile home parks shall have a landscape plan approved for all areas not devoted to structures, streets, alleys, drives, walks and paths. At least 15% of the total land area shall be set aside in landscaping consistent with the City's Design Standards.
- c. All MHP shall have opaque perimeter walls and/or fences at least five (5) feet in height (measured at ground level on the exterior of the MHP) completely installed prior to the issuance of a certificate of occupancy for the MHP or each phase of the MHP. Each MHS shall have a wall and/or fence defining the MHS. Walls, fences, and hedges shall conform to Section 38-60, with the following exception: A clear-sight triangle of twenty (20) feet in both directions on the mobile home space from the corner of the internal streets is required. A clear-sight triangle at all MHP entrances and exits shall be provided consistent with Section 32-405 of the Municipal Code.

**MHP or RVP
WALL / MEASURED FROM OUTSIDE FENCE**



- d. Utility placement shall be approved by the Utilities Department Director or designee.
 - e. Federal, state and local accessibility requirements shall be met.
5. Streets and Access Standards.
- a. All MHP shall have direct motor vehicle access from a collector or higher designated roadway.
 - b. Each mobile home space shall have direct access to an internal street. Direct access to exterior public streets shall be prohibited.
 - c. Street layout shall be designed for preservation of natural features and to follow topography to the greatest extent possible and to encourage the orientation of mobile homes in such a manner as to permit the use of solar energy systems.

- d. All streets, excluding sidewalks, within a MHP shall be surfaced with 2" HMAC over an acceptable 6" base course or 5" Concrete meeting the City of Las Cruces Standard Specifications for Road Construction and shall meet the following minimum widths:

MHP Street Class	Parking Permitted*	Paving Width (Feet)
Minor, one way (Serving fewer than 20 MHS)	No One side Both sides	14 18 27
Minor, two way (Serving 20 to 50 MHS)	No One side Both sides	18 27 36
Collector (Serving more than 50 MHS)	No One side Both sides	20 29 38

* Parallel parking lanes are to be striped at nine (9) feet in width.

- e. No street within a mobile home park shall dead end, except for cul-de-sac streets, which shall have a minimum turning radius of fifty (50) feet at the termination point. (See Chapter 32, Design Standards, for alternatives.)
- f. There shall be a network of sidewalks connecting mobile home spaces with each other and with MHP facilities constructed in accordance with the City's Design Standards.
- g. Private driveways shall be designed to increase ease of access, increase privacy, and provide safety.
- h. All MHS and streets shall be designed to insure proper drainage. A complete drainage plan including elevations and drainage calculations shall be approved by the Community Development Department Director or designee. No on-lot (MHS) retention ponds are to be incorporated within the drainage plan for mobile home parks.
- i. Street lighting shall be provided to illuminate all private and public access ways and walkways for the safe movement of vehicles and pedestrians at night. All outdoor lighting shall comply with Chapter 39 of the Municipal Code.
- j. Two (2) parking spaces per dwelling unit located on each mobile home space, in compliance with Section 38-58, Off-Street Parking, shall be provided.

- k. No internal street intersections shall be less than one hundred twenty-five (125) feet from MHP entrances/exits or other internal street intersections. Each intersection, internal and external, shall be designed as close to 90 degrees as possible.
6. Signs.
Signs shall conform to the City's Sign Code. (See Chapter 36)
7. Refuse.
The management of a MHP shall provide adequate refuse collection facilities. These collection facilities shall be constructed and maintained in accordance with all municipal health regulations, shall be properly screened, and shall be designed to bar animals from access to refuse. Refuse shall be removed from collection sites at least once a week.
8. RV Storage.
MHP may have a storage yard for recreational and other vehicles (RVSA). Such storage yards shall have a minimum of sixty (60) square feet of storage area per mobile home space in the development and shall be located so as not to detract from surrounding properties. All recreational and other vehicles shall be parked in the storage yard while not in use.
9. Personal Storage Options.
Each mobile home space may have a personal storage unit provided by the MHP owner or tenant. If provided by the MHP owner, such storage shall be at least six (6) feet in height with a storage capacity of at least three hundred (300) cubic feet. Each storage unit shall be anchored permanently to the ground. The storage unit may be located on the mobile home space lot line if the storage unit meets the requirements of Chapter 30. As an option to storage units being located on individual mobile home spaces by the MHP owner, storage units may be grouped into a mini-storage building arrangement. At least three hundred (300) cubic feet of storage space per mobile home space shall be provided.
10. Expansion or Alteration.
Any existing MHP desiring to expand its area or alter its approved site plan shall do so in accordance with the provisions of this Code.
11. Mobile Home Installation Permit or Building Permit.
Each mobile home to be located in a MHP shall require a Mobile Home Installation Permit (MHIP) meeting the requirements of Chapter 30. The owner of a Manufactured Housing (MH) unit shall receive a MHIP or building permit prior to locating the MH unit in the MHP. All site-built structures, e.g., carport, are required to have a building permit.

