A. Call to Order

B. Approval of the Agenda

C. Minutes
   1. Consider approval of the March 2, 2015 Minutes

D. Unfinished Action Items
   1. Proposed Changes to Zoning Ordinance No. 10-02:Amended (Amber Copeland)

E. New Action Items
   1. Weed Resolution #15-18 (Mike Mathews)
   2. Condemnation Resolution #15-19 (Mike Mathews)

F. Information Items
   1. Planning and Zoning Commission Report (Amber Copeland)
   2. OMA Property Update – (Louis Najar)

G. Other Business and Announcements

H. Public Comments

I. Adjourn

This is your official meeting notification. Should you be unable to attend or have questions, please call the Zoning Department at 637-6218.

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 14-36.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Printed and posted: 4-2-15
MEMORANDUM

Meeting Date: Monday, April 6, 2015
Item No. C-1
To: Planning and Zoning Committee
From: Planning and Zoning Department
Subject: Approval of minutes from March 2, 2015 meeting.

_______________________________________________________
Action Requested: To approve the minutes of the March 2, 2015 meeting.
Background: Meeting minutes are not official until approved by the Committee.
Options: Approval or disapproval of minutes.
Staff Recommendation: Approval of minutes.
REGULAR MEETING 8:00 A.M.

CALL TO ORDER AND WELCOME – Chair- Jason Perry

A regular meeting of the Planning and Zoning Committee was called to order at approximately 8:02 a.m. by Chair Perry with the following members present:

Members present included Savino Sanchez.

Absent members included Tabitha Denny.

Staff present included Steve Polasek- City Manager, Louis Najar- City Engineer, Mike Mathews- Special Services Administrator, Elizabeth Stark-Rankins- Support Services Administrator, Bill Bartlett- Code Enforcement Supervisor, and Amber Copeland- Zoning Administrator.

APPROVAL OF AGENDA

Councilor Sanchez moved to approve the agenda as presented. Chair Perry seconded the motion and all were in favor.

APPROVAL OF MINUTES – February 2, 2015

Councilor Sanchez moved to approve the minutes as presented. Chair Perry seconded the motion and all were in favor.

UNFINISHED ACTION ITEMS

1. Proposed Changes to Zoning Ordinance No. 10-02: Amended

Ms. Copeland reviewed proposed changes to the Ordinance. Chair Perry asked that the language on the RV Park as Special Use in the C-2 District be clarified. Ms. Copeland stated a placement permit would be required for structures under 120 square feet. She stated a proposed change would include restricting front yard fences to 3’ in height. She stated corner lots still posed an issue regarding sight triangles. Chair Perry stated he was concerned a 3’ fence would not be adequate for all families and asked if homes in the center of a block would fall under the same restrictions. Mr. Najar gave examples of issues with existing fences and discussed local, collector, and arterial streets. Mr. Polasek stated variances would be possible for cases for which the rule would be a hardship and that the restriction would work for 99% of cases. Mr. Bartlett stated Code Enforcement receives numerous complaints and asked the Committee to come along with Staff to take a look at some problematic areas. Counselor Sanchez stated he felt it is a safety issue. Mr. Polasek stated a no-fee permit would be a way to ensure no sight issues occur. Chair Perry asked Staff to look further into the issue. Mr. Najar discussed the process of calculating sight triangles. Mr. Polasek stated materials used in fence construction should be reviewed.

Chair Perry stated he supports enclosing dumpsters in commercial and industrial areas. Mr. Polasek asked Staff to include language for metal frame doors regarding enclosures around dumpsters.

NEW ACTION ITEMS

1. Weed Resolution #15-13

Councilor Sanchez made a motion to place Weed Resolution 15-13 on the Consent Agenda for the March 12, 2015 City Council meeting. Chair Perry made the second. All were in favor.
2. Condemnation Resolution #15-14

Councilor Sanchez made a motion to place Condemnation Resolution 15-14 on the Consent Agenda for the March 12, 2015 City Council meeting. Chair Perry made the second. All were in favor.

Councilor Sanchez asked about condemned homes with windows that had been boarded up. Mr. Bartlett stated those homes had been boarded up to ensure that no one was able to enter them and that the City now has the ability financially to demolish more of those homes. Chair Perry asked what was happening with the Old Municipal Airport building. Mr. Mathews stated Jennifer Brady had said photos had been taken for the Historical Society. He stated Staff is waiting on a letter from the Federal Aviation Association granting approval to demolish the building.

INFORMATION ITEMS

1. Planning and Zoning Commission Report

   Ms. Copeland stated no Commission meeting had been held in February.

2. OMA Property Update

   Mr. Najar stated Staff is working on a proposal for an overlay district

OTHER BUSINESS AND ANNOUNCEMENTS

   Counselor Perry asked that a section for Public Participation be added to future agendas.

ADJOURN

   Chair Perry announced the meeting adjourned at 8:35 a.m.
MEMORANDUM

Meeting Date: Monday, April 6, 2015

Item No. D-1

To: Planning and Zoning Committee

From: Planning and Zoning Department

Subject: Discussion of proposed changes to Zoning Ordinance No. 10-02: Amended.

Action Requested: To receive comments from the Committee on proposed changes to Zoning Ordinance No. 10-02: Amended.

Background: Staff is working on updating the Ordinance to accommodate the needs of the public and to have clearer definitions of commonly used terms.

Options: To make changes to proposals and to direct Staff on how to proceed.

Staff Recommendation: Input from Committee members.
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# FEE SCHEDULE

**Change of Zoning:**
A. Less than 5 acres- $200.00 for the first acre plus $15.00 for each additional acre.
B. 5 acres to less than 20 acres- $300.00 for the first 5 acres plus $15.00 for each additional acre.
C. 20 acres or more- $400.00 for first 20 acres plus $10.00 for each additional acre.

Annexation by Petition Method:
A. Less than 10 acres- $300.00 for the first 5 acres plus $15.00 for each additional acre.
B. 10 acres to less than 20 acres- $400.00 for the first 15 acres plus $15.00 for each additional acre.
C. 20 acres to less than 40 acres- $500.00 for first 25 acres plus $10.00 for each additional acre.
D. 40 acres or more- $600.00 for the first 40 acres plus $10.00 for each additional acre.

Special Use Permits:
$400.00 per application.

Variances:
$200.00 per application.

Conditional Use Permit:
$200.00 per application.

Plats:
A. Subdivision
   1. Preliminary- $200.00 plus $4.00 per lot
   2. Final- $150.00
   B. Summary- $10.00 plus $2.00 per lot

Vacation of Public Rights-of-Way or Easements:
$200.00 per application

Deferral or Postponement Initiated by Applicant or Agent:
$100.00 per deferral or postponement.

