



Town of Mesilla, New Mexico

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION ON TUESDAY, FEBRUARY 18, 2014 AT 5:30 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

Case 012244 – 2930 N. Highway 28, by Trinidad DeLaO, a request for a permit to allow a 600 sq.ft. guest house to be built on the property. Zone: Residential/Agricultural (RA)

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING ON TUESDAY, FEBRUARY 18, 2014 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

PLEDGE OF ALLEGIANCE

ROLL CALL AND DETERMINATION OF A QUORUM

CHANGES TO THE AGENDA

ACCEPTANCE OF THE CONSENT AGENDA

Note: Items on the agenda indicated by an asterisk () are on the consent agenda and will be voted on with one motion unless a Commissioner requests that a specific item be removed.*

***PZHAC MINUTES:**

Meeting Minutes of January 21, and February 3, 2014

*** ADMINISTRATIVE (CONSENT) APPROVALS:**

Building Permit Requests:

PZHAC NEW BUSINESS

Summary Subdivision (Lot line adjustment):

Case 012249 – 2938 Valle Grande, by Paul Karody, a subdivision application to move a property line to allow a driveway to provide access to an existing land locked property. Zone: Rural Farm (RF)

Business Registration Requests:

Case 2014 - 0559 - 2488 Calle de Guadalupe, by Patrizia Gregory, a request for a business license for a massage practice to be located at this address. Zone: Historic Commercial (HC)

Case 2014 - 0560 – To be located on Calle de Parian, outside El Patio Bar, by Ivan Saenz, a request for a business license to operate a food truck at this location. Zone: Historical Commercial (HC).

Building Permit Requests:

Case 012244 – 2930 N. Highway 28, by Trinidad DeLaO, a request for a permit to allow a 600 sq.ft. guest house to be built on the property. Zone: Residential/Agricultural (RA)

Sign Permit Requests:

Case 012250 – 1910 Calle de Parian (The Old Tortilla Factory) by Teresa Guerra, a request for a sign permit to allow two 15 sq.ft. wall signs to be installed on the structure, with one sign on each street frontage. Zone: Historic Commercial (HC).

PZHAC PUBLIC HEARING

MTC Code Amendment:

Consideration of an ordinance amending and enacting certain sections of the Mesilla Town Code; Title 15 (Buildings and Construction)

PUBLIC COMMENTS

PZHAC/STAFF COMMENTS

PZHAC ADJOURNMENT

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 72 hours prior to the meeting.

*Posted on **2/14/14** at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Santiago, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.*

PZHAC NEW BUSINESS

PZHAC ACTION FORM
SUMMARY SUBDIVISION - CASE SD2014-001
LOT LINE ADJUSTMENT
[PZHAC REVIEW – 2/18/14]

STAFF ANALYSIS

ITEM:

Case 012249 – 2938 Valle Grande, by Paul Karody, a subdivision application to move a property line to allow a driveway to provide access to an existing land locked property. Zone: Rural Farm (RF)

BACKGROUND:

When the property was first created, it was landlocked, with access to the property by way of a 440' long by 15' wide "road" easement across the parent property to Valle Grande. The purpose of this request is to provide permanent access to the subject property by transferring a 50' wide strip of land to the property from the parent property. This strip, which will become a permanent part of the subject property, will extend from the property to Valle Grande Road, a distance of about 500'. (See attached surveys.)

No additional lots will be created, and no neighboring lots will be affected.

CONSISTENCY WITH THE CODE:

The request being presented under the Alternate Summary Subdivision Procedure because there are no other procedures in the Town of Mesilla Subdivision or Zoning Codes that address lot line adjustments in which no new lots are created, nor are there any changes to the boundaries of neighboring properties. The request is consistent with the following section of the Code:

Chapter 17.35 - ALTERNATE SUMMARY PROCEDURE

MTC 17.35.010 Requirements. (Will need to be met if the request is approved.)

B. Plats of survey with a metes and bounds description with a minimum scale of one inch equals 100 feet certified by a registered land surveyor in the state of New Mexico with accompanying land description will be a suitable means of description for the purposes of this chapter. Final approved plats shall be submitted on 18-inch by 24-inch reproducible mylar. **(The plat was not required by staff at this time in case there were any changes to the request resulting from input from the PZHAC.)**

D. Disclosure statements will not be required unless specifically requested by the planning commission.

The requested change will bring the property, which is currently legal non-conforming, closer to compliance with the code by providing the property with direct frontage along a maintained road, allowing more direct access to the property by emergency equipment.