B. RECREATIONAL VEHICLE PARKS (RVP). An RVP is allowed in the following zoning districts: C-3, and M-1/M-2, by complying with the conditions in this section. Recreational vehicles, as defined herein, when used for temporary or permanent living purposes, shall be located solely in an RVP except as approved by the Community Development Director or designee as follows:

- Arrangements for temporary construction yards,
- One RV temporarily located on a single-family lot, or
- Other temporary arrangement.

Refer to Section 38-57C for definitions.

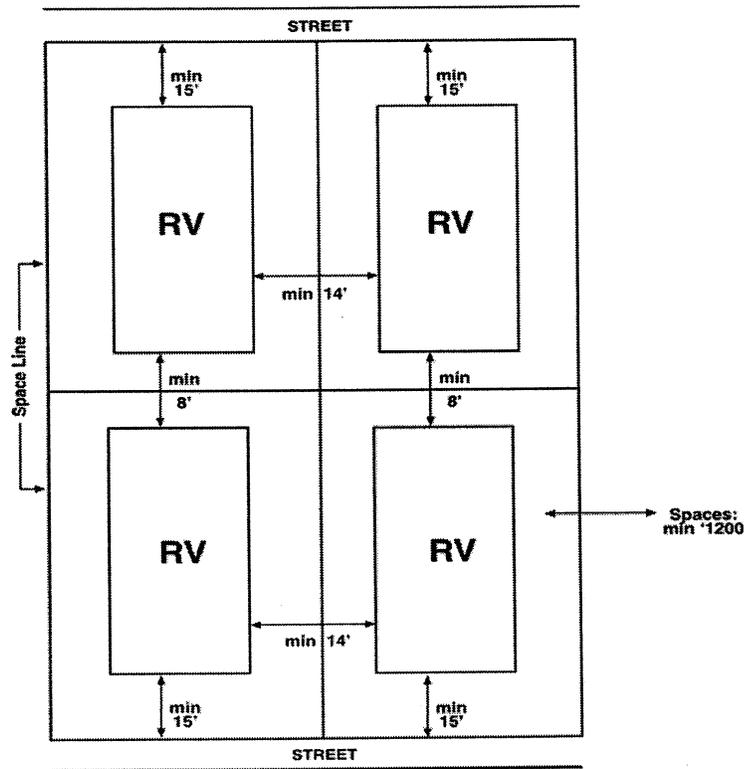
1. Application. An application, the Development Statement, and site plan to build, enlarge or alter an RVP shall be made to the Community Development Department for consideration. If phasing of the RVP is proposed, the site plan shall clearly describe the order of phasing and how all requirements will be met.

2. General Requirements.

- a. RVP shall have direct motor vehicle access to or be located on a collector or higher designated roadway. No entrance to or exit from a RVP shall be permitted through a residential zoning district.
- b. Water, sewer, electricity, telephone, and other necessary utilities shall be available at the RVP.
- c. Driveways shall be designed to increase ease of access, increase privacy, and provide safety.
- d. The minimum RVP size is two (2) acres. The density of spaces in any recreational vehicle park shall not exceed twenty (20) spaces per acre.

