



City of Elephant Butte General Land Use Application for Permitting

ALL ZONING APPLICATIONS REQUIRE A MINIMUM OF **48 HOURS** FOR REVIEW TO DETERMINE APPROVAL OR PLACEMENT ON THE NEXT PLANNING AND ZONING MEETING AGENDA.

1. **Survey:** Any survey more than 36 months may be accepted after approval from the Land Use Department. The Survey must show the location of the septic tank. If the septic lines are connected to a community/group septic system, the property owner must indicate where the septic lines travel through the property and the location of the septic system.
2. **Proof of Ownership:** Proof of ownership or written permission from the property owner in addition to proof of ownership, must be submitted to apply for the permit. Proof of Ownership must include your name and the LEGAL description of the property as well as the Street Address of the property. The following can be accepted as proof of ownership:
 - a. Tax Bill/Evaluation
 - b. Warranty Deed
 - c. Mortgage
3. **Site and Development Plan:** Consisting of a scaled drawing or map of the property showing the following:
 - a. Location of existing and proposed streets
 - b. Driveways, parking and loading sites
 - c. Pedestrian walks
 - d. Structures- existing and proposed: Include plans of any proposed structures including dimensions and elevation details
 - e. Drainage improvements
 - f. Landscaped area
 - g. All utility easements and setbacks
4. **Evaluation:** An evaluation of the existing infrastructure capacities to serve the user's needs for the potable water, liquid waste disposal and solid waste disposal. (Are there adequate utilities and infrastructure in the area to support the planned construction?)
5. **Fees:** The appropriate application fee. This fee is due when you submit the application and is **non-refundable**. If construction has begun the application fee will be double for residential and \$200 + permitting for commercial. (See Attached Schedule) All state permitted projects are subject to a \$25.00 Flood Plain Review.
6. **Contractors:** All contractors must have a valid City of Elephant Butte Business Registration to apply for permitting.



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Code of Ordinances 155.006 –E: ADMINISTRATION OF THE CODE.

(E) *Zoning permits.*

(1) *Zoning permit required.* No construction or use of property shall be commenced prior to issuance of a zoning permit.

(2) *Application.* An application for a zoning permit shall include the following information and attachments, provided that the Zoning Administrator may waive those requirements deemed to be inapplicable:

(a) *Proof of ownership.* Applications must be submitted by the owner of the subject property or the owner's agent designated in writing.

(b) *Survey.* An accurate improvement survey, containing legal description and address of the property, not older than 36 months, prepared by a licensed New Mexico surveyor, provided, that the Zoning Administrator may accept a boundary survey in lieu of an improvement survey for applications that do not include the construction or placement of new improvements if the Administrator finds that the boundary survey is adequate to meet the requirements of this chapter. The Zoning Administrator may accept an older survey if satisfied that it accurately reflects the property and accurately identifies all utility, drainage and other public easements.

(c) *Site plan.* A site plan consisting of a scaled drawing or map of the property showing the location of existing and proposed streets, driveways, parking and loading sites, pedestrian walks, structures, drainage improvements, landscaped areas, utility easements, setbacks, and location of the septic tank, if any. If the septic system is not on the property, the site plan must indicate the lines going to and the location of the area where the group/community septic system is located.

(d) *Infrastructure.* An evaluation of the existing infrastructures' capacities to serve the needs for potable water, liquid waste disposal and solid waste disposal.

(e) *Application fee.* The appropriate application fee as designated in the fee schedule shall accompany the application.

1. Applications for all zoning and sign permits shall be submitted to the City Code Enforcement Officer.
2. Applications will be accepted only from the owners and lessees of the subject property, or their agents, or persons who have contracted to purchase property contingent upon ability to acquire the necessary permits.
3. All applications must be complete before they may be accepted by the Code Enforcement Officer
4. Applications for all zoning and sign permits must be accompanied by the appropriate fee. Permits fees shall be established by City Council Resolution.

City of Elephant Butte

General Land Use Application



Case Number:

Land Use Department
103 Water Avenue
PO Box 1080
Phone: (575) 744-4892
Fax: (575) 744-4493

Property Owner Name and Address

☐ Individual ☐ Partnership ☐ Corporation ☐ Trust

Name(s): _____

Address: _____

Physical Address

City

State

Zip

Home Phone: _____ Work Phone: _____ Mobile Phone: _____

E-mail: _____ Fax: _____

Applicant Name and Address

☐ Owner ☐ Tenant ☐ Agent/Contractor

(If other than property owner, submit signed (notarized) letter by all property owners or Power of Attorney giving one-person authorization to act on their behalf)

Name(s): _____ Title: _____

Address: _____

Mailing Address

City

State

Zip

Home Phone: _____ Work Phone: _____ Mobile Phone: _____

E-mail: _____ Fax: _____

Property and Project Description

☐ Residential ☐ Commercial ☐ Special Use ☐ Planned Unit Development ☐ Public Easement

Zoning District: ☐ R-1-A ☐ R-1-B ☐ R-1-C ☐ R-1-D ☐ R-1-P ☐ R-3 ☐ C2 ☐ PUD ☐ R-AG

Street Address of Lot(s):	Number of Lots Involved:	Block Number: Lot Number(s): Unit:
Project Sq. Ft and/or Acreage Building: Lot(s):	Parcel Number:	Subdivision Name (if applicable):

Project Description Narrative:

City of Elephant Butte General Land Use Fee Schedule

Adopted by Resolution 22-23-114 on April 26th, 2023 by the City Council.

