



VALENCIA COUNTY, NEW MEXICO  
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VALENCIA COUNTY ORDINANCE

ORDINANCE 2021-02

**AN ORDINANCE AMENDING THE COUNTY ZONING CODE TO ALLOW FOR  
EXTENDED USE OF RVs AND TO CREATE A GREENHOUSE OVERLAY DISTRICT**

Adopted by the Board of County Commissioners

On July 21, 2021

Effective on August 21, 2021

**B: 105 P: 330-A**



ORDINANCE NO. 2021-02

AMENDING THE COUNTY ZONING CODE TO ALLOW FOR EXTEND USE OF RVs  
AND TO CREATE A GREENHOUSE OVERLAY DISTRICT

PREAMBLE

**WHEREAS**, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

**WHEREAS**, Section 4-37-1 et seq. NMSA 1978 provides that counties may adopt ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

**WHEREAS**, the County Zoning Ordinance was enacted pursuant to NMSA 1978, Sections 3-21-1 to 3-21-26 *et seq.* and applies to the unincorporated lands within the County of Valencia’s jurisdiction; and,

**WHEREAS**, the Board of County Commissioners has determined that it is in necessary for the health safety and welfare of the inhabitants of the County to amend the Zoning Ordinance as set forth herein.

**NOW THEREFORE, BE IT ORDAINED** that the Board of County Commissioners of the County of Valencia hereby amends the Zoning Ordinance as follows:

**Section 154-105 (F) (8) of the code of ordinances is hereby deleted in its entirety and replaced with the following:**

(8) *Occupancy of recreational vehicles.*

(a) One recreational vehicle shall be permitted to be parked on any parcel in conjunction with a principal dwelling, and may be used for the temporary accommodation of guests for a period of up to 180 days total in any year.

(b) In no case shall any recreational vehicle be used as a principal dwelling or rented unless and until the necessary permits have been obtained which include septic disposal and setback requirements for a dwelling.

**A new section 154.155 is hereby created:**

**§ 154.155 GREENHOUSE OVERLAY DISTRICT.**

This section may be cited as the Valencia County Greenhouse Overlay District.

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- (A) *Purpose.* The purpose of this section is to provide for agriculture production utilizing greenhouses in a manner that does not interfere with the restrictions of the underlying district but will allow for the expansion of agriculture production as set forth in the Comprehensive Plan and would not cause a detriment to any abutting lands.
- (B) *Definitions.* All terms defined in the Interim Comprehensive Zoning Ordinance of Valencia County, New Mexico, as the same may be amended from time to time, shall also apply to this section, and, for purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**GREENHOUSE.** A controlled environment enclosed structure utilized for commercial agriculture used to cultivate crops or other plants for commercial sale. This definition does not include the use of private garden greenhouses utilized to cultivate crops or other plants for private use, which is not regulated by this section.

(C) *Permitted Uses*

In addition to those uses allowed by the underlying zoning, the following uses are allowed in the Rural Residential (RR-1 and RR -2), Neighborhood Commercial (C-1), Community Commercial (C-2) Industrial (I-1, I-2 and I-3), Outland District (OD) and Agricultural Preservation (AP) districts upon the issuance of a greenhouse overlay district development permit:

1. Crop production greenhouses and other controlled-environment agricultural structures and related season extension structures for personal and/or commercial use provided the combined maximum covered area shall not exceed:
  - a. no size limit in OD, AP, I-1, I-2 and I-3
  - b. fifteen thousand (15,000) square feet in C-1 and C-2
  - c. fifteen percent (15%) parcel coverage in RR-1
  - d. twenty percent (20%) parcel coverage in RR-2All setback requirements of the underlying district will apply.

2. Agriculture production, storage and food processing facilities, business, service, and commercial establishments are authorized in OD AP, I-1, I-2, I-3, C-1 and C-2 districts.

(D) *APPLICATION FOR GREENHOUSE OVERLAY*

1. In addition to the Type C application procedure set forth in [§ 154.077](#) application for a Greenhouse Overlay shall contain:
  - (a) The documentation, as applicable, required for any application for a site design review as set forth in [§§ 154.035 et seq.](#);
  - (b) Plans showing the location, area, dimensions, acreage and legal description of the parcel to be developed or used, together with north point, scale, date of application, and the greenhouse and other facilities
  - (c) Provisions for preventing the collection and stagnation of water at all stages of the operation;

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(d) All plans prepared and submitted shall be prepared at a scale no smaller than 1 inch to 200 feet, with 5 foot contours, and the information shall be furnished for a distance beyond the site sufficient to determine the impact of the operation on adjacent and surrounding lands; and

(e) Plans for road improvements.

(f) Plans for the removal of the greenhouse facility prior to the sale or transfer of the real property to a subsequent owner

(g) Plans for the mitigation of order, noise, dust in order to not interfere with the use of neighboring properties.

**(F) DURATION OF GREENHOUSE OVERLAY DISTRICT**

1. The Greenhouse Overlay District shall be granted to the applicant only and shall not be deemed to run with the land;

2. No modification of a zoning district standard shall have the effect of changing the existing zoning district where the property sits.

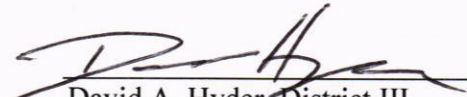
**PASSED, APPROVED AND ADOPTED THIS 21st DAY OF JULY 2021.**

**BOARD OF COUNTY COMMISSIONERS**

  
Gerard Saiz, Chair, District I

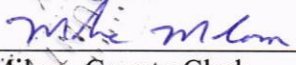
  
Jhonathan Aragon, Vice-Chair, District V

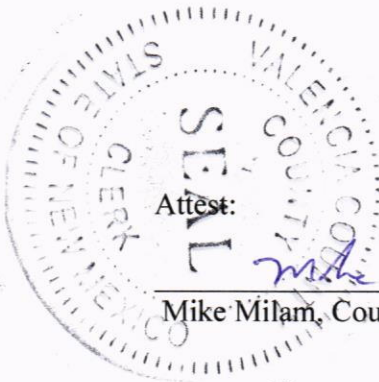
  
Troy Richardson, District II

  
David A. Hyder, District III

  
Joseph Bizzell, District IV

Attest:

  
Mike Milam, County Clerk



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