Appeal to City Council:
$100.00 per Appeal.
Zoning Confirmation Letter:
$20.00 per site.

Planned Unit Developments:
A. $400 - Preliminary Plan
B. $200 - Final Plan
C. $100 - Extension of Time

The fees described above are non-refundable. The applicant is required to pay these fees to cover the City's expenses incurred during the application process. The City reserves the right to adjust fees as needed.
Adult-Oriented Business Operator (hereinafter "operator"). A person, who supervises, manages, inspects, directs, organizes, controls or in any other way is responsible for or in charge of the premises of an adult-oriented business or the conduct or activities occurring on the premises thereof.

Agri-business. A business directly supportive of an agricultural use as defined herein.

Agriculture. Land and/or structures whose principal use includes the growing of farm crops, truck garden crops, animal/poultry husbandry, dairying, floriculture, horticulture, pasturage, and accessory uses customarily incidental to agricultural activities.

Airport, heliport. Any premises intended for the purpose of landing and take-off of aircraft.

Alley. A secondary means of vehicular right-of-way affording access to neighboring properties.

Alteration. Any change in size, shape, character, occupancy, or use of a building or structure.

Ambient light. Light from the nearby environment, whether natural or mechanical in nature.

Amusement establishment. A structure or facility offering a variety of recreational activities such as, pool halls, miniature golf, driving ranges, go-cart tracks, amusement parks, skating rinks, and game rooms.

Animal control shelter/ facility/ center. Any premises designated by the City for the purpose of impounding and caring for animals coming into the City’s custody.

Animal hospital, clinic. A building used for the care and treatment of animals.

Antenna. A system of electrical conductors that transmit or receive electromagnetic waves, radio frequency or other wireless signals and services not licensed by the FCC, but not expressly exempt from the City’s citing, building and permitting authority.

Athletic club/ gyms. An area or building used by people for sports activities.

Applicant. The person(s) responsible for filing the application.

Application. All documents submitted by an applicant to receive a permit or ruling.

Auditorium. A building for public gatherings to hear a performance or other presentations.

Automobile/motor vehicle sales. An area used to display/sell automobiles or motor vehicles.

Automobile laundry. A building where automobiles or motor vehicles are washed.

Automobile service station. A building or portion thereof where gasoline, diesel fuel, and other automobile fuels or oils are offered for sale and where automotive repairs may be offered.

Bank. A financial institution offering checking and savings accounts and other services.

Bar. Any commercial establishment licensed by the State Department of Alcoholic Beverage Control to serve any alcoholic beverages on the premises.

Barbershop. A place of business of a barber, licensed by the state of New Mexico, who cuts, trims and/or shaves hair.

Beauty shop. An establishment, licensed by the state of New Mexico, providing women with services that include hair treatment, manicures, and facials.

Block. A tract of land bounded by streets, alleys, railroads, or river channels.
or to deliver equipment or goods as long as such persons are not nude or semi-nude if the business is an adult-oriented business.

Establishment of an Adult-Oriented Business. To "establish" an adult-oriented business shall mean and include any of the following:

1. The opening or commencement of any adult-oriented business as a new business;
2. The conversion of an existing business, whether or not an adult-oriented business, to any adult-oriented business as defined herein;
3. The addition of any of the adult-oriented businesses defined herein to any other existing adult-oriented business; or
4. The relocation of any such adult-oriented business.

F.A.A. The Federal Aviation Administration or its authorized successor agency.

Facility. A building, structure, or device whose sum of all parts provides a functional use.

Family. One or more persons related to each other, or a group of persons not related, living together in a dwelling unit. A family may also include boarders, roomers, or permanent guests. An individual or a group of two (2) or more persons related by blood, marriage or adoption, including foster children and domestic servants, or a group not to exceed five (5) persons not related by blood, marriage or adoption, living together as a single housekeeping unit and using a single common cooking facility.

Farm. Any tract of land where income is derived from activities defined in the term "agriculture".

F.C.C. The Federal Communications Commission or its authorized successor agency.

Fence. A structure erected on a property to prevent escape or intrusion.

Figure Model. Any person who, for pecuniary compensation, consideration, hire or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed or otherwise depicted.

Floor area, gross. The square footage of a structure measured from the exterior face of walls.

Floor area, net. The interior square footage of a structure measured from the interior face of walls or for figuring parking, the area not considered off-limits to customers inside of a business.

Frame Effect. A digital sign visual effect used to transition from one message to the next.

Garage, public. A structure used for storage of automobiles.

Height. The distance from the pre-existing grade to the highest point on a structure.

Home Occupation. A home business operated in accordance with Article 26.

Home Space. Specific area set aside for occupancy within a Manufactured/Mobile Home Community (MHC) which is offered for rent or lease.

Hospital. An institution that provides medical, surgical, or psychiatric care and treatment for the sick or the injured.

Hostel. A building providing lodging on a temporary basis with a shared kitchen and other facilities in a dormitory setting.
ARTICLE 5: ESTABLISHMENT OF ZONING DISTRICTS

Section 1. Establishment of Zoning Districts

In order to fulfill the purposes and provisions of this Ordinance, the area within the corporate limits of the City of Roswell is divided into the following zoning districts:

- **Residential**
  - R - S: Rural Suburban District
  - R - 1: Residential District
  - R - 2: Residential District
  - R - 3: Residential District
  - R - 4: Residential District
  - RMS: Mobile Home Subdivision District
  - MHC: Mobile Home Community District
  - RVP: Recreational Vehicle Parks and Campground District

- **Commercial**
  - C - 1: Neighborhood Commercial District
  - C - 2: Community Commercial District
  - C - 3: Central Business District
  - C - 4: Commercial Business District

- **Industrial**
  - I - 1: Light Industrial District
  - I - 2: Heavy Industrial District

Section 2. Official Zoning Map

The location and boundaries of the zoning districts established by this Ordinance are set forth on the official zoning map hereby adopted by reference and declared to be an official record.

The official zoning map for the City is located in the Planning and Zoning Department, which is the final authority on the zoning status of all lands within the City limits.

Whenever changes are made to zoning district boundaries, they shall be made promptly on the official zoning map by the Zoning Administrator and become a part thereof.

Changes to the zoning map can only be made by the Planning Director or the Zoning Administrator. No other persons can make changes to the official zoning map.