IMPACTS TO SURROUNDING PROPERTIES:

The creation of the 50' strip property will not create any changes to adjacent properties, nor will it negatively affect adjacent properties.

FINDINGS OF FACT:

- The PZHAC has jurisdiction to review and approve this request.
- The MTC does not directly address the issue of lot line adjustments in which no lots are created.
- The proposed lot configuration will provide the subject property with direct frontage along a maintained road
- The proposed lot line adjustment will have no impact on adjacent properties.
- The proposed lot line adjustment meets all applicable Code requirements.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff recommends approval of this application with the condition that the applicant provide staff with a Final Plats submitted on 18-inch by 24-inch reproducible mylar.

PZHAC OPTIONS:

1. Recommend approval of application.
2. Recommend approval of application with conditions.
3. Reject the application.

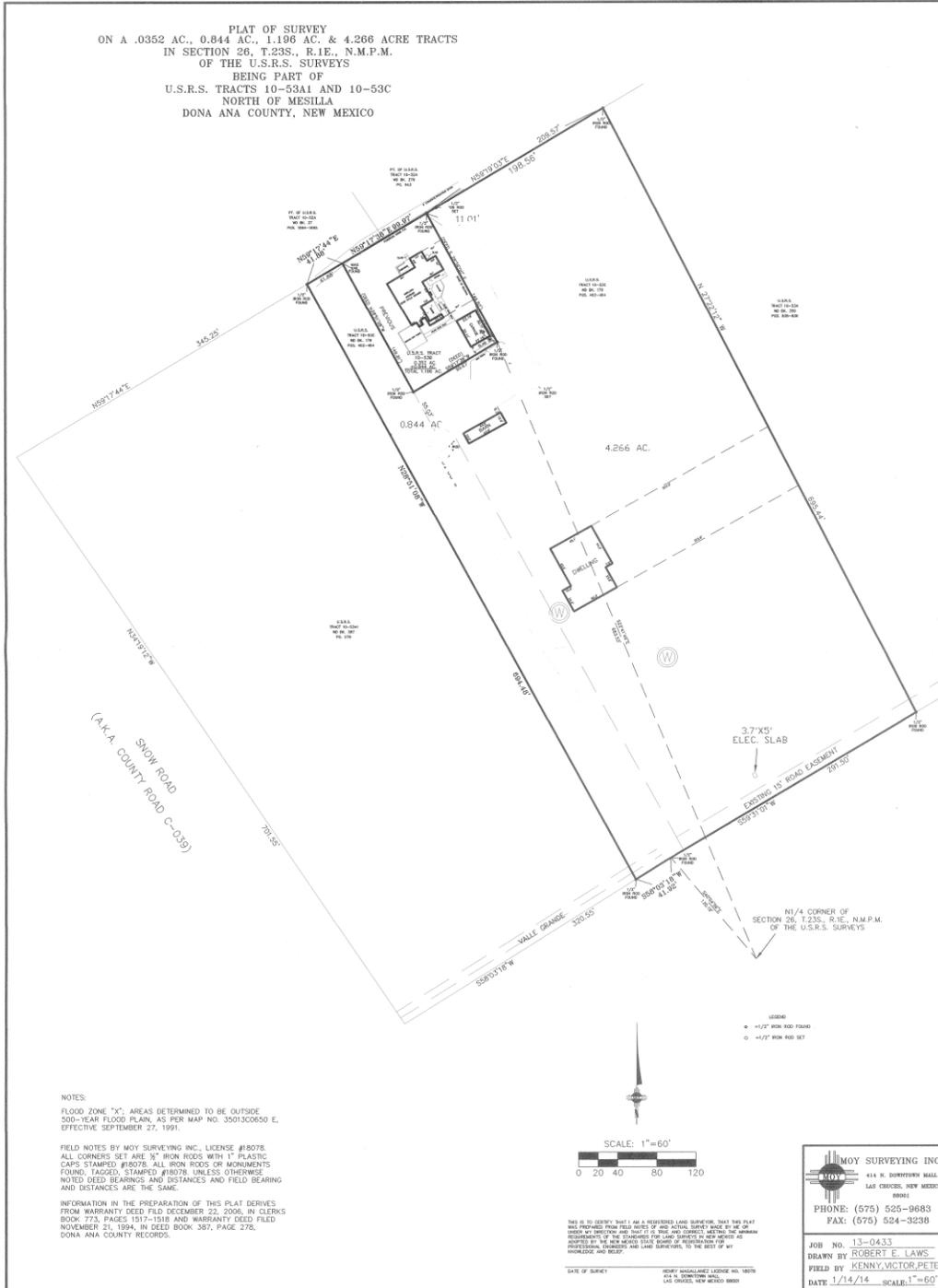
PZHAC ACTION:

Prepared by: Larry Shannon

Date prepared: 2/13/14

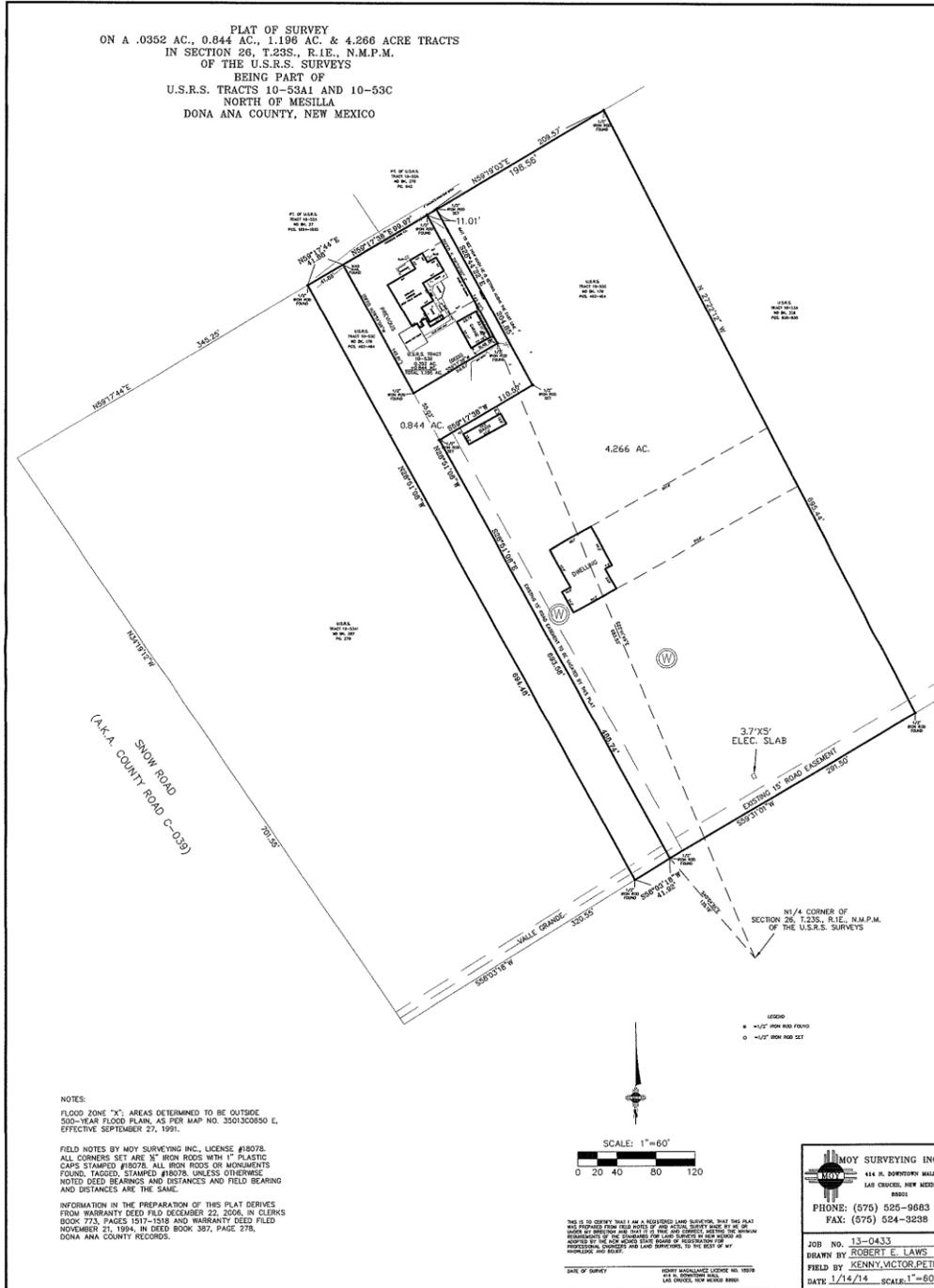
**SUMMARY SUBDIVISION – CASE SD2014-001
 LOT LINE ADJUSTMENT
 [PZHAC REVIEW – 2/18/14]**