COMMERCIAL	RESIDENTIAL	DRAINAGE – 154.45
\$50.00	\$50.00	Excavation/Grading/Fill
\$0.00	\$0.00	Driveway Culvert – Per Culvert
\$35.00	\$35.00	Retention/Detention Pond – Per Pond
\$100.00	\$65.00	Paving/Concrete Permit (1000 SF+)
\$25.00	\$25.00	Flood Plain Manager Review of Plans
COMMERCIAL	RESIDENTIAL	DEVELOPMENT FEES 155.006 E
\$75.00	\$50.00	Temporary Use Zoning Permit
\$200.00	\$100.00	NEW Development – ALL INCLUSIVE
\$50.00	\$35.00	Remodel Pre-Existing Structure
\$50.00	\$35.00	Demolition/Removal
\$50.00	\$35.00	Re-Roof Pre-Existing Structure
\$50.00	\$35.00	Accessory Building
\$50.00	\$35.00	Carport
\$35.00	\$35.00	Deck/Patio (120 SF)
\$35.00	\$35.00	Fence (Over 6' Tall)
\$50.00	\$35.00	Wall
\$100.00	\$50.00	Solar Installation
\$75.00	\$50.00	Swimming Pool w/4' min. fence
\$35.00	n/a	Landscaping Plan
COMMERCIAL	RESIDENTIAL	PERMIT FINES
\$200.00	DOUBLE PERMIT	Development Without a Permit
\$250.00	\$100.00	Operating on Expired Permit
\$150.00	\$150.00	Contractor 1 st Offense – No Permit
\$300.00	\$300.00	Contractor 2 nd Offense – No Permit
\$600.00	\$600.00	Contractor 3 rd Offense – No Permit

ALL PROPERTIES	COMMUNICATION DEVELOPMENT/MAINT.
\$500.00	Free Standing or Guyed Tower Permit
\$500.00	Telecommunication/Wind Generator
\$250.00	Public Right-of-Way Use
ALL PROPERTIES	SIGNS 152.07
\$50.00	Illuminated Sign
\$50.00	Permanent On-Premises Sign
\$75.00	Permanent Off-Premises Sign
\$35.00	Temporary Sign/Banner/Flag
\$35.00	Window Sign – Home Occupation
ALL PROPERTIES	PLANNING & ZONING
\$50.00	Wind Turbine Permit
\$250.00	Annexation - \$250 + \$5.00 per acre
\$300.00	Comprehensive Land Use Plan Amendment
\$35.00	Easement Review
\$35.00	Non-Conforming Use – Site, Structure
\$150.00	Overlay Zone
\$500.00	Planned Unit Development Overlay Zone 155.078
\$300.00	Rezoning/Zone Reclassification 155.006 J
\$250.00	Zoning Ordinance Text Amendment 155.008
ALL PROPERTIES	ADDITIONAL FEES APPLICABLE TO ALL PROPERTIES
\$75.00	Variance/Encroachment 155.006 I
\$35.00	Appeal to City Council
\$50.00	Conditional Use Public Hearing
\$50.00	Vacation of Lot Line
\$25.00	Change to Original Application
1/2 Original Fee	Time Extension (3 Month Administrative Ext.)

I have read, examined, and completed the above application. I hereby affirm under penalty of perjury and false swearing that all the answers, statements, and information submitted with this application are correct and accurate to the best of my knowledge. I also affirm that I am the sole owner of the property identified herein, or I am duly authorized by the owner(s) to act with respect to this application, and proof of said authorization is attached. Further, I grant permission from the owner to any and all employees and representatives of the City of Elephant Butte and other governmental agencies to enter upon said property for purposes of inspection, photo documentation, and posting signs as reasonably necessary to process this application. I understand that all information becomes public information and can be made available through an Open Records Request per the New Mexico Public Information Act Chapter 14, Article 3 NMSA 1978. I agree to pay all fees of the City that apply to this application. If for any reason additional review is necessary, I agree to pay any and all additional fees required by the City. All provisions of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of this application does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the subject property. I understand that if my plans are approved by the City of Elephant Butte Land Use Department, I must follow the plans as filed or be subject to possible citation for violation.

Applicant Signature(s)

Date Signed

(All Owners & Representatives or attach Power of Attorney or notarized letter of permission from Property Owner)

OFFICIAL USE ONLY	
Received By: _____	Date Received: _____
Project Reviewer: _____	Received: IN PERSON EMAIL MAIL FAX
<input type="checkbox"/> Application Approved	Permit Expires: _____
<input type="checkbox"/> Application Approved with Conditions: _____ _____ _____	
<input type="checkbox"/> Application Denied; Reason for Denial: _____ _____ _____	
Fee Amount Collected: \$ _____	Fine Amount Collected: \$ _____
Additional Notes: _____ _____ _____ _____ _____	
Case Number: _____	