Should the official zoning map become worn, damaged, destroyed, lost, or difficult to interpret for any reason, the Planning and Zoning Commission may adopt a new official zoning map to replace the previous one. The newly adopted official zoning map may only correct drafting or other errors and omissions from the previous zoning map, but such corrections shall not amend or change existing zoning districts or boundaries.
ARTICLE 8: R-2 RESIDENTIAL DISTRICT

Section 1. Purpose

This district is intended for low to medium density dwellings units, 5 to 9 units per net acre, and other uses which uphold and maintain the low to medium density residential nature of the district.

Section 2. Use Regulations

A. Permitted Uses are as follows:

1. Any use permitted in the R-1 District
2. Manufactured/Mobile homes on individual lots as designated areas recommended and outlined on the official zoning map and by the Comprehensive Master Plan. Applicant for such use shall meet the standards set forth for that zoning district and apply for a permit from the City’s Building Department after receiving consent from the majority of property owners on both sides of the street within the same block in which the subject property is located and any other property owners within the 100 foot notification area.
3. Townhouse.
4. Duplex

B. Special Uses are as follows:

1. Any special use permitted in the R-1 District.
ARTICLE 13: (RVP) RECREATIONAL VEHICLE PARKS AND CAMPGROUND DISTRICT

Section 1. Purpose

Enforce minimum standards for travel trailer and recreational vehicle parks and primitive campgrounds to promote the public health, safety, and welfare, establishing requirements for the design, construction, alteration, extension, and maintenance of a RVP and related utilities and facilities.

Section 2. Use Regulations

A. Permitted Uses are as follows:

1. Recreational vehicles and travel trailers.

2. Temporary buildings to be used incidental to construction work and to be removed upon completion or abandonment of construction.

3. Those uses customarily associated with a RVP that are essential to its operation and maintenance, such as but not limited to, manager office or maintenance building.

B. Special Use as follows:

1. An accessory commercial use, being a C-1 District permitted use, not to exceed 5,000 sq. ft. of gross floor area.

Section 3. Site Development Requirements

In the RVP District, the following requirements shall apply to all buildings and structures, unless otherwise specified in this Ordinance.

A. RVP Site Area: A RVP shall not be less than 2.5 acres in size and shall be so dimensioned as to facilitate efficient design and management. Occupancy shall not be permitted until all infrastructures, facilities, and improvements are installed.

Section 4. Area, Setback, and Height Requirements

<table>
<thead>
<tr>
<th>Minimum Space per unit 25' Width</th>
<th>Front setback from all property-lines to Local/collector streets</th>
<th>Front setback from all property-lines to Arterial streets</th>
<th>Rear setback from property lines</th>
<th>Minimum Spacing between structures: Side-to-Side And End-to-End</th>
<th>Maximum HEIGHT</th>
</tr>
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<tbody>
<tr>
<td>1,250 S.F.</td>
<td>20'</td>
<td>35'</td>
<td>20'</td>
<td>10</td>
<td>20'</td>
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</table>

Section 5. General Standards and Requirements
A development plan shall be submitted to the Planning and Zoning Office in accordance with the procedures established in this Ordinance and meeting the following standards and requirements before the issuance of a building permit.

A. Development Plan. Plans shall be drawn to scale on an 18" x 24" sheet. The following additional information shall also be shown:

1. A detailed ALTA/ACSM Land Title Survey of the proposed RVP area provided by a Registered Licensed Surveyor.

2. Name of the proposed RVP and name and address of the property owner and/or developer.

3. The location and width of all proposed rights of way, easements, and required building setback lines.

4. The locations, dimensions, and area of all proposed or existing lots, home spaces.

5. Identification of the use of any lot or space (single or multi-section units) with consecutive numbering.

6. The location of any proposed accessory structures such as decks, open or enclosed carports, garages, storage sheds, or items of a similar nature, which are subordinate and serve a principal structure or use, located on the home space.

7. The applicant shall provide the City of Roswell 4 sets of the Development Plan at the time of application. Upon final approval the applicant shall furnish the City with 2 sets of the Development Plan for recording purposes.

8. If construction has not begun within one year from the date of approval of the development plan, the approval shall be considered null and void.

B. Street Surfacing and Maintenance. As specified in the latest adopted City of Roswell Public Works Specification Ordinance.

C. Fencing, screening and landscaping. A solid screen fence or wall made of brick, masonry, stone, or wood, no less than 6 feet in height; or an irrigated and maintained landscaped fence planted with a density equaling the opacity and height of a solid fence or wall; or any combination thereof; at all perimeter lot lines of the park. Landscaping shall be provided in accordance with this Ordinance.

D. Access to the Site. Direct vehicular access to the park shall be provided by means of an abutting collector or arterial street. Direct vehicular access shall not be provided through an alley or easement.

E. Design of Driveway Entrances and Exits. Entrances and exits shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with movement of traffic on adjacent streets. A minimum of 2 access points shall be provided, and all traffic into and out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and radii of curbs and pavement at intersections shall be a minimum of 25 feet to facilitate easy turning movements for vehicles with trailers attached. No object shall obscure the view of an approaching driver in the right lane of the street. No entrance or exit shall be located closer than 40 feet from any street intersection or 10 feet from the radius point, whichever is more.

F. Internal Streets. Streets shall be privately owned and maintained and provided in the park where necessary to allow safe, convenient access to all spaces and facilities used by occupants.

G. Street Alignment and Gradient. Street alignment and gradient shall be properly adapted to topography for safe movement of traffic anticipated and to control surface and ground water.
H. **Street Widths.** Streets shall be of adequate width to accommodate the anticipated parking and traffic load per City Fire Department and City Engineer.

J. **Parking Spaces.** One hard pack, off-street parking space per lot. Parking spaces shall be designed as a drive through space to eliminate backing of vehicles. No loading or maneuvering shall be permitted on any public street, sidewalk, right of way, or public grounds.

K. **Management Offices and Common Facilities.** Buildings(s) containing the management office, recreational facilities, toilets, showers, and other common facilities shall be conveniently located for the uses intended. Consolidation of all facilities into a single building and location is acceptable, and must meet the requirements of the current Uniform Building Code. A City of Roswell building permit must be obtained prior to construction.

L. **Disposal of Wastewater, Sewage, and Trash.** No unit shall dispose of wastewater, sewage or trash except in approved facilities provided by management for that purpose. All disposal areas shall be clearly marked and kept clean by management.

M. **Sanitary Stations.**

1. Sufficient facilities shall be provided at sanitary stations for the sole purpose of removing and disposing of waste from all holding tanks, in a clean, efficient, and convenient manner.

2. Each sanitary station shall consist of a drainage basin constructed of impervious material, and containing a disposal hatch and self-closing cover and related working facilities.