**SURVEY
 ORIGINAL LOT LINES**



**SUMMARY SUBDIVISION – CASE SD2014-001
 LOT LINE ADJUSTMENT
 [PZHAC REVIEW – 2/18/14]**

**SURVEY
 ADJUSTED LOT LINES**



**SUMMARY SUBDIVISION - CASE SD2014-001
 LOT LINE ADJUSTMENT
 [PZHAC REVIEW – 2/18/14]**

PROPERTY LOCATION

2/12/14

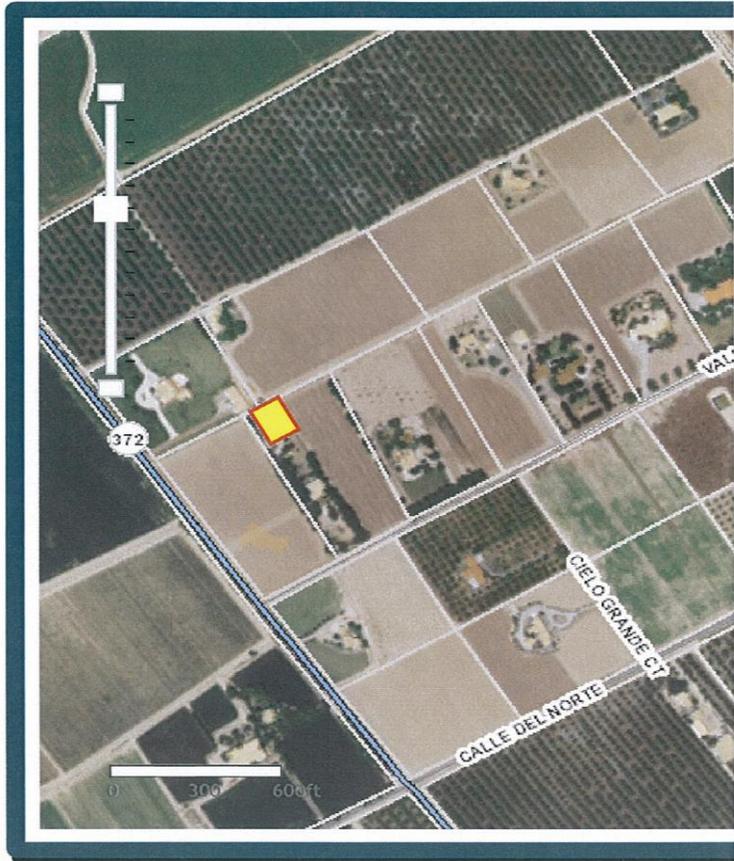
Doña Ana County Zoning Map

Doña Ana County Zoning Map Search

Layer Visibility:

- Roads
- Buildings
- City Limits

Parcel ID: 04-00038
 Map Code: 4-005-137-232-460
 NAME: KORODY PAUL G
 NAME2:
 Mail Address: 2938 VALLE GRANDE
 CITY: LAS CRUCES
 STATE: NM
 ZIP: 88005
 LOT:
 BLOCK:
 Subdivision:
 Condo Name:
 Condo Unit:
 Mobile Homes: 0
 Clerk Record: 0644293
 RTS: 1E 23S 26
 Property Address: 2938 VALLE GRANDE
 Acres: 0.34



	Parcel ID	Map Code	Owner 1	Owner 2	Address
🔍					

SUMMARY SUBDIVISION - CASE SD2014-001

**LOT LINE ADJUSTMENT
[PZHAC REVIEW – 2/18/14]**

APPLICATION



OFFICIAL USE ONLY:

Case # _____

Fee \$ _____

CASE NO. _____ ZONE: _____ CODE: _____ APPLICATION DATE: _____
 Preliminary Plat Summary Subdivision Final Plat Vacation of Lot Line

Name of Applicant _____ Applicant's Telephone/Cell Number _____

P PAUL KORDOY (575) 640-7474

Mailing Address _____ City _____ State _____ Zip Code _____

P 2938 VALLE GRANDE LAS CRUCES NM 88005
 MESILLA

Owner of Record: Address _____ City _____ State _____ Zip Code _____

P MOY SURVEYING 414 N. DOWNTOWN MALL 525-9683

Name of Engineer _____ License # of Engineer _____ Address _____ Telephone/Cell Number _____

Name of Architect _____ License # of Architect _____ Address _____ Telephone/Cell Number _____

N/A - THIS IS A LOT LINE ADJUSTMENT, NO LOTS WILL BE CREATED

Subdivision Name _____ Subdivision Location _____

Total Acreage _____ Number of Lots: _____

Acreage of Largest Lot: _____ Acreage of Smallest Lot: _____

Legal Description _____

Tax Map Property Code (s) 1. 04-00043 1. 4-005-137-255-480
2. 04-00038 Jacob's Map # 2. 4-005-137-232-460

A ZONE CHANGE, VARIANCE, EXEMPTION, OR SPECIAL PERMIT IS ALSO BEING REQUESTED WITH THIS PROPERTY.

EXPLAIN: N/A

By signing this application, you hereby acknowledge that ALL the information submitted on and with this application is true and correct to the best of your knowledge and that all provisions of the Town of Mesilla shall be met. No application will be accepted without the original signature of the owner(s) of record of the described property. If more than one owner, ALL owners must sign the application. (Attached an additional sheet if necessary).

Owner(s) _____ Date _____

Applicant(s) (if different than owner) _____ Date _____

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval BOT Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

CONDITIONS: _____

BUSINESS REGISTRATION REQUEST #2014 - 0559

[PZHAC REVIEW – 2/18/14]

PZHAC ACTION FORM

STAFF ANALYSIS

Item:

Case 2014 - 0559 - 2488 Calle de Guadalupe, by Patrizia Gregory, owner of “Knead to Heal”; a request for a business license for a massage practice to be located at this address. Zone: Historic Commercial (HC)

Description of Business:

The applicant intends to lease a part of the structure at this location to operate a massage practice that will provide various types of massage therapies, including a “relaxation massage”, a “specialized massage”, and spa enhancements including aroma therapy and sugar scrubs. The applicant has been in business at other location since 2000.

Consistency with the Code:

The request is consistent with the following specific sections of the MTC:

18.40.020 Uses permitted. Uses permitted in the H-C zone are as follows: Commercial uses allowed in the C zone - This is a commercial use that has been allowed to operate in the HC zoning district in the past under an interpretation that it is a commercial use whose impacts on the surrounding area are similar to those created by other commercial uses in the zone.

The request is consistent with the all other sections of the Zoning Codes that may be applied to this project:

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed business will
- This is a use that has previously been interpreted as a use allowed by the MTC in this zoning district.
- The proposed use will create less intensive impacts than might be created by other uses allowed in this zoning district.
- The proposed use will not create any substantial changes to the external appearance of the structure.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff recommends approval of this application as requested.

PZHAC OPTIONS:

- Recommend approval of application.
- Recommend approval of application with conditions.
- Reject the application.

PZHAC ACTION:

Prepared by: Larry Shannon

Date prepared: 2/13/14

**BUSINESS REGISTRATION REQUEST #2014 - 0559
[PZHAC REVIEW – 2/18/14]**

LOCATION

2/12/14

Doña Ana County Zoning Map

Doña Ana County Zoning Map
Search

Layer Visibility:

Roads

Buildings

City Limits

Parcel ID: [04-01209](#)
 Map Code: [4-006-137-253-477](#)
 NAME: FOUNTAIN ARTHUR HENRY
 NAME2:
 Mail Address: 1826 CHAPARRO
 CITY: LAS CRUCES
 STATE: NM
 ZIP: 88001
 LOT:
 BLOCK:
 Subdivision:
 Condo Name:
 Condo Unit:
 Mobile Homes: 0
 Clerk Record: 0643469
 RTS: 1E23S 25
 Property Address:
 Acres: 0.24

	Parcel ID	Map Code	Owner 1	Owner 2	Address
🔍					

BUSINESS REGISTRATION REQUEST #2014 - 0559
[PZHAC REVIEW - 2/18/14]

APPLICATION

Town of Mesilla

Business Registration Application

Note: A separate business registration application form should be completed for each business location.