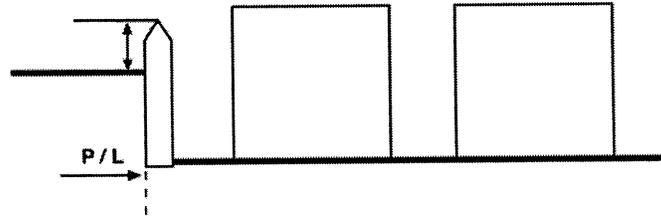
3. Development Standards.

- a. There shall be at least fourteen (14) feet between the sides of all recreational vehicles and eight (8) feet between the backs of all recreational vehicles. Any structure, including awnings, attached to or touching a RV shall, for purposes of this separation requirement, be considered part of the RV.
- b. No recreational vehicles shall be closer than fifteen (15) feet to any private access way or to the property line of the RVP.

RV PARKS/ SETBACKS, SPACES and SPACING

- c. Spaces for recreational vehicles shall be a minimum of one thousand two hundred (1,200) square feet not including sidewalks or streets.
- d. No recreational vehicles shall be closer than twenty (20) feet to any building.
- e. No structure within an RVP shall exceed thirty-five (35) feet in height. See Section 38-59.
- f. A landscaping plan, consistent with the City's Design Standards, shall be submitted.
- g. All RVP shall have opaque perimeter walls and/or fences at least five (5) feet in height (measured at ground level on the exterior of the RVP) completely installed prior to the issuance of a certificate of occupancy for the RVP or each phase of the RVP. Each RV space shall have a wall and/or fence defining the RV space. Walls, fences, and hedges shall conform to Section 38-60, with the following exception: A clear-sight triangle of twenty (20) feet in both directions on the mobile home space from the corner of the internal streets is required. A clear-sight triangle at all RVP entrances and exits shall be provided consistent with Section 32-405 of the Municipal Code.

**MHP or RVP
WALL / MEASURED FROM OUTSIDE FENCE**



- h. Private access ways and individual space arrangements shall be designed to accommodate the frequent movement of recreational vehicles.
- i. All streets, excluding sidewalks, within a RVP shall be surfaced with 2" HMAC over an acceptable 6" base course or 5" Concrete meeting the City of Las Cruces Standard Specifications for Road Construction and shall meet the following minimum widths:

RVP Street Class	Parking Permitted*	Paving Width (Feet)
Minor, one way (Serving fewer than 20 RV Spaces)	No One side Both sides	14 18 27
Minor, two way (Serving 20 to 50 RV Spaces)	No One side Both sides	18 27 36
Collector (Serving more than 50 RV Spaces)	No One side Both sides	20 29 38

* Parallel parking lanes are to be striped at nine (9) feet in width.

- j. There shall be at least three (3) parking spaces designated in the RVP for each two (2) RV spaces. Parking may be provided in common parking areas, on individual RV spaces or on RVP streets.
- k. Street layout shall be designed for preservation of natural features and to follow topography to the greatest extent possible.
- l. There shall be an active, usable recreational area(s) for tenants, comprising at least five percent (5%) of the gross site area, which shall not include required setback areas or similar areas not usable for recreational activities.
- m. There shall be a community building or buildings which shall provide for the recreational and service needs of occupants of the RVP. It may include

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management offices, dumping stations, restrooms, showers, laundry/dry cleaning facilities and other uses and structures customarily incidental to operation of an RVP. The area of the community building or buildings may not be calculated as part of the required recreational area.