3. Sanitary stations shall be located no less than 50 feet from any space or other residential area. Such facilities shall be screened from other activities by visual barriers such as a fence, wall, or natural growth.

4. The disposal hatch of sanitary station units shall be connected to the park sewage disposal system. Related facilities required to wash holding tanks and the general area of the sanitary station shall be connected to the park water supply system.

N. **Minimum Required Toilet Facilities.** 2 toilets, 2 sinks, and 2 bathing facilities shall be required in each facility, men and women, whether dependent or independent units. The following schedule is for dependent units. Urinals shall be acceptable for no more than one third of the toilets required in the men’s facilities.

<table>
<thead>
<tr>
<th>No. of Dependent Trailer-Spaces</th>
<th>Toilets</th>
<th>Sinks</th>
</tr>
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<tr>
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O. Cooking Shelters, Barbecue Pits, and Fireplaces. Shall be so located, constructed, maintained, and used to minimize fire hazards and smoke nuisance both on and off the property. No open fire shall be permitted except in approved facilities. No open fire shall be left unattended, and all open fires shall be extinguished before occupants of spaces retire or leave the area. No fuel or material which emits dense smoke or objectionable odors shall be used or burned.

P. Spaces for Occupancy. RVP spaces in travel trailer parks may only be used by travel trailers, equivalent facilities on or towed by vehicles, tents, or other short-term housing. The wheels of a travel trailer shall not be removed except temporarily for repairs. Jacks or stabilizers may be placed under travel trailer to prevent movement while the trailer is parked and occupied.

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<th>Bathing Stalls</th>
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<tr>
<td>11-20</td>
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<td>21-30</td>
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<td>31-55</td>
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<td>81-105</td>
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</tbody>
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**ARTICLE 16: C-2 COMMUNITY COMMERCIAL DISTRICT**

Section 1. Purpose

This district is intended to provide for a wide variety of retail, personal service, wholesale office, and other general service types of uses for the consumer population of the entire community and, because of their heavy traffic generating characteristics, ability to stay open 24 hours per day and potentially detrimental appearance and performance, are located on the periphery of residential areas along collector and arterial street facilities.

Section 2. Use Regulations
A. **Permitted Uses are as follows:**

1. Any use permitted in the C-1 District
2. Amusement Parks
3. Athletic clubs/Gyms
4. Auditoriums/ Banquet halls/Convention/Exhibition Centers
5. Banks/Credit Unions/Financial institutions
6. Hospitality Establishments (Example: hotels and motels)
7. Liquor Service and Stores
8. Lodges, Clubs, Fraternal, Religious (No gun clubs)
9. Commercial Retail/Service stores
10. Rental Stores and Self-Storage Units
11. Professional Offices
12. Funeral Parlors/Crematorium
13. Golf courses
14. Animal hospitals, clinics, and kennels
15. Medical facilities/offices/centers
16. Newspaper and/or Magazine offices
17. Private or public parking lots/garages/decks
18. Government offices
19. Public or private utility/Service/radio/TV/cable
20. Restaurants/food/drink/lounges/liquor
21. Stadiums and arenas
22. Theaters, indoor
23. Auto repair with temporary outside storage utilizing no more than 20% of net area of the lot.
24. Carnivals, circuses or menageries; shall be located on a paved or hard pack surface and shall not occupy more than 10% of the required parking spaces for that location or business.
25. Vendors shall be located on a paved surface and shall not occupy more than 10% of the required parking spaces for that location or business.
26. Off-site sales shall be located on a paved surface and shall not occupy more than 10% of the required parking spaces for that location or business.
27. Any other use that meets the intent and purpose of this Article and is similar and comparable to those uses listed above.

B. **Special Uses are as follows:**
1. Any special use in the C-I District
2. Airports/heliports/landing fields
3. Bottling works
4. Bus stations and terminals
5. Gun clubs with indoor firing range
6. Outdoor theaters, drive-ins
7. Outside storage as a principal use
8. Parcel delivery/mail order
9. Penal/Correctional institutions
10. Light welding and fabrication
11. Warehouses and/or storage units
12. RV Parks with the following development requirements:
   A. RV park site area. A RV park shall not be less than 2.5 acres in size and shall be so dimensioned as to facilitate efficient design and management. Occupancy shall not be permitted until all infrastructures, facilities, and improvements are installed.

### Area, Setback, and Height Requirements

<table>
<thead>
<tr>
<th>Minimum Space per unit</th>
<th>Front setback from all property lines to Local/collector streets</th>
<th>Front setback from all property lines to Arterial streets</th>
<th>Rear setback from property lines</th>
<th>Minimum Spacing between structures: Side to Side And End to End</th>
<th>Maximum HEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,250 S.F.</td>
<td>20’</td>
<td>20’</td>
<td>10</td>
<td>20’</td>
<td>35’</td>
</tr>
</tbody>
</table>

### General Standards and Requirements

A development plan shall be submitted to the Planning and Zoning Office in accordance with the procedures established in this Ordinance and meeting the following standards and requirements before the issuance of a building permit.

A. Development Plan. Plans shall be drawn to scale on an 18" x 24" sheet. The following additional information shall also be shown:

1. A detailed ALTA/ACSM Land Title Survey of the proposed RV park area provided by a Registered Licensed Surveyor.
2. Name of the proposed RV park and name and address of the property owner and/or developer.
3. The location and width of all proposed rights-of-way, easements, and required building setback lines.

4. The locations, dimensions, and area of all proposed or existing lots, home spaces.

5. Identification of the use of any lot or space (single or multi-section units) with consecutive numbering.

6. The location of any proposed accessory structures such as decks, open or enclosed carports, garages, storage sheds, or items of a similar nature, which are subordinate and serve a principal structure or use, located on the home space.

7. The applicant shall provide the City of Roswell 4 sets of the Development Plan at the time of application. Upon final approval the applicant shall furnish the City with 2 sets of the Development Plan for recording purposes.

8. If construction has not begun within one year from the date of approval of the development plan, the approval shall be considered null and void.

B. Street Surfacing and Maintenance. As specified in the latest adopted City of Roswell Public Works Specification Ordinance.

C. Fencing, screening and landscaping. A solid screen fence or wall made of brick, masonry, stone, or wood, no less than 6 feet in height; or an irrigated and maintained landscaped fence planted with a density equaling the opacity and height of a solid fence or wall; or any combination thereof at all perimeter lot lines of the park. Landscaping shall be provided in accordance with this Ordinance.

D. Access to the Site. Direct vehicular access to the park shall be provided by means of an abutting collector or arterial street. Direct vehicular access shall not be provided through an alley or easement.