Submit by Email

Print Form

2231 Avenida de Mesilla P.O. Box 10

Mesilla, NM 88046

Phone: (575) 524 3262 Fax: (575) 541 6327

PLEASE TYPE OR PRINT

Business Registration Application is: New Renewal

Name of Business: Kneading To Heal

Name of Applicant: Patrizia Gregory

MAILING Address: Po. Box 254

City: Dona Ana State: NM Zip: 88032

PHYSICAL Address of Business: 2488 Calle de Guadalupe

Business Phone Number: 527-1910 Alternate Phone Number: 680-5259

E-mail Address: _____

Please include a valid E-mail address, which will be used for information and updates about special events, street closures, and other important town information. If you would like your business included on the Town's tourism website, please visit www.mesillanm.gov and fill out the Business Information Update Request Form, or contact the special events coordinator at mesillaevents@comcast.net

Property Owner Name: Artie Fountain

Property Owner Address: 2488 Calle de Guadalupe (LC NM)

City: Las Cruces Mesilla State: NM Zip: 88005

Property Owner Phone Number: 575-527-1910
(work) 528-8142

Square Footage of Business: 135 sqft Business Applicant Is:

Number of Employees: 0 Sole Proprietorship

Number of Parking Spaces: 1 Partnership

Zoning Code: 07303 Corporation

Type of Business - Please describe the product(s) and/or service(s):

In business since 2000, A massage practice. Services include Relaxation massage, Specialized massage, Spa enhancements including Aroma therapy and Sugar scrubs

PLEASE FILL OUT OTHER SIDE

BUSINESS REGISTRATION REQUEST #2014 - 0560

[PZHAC REVIEW – 2/13/14]

PZHAC ACTION FORM

STAFF ANALYSIS

Item:

Case 2014 - 0560 – To be located on the corner of Calle de Parian and Calle Principal, outside El Patio Bar; by Ivan Saenz, a request for a business license to operate a food truck at this location. Zone: Historical Commercial (HC).

Description of Business:

The applicant operates as a mobile food vendor in and around the Las Cruces area. The purpose of this application is to allow the applicant to operate outside of El Patio Bar at night to provide food for bar patrons. Hours of operation would be Thursday to Saturday nights from 8 pm until the bar closes. Food served will consist of tacos, burritos, burgers, etc. that would normally be associated with a bar environment.

Consistency with the Code:

Although there is nothing in the MTC that specifically addresses mobile food vendors, this request could be considered consistent with the following specific sections of the MTC:

18.40.020 Uses permitted. Uses permitted in the H-C zone are as follows: Commercial uses allowed in the C zone – The proposed use could be considered a commercial use that is an “...other eating establishment”, which is an allowed use under this section of the Code.

There are no sections of the MTC that specifically addresses mobile food vendors, or any requirements that would prohibit the proposed use.

The proposed use should be required to meet any state and federal requirements that might apply to this type of use, including applicable fire codes.

Impacts on Surrounding Area:

This type of operation could create a negative backlash from other food providers in storefront locations in the area due to the perception of being unfair competition. However, due to the fact that other food businesses in the town are not open during the proposed hours of operation, this will not be a problem at this time.

Additionally, the proposed operation could have a positive impact on the area by providing bar patrons with access to food, possibly mitigating some of the effects of drinking.