- n. Convenience establishments of a commercial nature, including laundries, stores, beauty shops and barber shops, may be permitted in RVP subject to the following restrictions:
 - 1) Such establishments and their parking area shall not occupy more than seven percent (7%) of the area of the park;
 - 2) Shall be subordinate to the residential use and character of the park;
 - 3) Shall be considered accessory uses to the principal use of an RV and shall be discontinued if the RVP is discontinued.
 - 4) Shall be located, designed and intended to serve frequent trade or service needs of persons residing in the park only; and
 - 5) Shall present no visible evidence of their commercial character outside the park.
- o. Adequate refuse collection facilities shall be provided, constructed, and maintained in accordance with all municipal health regulations, and shall be screened from view and designed to bar animals from access to refuse. Refuse shall be removed from collection sites at least once a week.
- p. Lighting shall be provided to illuminate access ways and walkways for the safe movement of vehicles and pedestrians at night. All outdoor lighting shall comply with Chapter 39 of the Municipal Code.
- q. A means for emptying sewage holding tanks shall be provided and approved by City and the New Mexico Environment Department.
- r. One (1) mobile home may be placed in the RVP for use by a caretaker. A site built dwelling or manufactured dwelling may substitute for the mobile home.

4. Expansion or Alteration.

Any existing RVP desiring to expand its area or alter its approved site plan shall do so in accordance with the provisions of this Code.

C DEFINITIONS FOR MOBILE HOME PARKS AND RECREATIONAL VEHICLE PARKS.

Manufactured Housing. "Manufactured housing" means a manufactured home or modular home that 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 and 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 and the Housing and Urban Development Zone Code 2 or the Uniform Building Code, as amended to the date of the unit's construction, and installed consistent with the Manufactured Housing Act and with the regulations made pursuant to that act.

Mobile Home (MH). "Mobile home" means a moveable 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 and other technical codes.

Mobile Home Park (MHP). A privately owned tract of land, at least five (5) acres in size, used for the continuous accommodation of twelve (12) or more occupied mobile homes and operated for the pecuniary benefit of the owner of the parcel of land, his agents, lessees, or assigns. It also may be known as a Mobile Home Court, Trailer Court or Trailer Park. Manufactured homes or site built homes are permitted.

Mobile Home Space (MHS). A parcel of land within a Mobile Home Park rented or intended to be rented to prospective renters. MHS includes required yards, parking spaces, attached and/or detached accessory buildings, open spaces and utilities. MHS does not include sidewalks or streets.

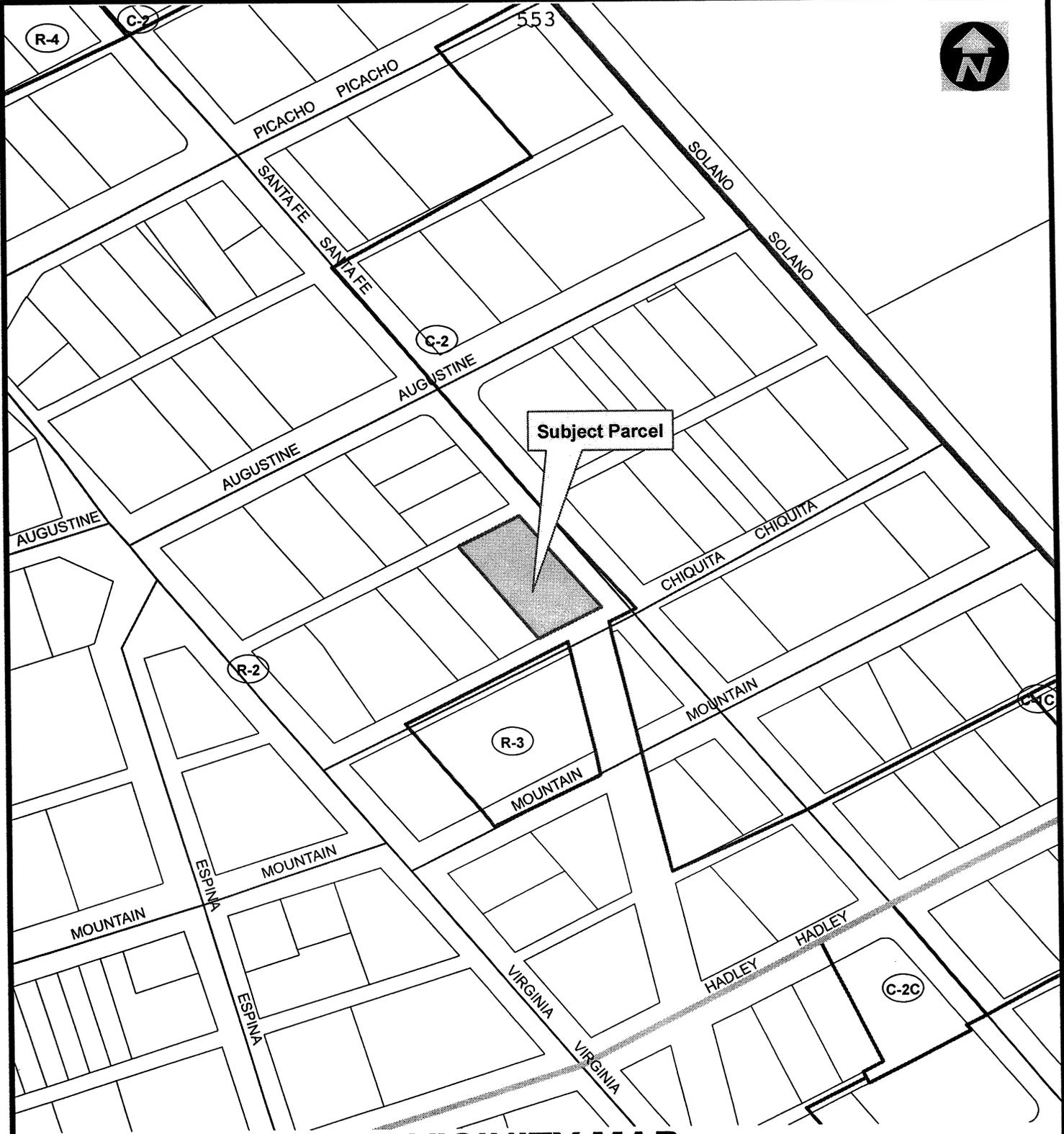
Recreational Vehicle (RV). The following shall be known as recreational vehicles:

1. Travel trailers, camping trailers, fifth-wheel trailers, and all other vehicles that are constructed to include a chassis, integral wheels and a towing hitch, and are primarily designed or constructed to provide temporary, readily moveable living quarters for recreation, camping, or travel uses.
2. Pickup campers, either mounted or non-mounted, or any structure designed to be mounted in the bed of a truck and providing living quarters for recreation, camping, or travel uses.
3. Chassis mount, motor home, mini-motor home or other recreational structure or vehicles constructed integrally with a truck or motor van chassis and incapable of being separated there from, and designed to be used for moveable living quarters for recreational, camping, or travel uses.
4. Recreational vans or converted and chopped vans or other vehicles which are either initially constructed or converted to contain living quarters for recreational, camping, or travel uses.
5. Trailers, boats, etc.

Recreational Vehicle Park (RVP). A tract of land at least two (2) acres in size, on which two or more RV sites are located, established or maintained for occupancy by recreational vehicles that are parked temporarily in rental spaces for periods not exceeding one hundred twenty (120) days during any twelve (12) month period. Recreational vehicles may not be stored in RVP's except in RVSA's. Any action toward removal of wheels of a RV except for temporary purposes of repair or to attach the RV to the ground for stabilizing purposes is prohibited.

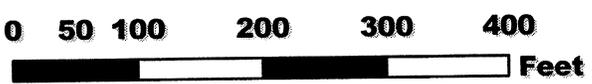
Recreational Vehicle Space (RVS). A plot of ground within a RVP intended for the accommodation of a RV, tent, or other individual camping unit on a temporary basis.

Recreational Vehicle Storage Area (RVSA). A parcel of land in a MHP or RVP on which recreational and other vehicles are stored while not in use. RVSA is not the same as storage of RV in commercial or industrial zoning districts for sale, lease, rent or storage.



VICINITY MAP

CASE NO. IDP-42
PARCEL: 02-05384
OWNER: MESILLA VALLEY HABITAT FOR HUMANITY
ADDRESS: 725 N. SANAT FE STREET
ZONING: R-2



This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (505) 528-3043.

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