E. Design of Driveway Entrances and Exits. Entrances and exits shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with movement of traffic on adjacent streets. A minimum of 2 access points shall be provided, and all traffic into and out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and radii of curbs and pavement at intersections shall be a minimum of 25 feet to facilitate easy turning movements for vehicles with trailers attached. No object shall obscure the view of an approaching driver in the right lane of the street. No entrance or exit shall be located closer than 40 feet from any street intersection or 10 feet from the radius point, whichever is more.

F. Internal Streets. Streets shall be privately owned and maintained and provided in the park where necessary to allow safe, convenient access to all spaces and facilities used by occupants.

G. Street Alignment and Gradient. Street alignment and gradient shall be properly adapted to topography for safe movement of traffic anticipated and to control surface and ground water.

H. Street Widths. Streets shall be of adequate width to accommodate the anticipated parking and traffic load per City Fire Department and City Engineer

J. Parking Spaces. One hard-pack, off-street parking space per lot. Parking spaces shall be designed as a drive-through space to eliminate backing of vehicles. No loading or maneuvering shall be permitted on any public street, sidewalk, right-of-way, or public grounds.
K. Management Offices and Common Facilities. Buildings(s) containing the management office, recreational facilities, toilets, showers, and other common facilities shall be conveniently located for the uses intended. Consolidation of all facilities into a single building and location is acceptable, and must meet the requirements of the current Uniform Building Code. A City of Roswell building permit must be obtained prior to construction.

L. Disposal of Wastewater, Sewage, and Trash. No unit shall dispose of wastewater, sewage or trash except in approved facilities provided by management for that purpose. All disposal areas shall be clearly marked and kept clean by management.

M. Sanitary Stations.

1. Sufficient facilities shall be provided at sanitary stations for the sole purpose of removing and disposing of waste from all holding tanks, in a clean, efficient, and convenient manner.

2. Each sanitary station shall consist of a drainage basin constructed of impervious material, and containing a disposal hatch and self-closing cover and related working facilities.

3. Sanitary stations shall be located no less than 50 feet from any space or other residential area. Such facilities shall be screened from other activities by visual barriers such as a fence, wall, or natural growth.

4. The disposal hatch of sanitary station units shall be connected to the park sewage disposal system. Related facilities required to wash holding tanks and the general area of the sanitary station shall be connected to the park water supply system.

N. Minimum Required Toilet Facilities. 2 toilets, 2 sinks, and 2 bathing facilities shall be required in each facility, men and women, whether dependent or independent units. The following schedule is for dependent units. Urinals shall be acceptable for no more than one-third of the toilets required in the men’s facilities.

<table>
<thead>
<tr>
<th>No. of Dependent Trailer Spaces</th>
<th>Toilets</th>
<th>Sinks</th>
<th>Bathing Stalls</th>
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<tr>
<td>6-10</td>
<td>4</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>11-20</td>
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<td>2</td>
</tr>
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</tr>
<tr>
<td>81-105</td>
<td>14</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

O. Cooking Shelters, Barbecue Pits, and Fireplaces. Shall be so located, constructed, maintained, and used to minimize fire hazards and smoke nuisance both on and off the property. No open fire shall be permitted except in approved facilities. No open fire shall be left unattended, and all open fires shall be
extinguished before occupants of spaces retire or leave the area. No fuel or material which emits dense smoke or objectionable odors shall be used or burned.

P. Spaces for Occupancy. RV park spaces in travel trailer parks may only be used by travel trailers, equivalent facilities on or towed by vehicles, tents, or other short-term housing. The wheels of a travel trailer shall not be removed except temporarily for repairs. Jacks or stabilizers may be placed under travel trailer to prevent movement while the trailer is parked and occupied.

ARTICLE 23: BUILDING and PERFORMANCE STANDARDS

Section 1. Purpose

The purpose of this article is to establish general building and performance standards to preserve and promote an attractive, well-planned, and stable urban environment.

Section 2. Access to Public Streets

Except in the PUD district and as otherwise provided for in this and other Ordinances, every residential dwelling unit structure constructed or erected after the effective date of this Ordinance shall be located on a lot which has access to or abuts, as a minimum, a local public street.

Section 3. Buildings Per Lot

A. In residentially zoned districts, every single family detached dwelling, mobile home, 2 family attached dwelling, or multiple family dwellings used for rental purposes, constructed or erected after the effective date of this Ordinance, shall be located on one duly subdivided and recorded lot and there shall not be more than one principal building on one lot; Excepting in the R-3 and R-4 districts.

B. When 2 or more lots, each of which lacks adequate area and dimension alone to qualify for a permitted use, are contiguous and are held under single ownership, they may be used as one zoning lot for such use.
Section 4. **Accessory Uses**

A. Residential zoned districts 3 sets of plans containing a site plan and structure design shall be required for all accessory structures. All construction shall comply with the latest City approved and accepted New Mexico Building Code, International Building Code, International Fire Code, National Electrical Code, Uniform Mechanical Code, and Uniform Plumbing Code. Accessory structures uses shall also meet the following requirements:

1. An accessory building shall be compatible with the principal building that it serves and shall not be constructed prior to the construction of the principal building, except when used for agricultural purposes in the R-S district.

2. Location of an accessory structure shall meet the following requirements:
   a. shall not be within the Front Yard setback established and permitted for that lot in that lot.
   b. shall be a minimum of 15 feet from the street side property line for corner lots.
   c. shall be a minimum of 10 feet to the principal building or any other structure on that lot.
   d. shall be a minimum of 5 foot from the Rear Yard property line lots that do not abut dedicated, platted, public right-of-way such as an alleyway.

2. Location of an accessory structure shall meet the following requirements:
   a. Shall not be within the front yard setback established and permitted for a lot in that zoning district.
   b. Shall be a minimum of 5’ from all shared property lines. A shared property line is a side or rear property line abutting a neighboring property with no alley or easement in between.
   c. Shall be a minimum of 15’ from the street side yard property line for corner lots.
   d. Shall be a minimum of 10’ from the principal building and/or any other structure on that lot.
   e. Structures must be an additional 1’ from side and rear property lines for every 1’ in height over 12’ while meeting all other applicable setback requirements.
   f. Structures less than 120 square feet not requiring a building permit shall require a placement permit to ensure adequate setbacks are met.
Section 8.  **Fences, Walls, and Other Obstructions**

Except as set forth elsewhere in this Ordinance and in other Ordinances, rear yard fences and walls shall not exceed 8 feet in height. Front yard fences shall not exceed 6 feet in height. A minimum setback of 20’ from the curb shall be required for front yard fences, where applicable. Fences over 6 feet in height require a Building Permit from the Building Inspection Department. A fence permit shall be required for all new fences.

