

The Process

The following information is a simplified representation of the steps followed for a Special Use Permit:



Contact Us

For more information you can call, email, or come by our office and request to speak with the Planner of the Day (POD).
(575) 528-3043
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Las Cruces City Hall
700 N. Main Street, Suite 1100

SPECIAL USE PERMITS

Land uses which require a Special Use Permit (SUP) are uses that are not permitted by-right within certain Zoning Districts. These special uses have been determined to have the potential to be compatible with the surrounding properties and uses that are allowed by-right, however, they may potentially create nuisances or negatively impact the surrounding area. All of the special uses are designated in the City of Las Cruces Municipal Code.

The purpose of the Special Use Permit is for the City's Planning and Zoning Commission to review each request for a special use and to determine the impact of the proposed special use on the surrounding area.

If no negative impact is determined, and no conditions are required by the City of Las Cruces Municipal Code, the special use may be permitted without conditions. However, the Planning and Zoning Commission, at its discretion, may also permit a special use that has the potential to impact the surrounding area with additional conditions deemed necessary to mitigate the impacts to the surrounding area. The Planning and Zoning Commission may also impose a time limitation on the Special Use Permit.

Who will approve the request?

Following a review by City staff from various departments, City staff shall provide the City's Planning and Zoning Commission with its recommendation, including recommended conditions. The Special Use Permit request will then be required to go to a public hearing before the Planning and Zoning Commission for a final decision. The decision of the Commission may be appealed to the City Council.

How long will it take?

Depending upon the nature of the Special Use Permit request, it may take two (2) to three (3) months to go through the process and get a final decision from the Planning and Zoning Commission. If approved, a Certificate of Occupancy or business registration shall be obtained for the special use within two (2)

years of the approval. If not obtained within the two (2) years, or if the special use is discontinued for a period of one (1) year, the Special Use Permit shall be revoked.

Can I change a Special Use Permit?

Any major revisions proposed to the Special Use Permit and site plan shall require resubmittal of the Special Use Permit. Major revisions shall include: change in land use; fifteen percent (15%) increase in land use or building square footage; fifteen percent (15%) increase in vehicular traffic; change in size of the special use area; reduction in screening, buffer yards and setbacks; fifteen percent (15%) increase in the buildable area for structures; reduction or elimination of time limitations; and renewal of the special use permit. Minor revisions are those changes that are not major revisions and may be approved administratively.

Because the approval of a Special Use Permit is location-specific, it cannot be transferred to another location.

What do I need to submit?

- City of Las Cruces Development Application
- Letter of Intent
- Existing Site Plan and Boundary Survey (8.5x11)
- Proposed Site Plan (8.5x11)
- Other items as deemed necessary

How much will it cost?

Special Use Permit Application Fee: \$600
Special Use Permit Major Amendment: \$615
Special Use Permit Minor Amendment: \$300
*Additional cost recovery fees for advertising of the public meeting apply and totals vary

More Information

View the following sections of the City of Las Cruces Municipal Code for more detailed information:

- ◆ Chapter 38, Zoning; Article II, Administration; Section 38-10 to Section 38-17
- ◆ Chapter 38, Zoning; Article IV, General Zoning Districts; Section 38-33
- ◆ Chapter 38, Zoning; Article VI, Special Provisions; Section 38-54