A. Fences shall not consist of barbed wire, except if the fence is constructed with conventional materials, then no more than 3 strands of barbed wire may be placed at the top of the fence for security purposes. Such exception is only allowed in the commercial/industrial districts, publicly owned properties, and related buildings, utility and service facilities.

B. Fences may not be located within the public right-of-way of streets and/or alley-ways.

C. Fences located within any sight-triangle of the principal ingress or egress of a lot or public right-of-way may not exceed 3 feet in height from natural ground.

Section 9.  **Outside Storage**

All outside storage of materials, not on display for direct sale or rental to the consumer, shall be enclosed and effectively screened from adjacent streets and properties by placing a solid fence or wall, made of brick, masonry, stone, or wood at the property line not less than 6 feet in height or the height of the materials being screened, whichever is greater.

Section 10.  **Lighting**

A. All lighting, glare, and/or general illumination shall not be cast upon properties that are adjacent to the site from which the lighting, glare, and/or general illumination originates.

B. No lighting, glare, and/or general illumination which flashes, revolves, or otherwise resembles a traffic control signal or in any way creates a hazard for passing traffic shall be permitted.

C. All exterior lighting shall conform to the New Mexico Night Skies Act.

Section 11.  **Landscaping**

*To promote and preserve an aesthetically pleasing setting, reduce water erosion and runoff and improve the overall quality of the environment, the owners of all buildings and parking lots hereinafter erected or constructed in the R-3 through I-2 zoning districts, except C-3 and C-4, shall provide and maintain landscaping in the amount and locations as set forth herein.*

A. **Definition.** Landscaping shall mean trees with a combination of either shrubs or ground cover. Trees are mandatory for landscaping to count towards the total required landscaping.

1. Deciduous or evergreen trees shall be placed throughout the required landscaped area, spaced no more than 40 feet on-center. Trees shall have a minimum 2 inch caliper trunk at the time of planting, which is measured 4 inches above the soil line in the container or 4 inches above the soil line on a balled-and-bur lapped tree. Trees planted in turf shall have a 3 inch deep by 4 foot radius mulch ring. The material shall be an organic type of bark mulch. The bark shall not be placed within 3 inches of the base of the trunk to inhibit pathogens from entering the tree.
**Section 14. Sanitation Dumpsters, Grease Bin, and Enclosure Requirements**

A. All commercial properties and apartment complexes in Commercial and Industrial Districts will have their sanitation and/or grease removed from the alley ways.

B. All dumpsters (and grease bins if required) shall be located in their own separate enclosures. If both dumpsters and grease bins are required for a site, they must each be located in a single enclosure with a concrete masonry unit (CMU) wall separating the two of them. At no time will the dumpster and grease bin be permitted inside a single enclosure together.

C. Pipe bollards shall be located inside each separate enclosure between the dumpster and/or grease bin and the rear wall of the enclosure to prevent damage to the rear wall from the routine sanitation pick-up services.

D. Enclosures shall be constructed of masonry or concrete and at a height of 6’ with the rear wall of the enclosure at the rear property boundary line, with a concrete or asphalt floor, and with the opening of the enclosure(s) facing towards the alley way. Should a different location be requested, it is the developer’s responsibility to get this location pre-approved by the Director of Sanitation before a Building Permit can be issued.

E. Any deviation shall be submitted for approval by the Planning and Zoning and Engineering Departments.

**Section 14: Overlay Districts**

Overlay Districts lie on top of existing zoning districts to either supplement or supersede existing zoning regulations. Overlay Districts provide a means to regulate development by requiring more stringent standards or by allowing more flexibility in uses than the underlying zoning district recommends. An overlay district can extend across multiple lots and zoning districts and can incorporate lots owned by multiple property owners. Applications to create Overlay Districts may be initiated by either the City or by a private entity.

Overlay Districts establish guidelines to create a unified aesthetic for a community. The guidelines may focus on design standards, access, and mixtures of uses that are not available through other venues.

A. A preliminary review conducted by Staff shall determine the feasibility of a proposed Overlay District and its conformance to City Ordinances and the Comprehensive Master Plan. Boundaries, design standards, and intent must be clearly defined.

B. A formal application will be heard at a public hearing of the Planning and Zoning Commission and City Council.
MEMORANDUM

Meeting Date: Monday, April 6, 2015
Item No. E-1
To: Planning and Zoning Committee
From: Planning and Zoning Department
Subject: Approval of Weed Resolution #15-18

Action Requested: To recommend approval by City Council of Weed Resolution #15-18.

Background: Weed Resolutions must be approved by City Council.

Staff Recommendation: Recommendation of approval by City Council.
Subject: Resolution No. 15-18

Purpose:

The Resolution shall mandate the cleanup of approximately thirty-two (32) separate properties within the City.

Need:

At present, no more efficient means is available to enforce the requirements that property within the City limits be kept clean and orderly. Citation of property owners requires they be present in Roswell. Even the citations do not provide for the actual clean up and cannot give the City the right to file a lien for the cleanup expense. This procedure is cumbersome, but should result in resolution of some more severe situations.

Impact:

Adoption of the resolution will probably cause a number of people to voluntarily clean up their property. Most of the balance will be cleaned up by the City and liens will be filed and later foreclosed. A few people may appeal the resolution to Council and a hearing will have to be provided to hear their appeals. Overall, the resolution should affect rapid cleanup of this season's weeds and other debris, followed by an extended collection period.

Recommendation:

The Planning and Zoning Committee recommends the City Council approve this resolution and placed on the consent agenda.
A RESOLUTION REQUIRING THE REMOVAL OF CERTAIN RUBBISH, WEEDS, WRECKAGE OR DEBRIS; PROVIDING THAT THE CITY SHALL HAVE A LIEN FOR THE COST OF REMOVAL AND DECLARING CERTAIN PROPERTY TO BE SO COVERED WITH RUBBISH, WEEDS, WRECKAGE OR DEBRIS AS TO CONSTITUTE A PUBLIC NUISANCE PREJUDICIAL TO HEALTH, SAFETY AND GENERAL WELFARE.

WHEREAS, the City Council of the City of Roswell, New Mexico, finds that the premises listed in Exhibit A attached hereto and purportedly owned of record, or occupied by the parties named, have accumulated rubbish, weeds, wreckage or debris so as to be a menace to the public health, safety and general welfare of the inhabitants of the community; and further, that it is in the public interest to require the removal thereof, according to law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.

2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced or written objection filed with the City Clerk within ten (10) days after service of a copy of this resolution, then the City Manager is authorized and directed to cause such accumulated rubbish, weeds, wreckage or debris to be removed at the sole cost and expense of the owner, or other parties having an interest in the properties, and further, that the reasonable cost of such removal shall be and become a subsisting and valid lien against such property so removed and the lot or parcel of land from which such removal was made and shall be foreclosed in the manner provided by law for the foreclosure of municipal liens.

3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the date of issuance of such order or decision, together with a petition for court review duly filed with the Clerk of the Court within twenty (20) days of the date of issuance of the order or decision complained of.

ADOPTED, SIGNED AND APPROVED 9th day of April 2015.

CITY SEAL

Dennis J. Kintigh, Mayor

ATTEST:

Sharon Coll, City Clerk
<table>
<thead>
<tr>
<th>Resolution #15-18</th>
<th>Exhibit A</th>
<th>April 9, 2015</th>
<th>Page 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>1401 S. MULBERRY AVE.</td>
<td>JOHNSON &amp; ALLISON S2</td>
<td>Block 2 Lots 5-6-7-8</td>
<td>FRUITLAND Block 7 Lot 24</td>
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<tr>
<td>OZONELLEZ-LARREA, HERLANDO</td>
<td>447 SUNRISE WEST DRIVE SW</td>
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<td>1405 S. MULBERRY AVE.</td>
<td>JOHNSON &amp; ALLISON S2</td>
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<td>E. BYRNE ST.</td>
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<td>KELLER, TX 76248</td>
<td>502 FULKERSON DR.</td>
<td>ROSWELL, NM 88203</td>
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<td>FARWELL, TX 79325</td>
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<td>01 E ST.</td>
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<td>511 W. 7TH ST.</td>
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<td>VACANT LOT EAST OF 4501 N. MAIN ST.</td>
<td>16-10-24 NW4 S1440' N1470'</td>
<td>E480' W1734.17' M/L</td>
<td>SAMARCAN INC.</td>
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<tr>
<td>149 COLONIAL ROAD</td>
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<td>HARVEY GROOVER LONG ESTATE</td>
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<td>702 E. 5TH ST.</td>
<td>BELLE PLAIN Lot 38 W 85.2' S 208.7'N</td>
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<td>253.70' &amp; Lot 38 E 60 FT W 145.2 FT S</td>
<td>191.5 FT N 236.5' Quarter SE S 33 T 10S R 24E</td>
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<td>RAMIREZ, CARLOS A.; GARCIA, MARIA CELIA GUADALUPE</td>
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<td>303 HUNTERS CREEK DR.</td>
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<td>Block 13 Lot 31</td>
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<td>MARTIN, NORMAN THERLO; MARTIN, ELKE MARGARETE</td>
<td>UNDIV 1/6 INT</td>
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| 18 W. WELLS ST. | 409 S. EVERGREEN AVE. |
| PECOS VALLEY VILLAGE | WILL JOHNSON HEIGHTS 2 Block 1 Lot 5 |
| Block 13 Lot 30 | ROMO, DOMINGO R. |
| LOPEZ, JUAN E. RIVAS | C/O VANESSA ROMO |
| 593 LEE RD. | 2120 S. SALLEE |
| IMPERIAL, CA 92251 | VISALIA, CA 93277 |

| 1000 W. DEMING ST. | 1615 S. UNION AVE. |
| LODEWICK Block 3 Lot 1 | PARK UNION TOWNHOUSE |
| BANK OF AMERICA, NA | Block 0 Lot 8 |
| 8501 FALL BROOK AVE. | OCHSENIUS, MAX E. |
| CANOGA PARK, CA 91304 | 1615 S. UNION AVE. |
| | ROSWELL, NM 88203 |

| 1503 S. WASHINGTON AVE. | 500 S. LEA AVE. |
| SOUTH HIGHLANDS EXT C | ALAMEDA HEIGHTS |
| Block 6 Lot 2 | Block 8 Lot 1 N 50' |
| COOK, ANTHONY; COOK, ERIN | GRAY, GREGORY MARC |
| 1503 S. WASHINGTON AVE. | 500 S. LEA AVE. |
| ROSWELL, NM 88203 | ROSWELL, NM 88203 |

| 521 W. REED ST. | 201 S. MICHIGAN AVE. |
| MYERS REDIV Block 3 Lot 14 | OVARDS Block 7 Lot 12 |
| BURNETT LIVING TRUST, | BREWER, LINUS MONROE; |
| 1996 Vinnie LUELLA | DENTON, MARGARET |
| C/O BURNETT, Vinnie | PMB 317 |
| LUELLA – TRUSTEE | 1380 US HIGHWAY 95A N. STE. 2 |
| 3215 FIR AVE. | FERNLEY, NV 89408 |
| ALAMEDA, CA 94502 | |

| 204 S. PENNSYLVANIA AVE. | 206 S. MICHIGAN AVE. |
| WEST SIDE Block 46 Lot 3 | 206 S. MICHIGAN AVE. #1/2 |
| ENGLISH REVOCABLE | OVARDS Block 8 Lot 4 |
| TRUST W. MARGARET M. | SMITH C M E CHURCH |
| C/O MARGARET M. ENGLISH | C/O CHRISTINE RAGSDALE |
| 313 W. COUNTRY CLUB RD. STE. 4 | 400 N. LIGHT PLANT ROAD, SP. #32 |
| ROSWELL, NM 88201-5804 | AZTEC, NM 87410 |
MEMORANDUM

Meeting Date: Monday, April 6, 2015
Item No. E-2
To: Planning and Zoning Committee
From: Planning and Zoning Department
Subject: Approval of Condemnation Resolution #15-19

Action Requested: To recommend approval by City Council of Condemnation Resolution #15-19.

Background: Condemnation Resolutions must be approved by City Council.

Staff Recommendation: Recommendation of approval by City Council.
Subject: Resolution No.15-19

Department: Code Enforcement

COMMITTEE: Planning & Zoning

Attachment: Resolution No. 15-19 and Exhibit A.

Information Contact: Mike Mathews, Code Enforcement
Phone Number: 624-6700x298

Purpose:

The Resolution shall require the removal or demolition of two (2) dilapidated structures.

Need:

These structures constitute a public nuisance harmful to the public health, safety and general welfare.

Impact:

Resolution and notice will be served to owners requiring action within fifteen (15) days. Demolition by the City will proceed if no action is taken.

Recommendation(s):

The Planning and Zoning Committee recommends this resolution be placed on the consent agenda and that the City Council approve this resolution.
CITY OF ROSELL
RESOLUTION NO. 15-19

A RESOLUTION REQUIRING THE REMOVAL AND/OR DEMOLITION OF CERTAIN DAMAGED AND DILAPIDATED BUILDINGS, STRUCTURES OR PREMISES; PROVIDING THAT THE CITY SHALL HAVE A LIEN FOR THE COST OF REMOVAL; PRESCRIBING THE PROCEDURE INCIDENT TO SUCH REMOVAL AND/OR DEMOLITION AND DECLARING CERTAIN PROPERTY TO BE IN SUCH STATE OF DISREPAIR, DAMAGE AND DILAPIDATION AS TO CONSTITUTE A DANGEROUS BUILDING AND A PUBLIC NUISANCE PREJUDICIAL TO THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

WHEREAS, it is the opinion of the City Council of the City of Roswell, New Mexico, that those certain buildings or structures upon the premises located as follows and purportedly owned of record, or occupied by the parties hereinafter named, are and have become in such state of disrepair, damage and dilapidation as to be a menace to the public health, safety and general welfare of the inhabitants of the community; and further, that it is in the public interest to require the removal thereof, according to law, by reason of the condition or conditions set forth in Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSELL, NEW MEXICO:

1. That the buildings or structures set forth in Exhibit "A" are declared to be in such state of disrepair, damage and dilapidation as to constitute a dangerous building within the purview of Roswell Municipal code section 16-12, as well as being a public nuisance prejudicial to the public health, safety and general welfare. That such dangerous buildings or structures set forth, if any, cannot reasonably be repaired so that they will no longer exist in violation of the terms of the ordinance.

2. The owners, occupants, if any, or agent in charge of said premises be, and they hereby are ordered and required to remove such dangerous buildings, or structures within a reasonable time thereafter not to exceed fifteen (15) days from the receipt of notice by certified mail or from date of publication of this resolution as hereinafter provided, and as the case may be. In the event such removal be not commenced by such owner, occupant or agent, or written objection thereto be filed with the City Clerk within ten (10) days after service of a copy of this resolution by certified mail or by publication, requesting a hearing, then and in such event, the City Manager is hereby authorized and directed to cause such dangerous buildings or structures to be removed at the sole cost and expense of the owner, owners or other parties having an interest in said properties, and further, that the reasonable cost of such removal shall be and become a subsisting and valid lien against such property so removed and the lot or parcel of land from which such removal was made and shall be foreclosed in the manner provided by law for the foreclosure of municipal liens. Alternatively, the City Manager may act pursuant to Article 3-18-5 (G) (NMSA, 1978), and cause the dangerous buildings or structures to be removed and give title to them or their components to the removing person or persons.

3. In the event the owner or other interested party aggrieved shall file his protest within the time herein provided, requesting a hearing, on the matter, the City Council shall fix a date for hearing, at which time said Protestants shall be entitled to be heard in person, by agent or attorney, and the City Council shall consider evidence whether or not its previous action should be enforced or rescinded. If it shall be determined that the removal order should be enforced, and the owner(s) shall fail or neglect to comply with said decision of the City Council, they shall have a right of appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within the (10) days after the date of the City Council decision, together with his petition for court review duly filed with the Clerk of the Court within thirty (30) days of the date of the decision complained of.

4. Upon the adoption of this resolution, it shall be the duty of the City Building
Inspector to notify the owner, occupant or agent in charge of such building or structure of the adoption of this resolution by serving a copy thereof upon him by certified mail, return receipt requested; and in the event such owner, occupant or agent cannot be found or served within said City as herein above provided, such notice may be served by posting a copy of said resolution upon the premises complained of, followed by legal publication of said resolution one time in a newspaper of general circulation within the city.

ADOPTED AND APPROVED the 9th day of April 2015.

CITY SEAL

Dennis J. Kintigh, Mayor

ATTEST:

Sharon Coll, City Clerk

Resolution #15-19
April 9, 2015

Exhibit A
Page 1

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1007 N. Garden Ave. Belle Plain Block 0 Lot 6 That Portion N &amp; W Of S Channel North Spring River, Subd Belle Plain Lot 7 That Portion N &amp; W Of S Channel North Spring River &amp; 8 That Portion N &amp; W Of S Channel North Spring River S 33 T 10S R 24E NW4NE4 S 449.11' N 1290.01' E 387.49' W 423.32' / E 399.6' W 840' S 500' / E 410.4' W 440.4' S 50' BK 378 PG 431 SWD</td>
<td>Dilapidated/ Deterioration Open To Public, Inadequate Maintenance</td>
<td>Roswell Investment &amp; Development Co. 6720 E. Camino Principal, Suite 102 Tucson, AZ 85715</td>
</tr>
<tr>
<td>413 S. Ash Ave. Ronnie Otero Lot 6</td>
<td>Dilapidated/ Deterioration Open To Public, Inadequate Maintenance</td>
<td>Prestinia M. Grajeda 413 S. Ash Ave. Roswell, NM 88203</td>
</tr>
</tbody>
</table>
MEMORANDUM

Meeting Date: Monday, April 6, 2015
Item No. F-1
To: Planning and Zoning Committee
From: Planning and Zoning Department
Subject: Discussion of Planning and Zoning Commission Report

Action Requested: To inform the Planning and Zoning Committee of action taken at the Planning and Zoning Commission meeting.

Background: Staff updates the Committee on Commission activity on a monthly bases.

Staff Recommendation: No action is required.
DEPARTMENT: Planning and Zoning

CONTACT: Louis Najar- City Engineer
637-6281
COMMITTEE: Planning and Zoning

ATTACHMENTS: None

PURPOSE: To inform the City Council of decisions made by the Planning and Zoning Commission at the March 31, 2015 regular meeting.

MEMBERS PRESENT: Ralph Brown, Shirley Childress, Eddie Carrillo, Bruce Gwartney, and Riley Armstrong.

Case 15-03: A Vacation of a Public Right-of-Way- Dodson Lumber Summary Replat, A portion of the SE ¼ of Section 28 T.10S, R24E., The easternmost 464.10’, more or less, of East 16th Street, located along the east side of the 1600-1700 Blocks of North Garden Avenue, known as 1701 North Garden, Dodson Wholesale Lumber/Owner, Smith Engineering/Agent

Recommended for approval by City Council by a vote of 5-0.
MEMORANDUM

Meeting Date: Monday, April 6, 2015
Item No. F-2
To: Planning and Zoning Committee
From: Planning and Zoning Department
Subject: Discussion of Planning and Zoning Commission Report

Action Requested: To inform the Planning and Zoning Committee of updates to the Old Municipal Airport (OMA) property.
Background: Staff is continuing work on the OMA property.
Staff Recommendation: No action is required.