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed business will operate at this location Thursday to Saturday, from 8 pm to closing time of the bar.
- The proposed use will not create any negative impacts to existing food vendors in the Town during the proposed hours of operation.
- This proposed use is not specifically addressed in the MTC.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff recommends approval of this application with the following conditions:

1. Any changes to the days or hours of operation will need to be reviewed and approved by the PZHAC. (Any other changes to the operation will need to be approved by Staff.)
2. The proposed use shall meet any state and federal requirements that might apply to this type of use, including applicable fire codes.
3. The proposed use shall utilize an existing parking space at the location, and shall not block or encroach upon any Town Right-of-Way or pedestrian area.
4. The proposed use shall not create any noise or light impacts to residential properties in the area.
5. There shall be no use of loudspeakers, loud music, or excessive lighting for any reason.

PZHAC OPTIONS:

- Recommend approval of application.
- Recommend approval of application with conditions.
- Reject the application.

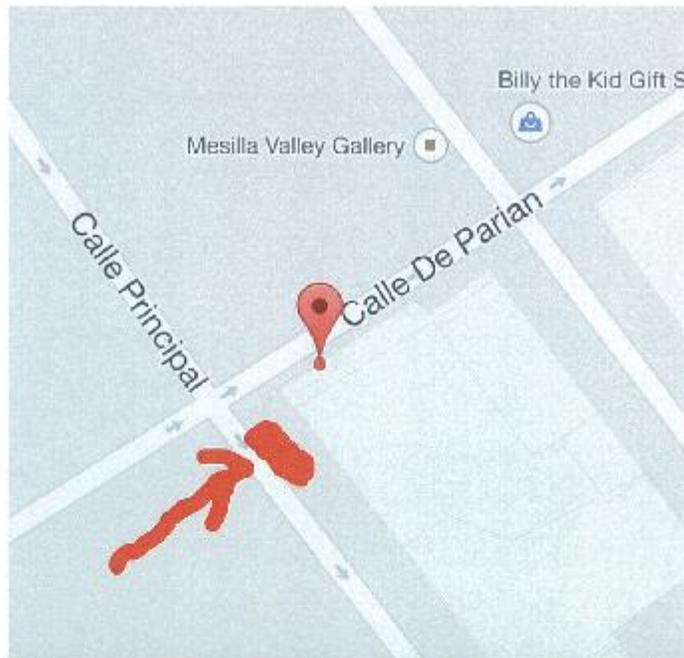
PZHAC ACTION:

Prepared by: Larry Shannon

Date prepared: 2/13/14

**BUSINESS REGISTRATION REQUEST #2014 - 0560
[PZHAC REVIEW – 2/1/14]**

LOCATION



BUSINESS REGISTRATION REQUEST #2014 - 0560
[PZHAC REVIEW – 2/18/14]

APPLICATION

Town of Mesilla

Business Registration Application

Note: A separate business registration application form should be completed for each business location.



Submit by Email Print Form

2231 Avenida de Mesilla P.O. Box 10
Mesilla, NM 88046

Phone: (575) 524-3262 Fax: (575) 541-6327

PLEASE TYPE OR PRINT

Business Registration Application is: New Renewal

Name of Business Luchador Food Truck

Name of Applicant Ivan Saez

MAILING Address 2330 S. Valley Dr. Sp 13

City Las Cruces State NM Zip 88005

PHYSICAL Address of Business 2330 S. Valley Dr. Sp 13

Business Phone 575 650 2078 Alternate Phone 832 517 1066

E-mail Address Luchadorfoodtruck@gmail.com

Please include a valid E-mail address, which will be used for information and updates about special events, street closures, and other important town information. If you would like your business included on the town's tourism website, please visit www.mesillanm.gov and fill out the Business Information Update Request Form, or contact the special events coordinator at mesillaweb@comcast.net

Property Owner Name Ivan Saez

Property Owner Address 2330 S. Valley Dr Sp 13

City Las Cruces State NM Zip 88005

Property Owner Phone 575 650 2078

Square Footage of Business 140 ft²

Number of Employees 0

Number of Parking Spaces _____

Zoning Code _____

Business Applicant Is:

- Sole Proprietorship
- Partnership
- Corporation

Current NM CRS Tax ID 83 277206 608

Type of Business - Please describe the product(s) and/or service(s)

Mobile Food Vendor

PLEASE FILL OUT OTHER SIDE

PZHAC ACTION FORM

BUILDING PERMIT REQUEST CASE 012244

[PZHAC REVIEW – 2/3/14; 2/18/14]

STAFF ANALYSIS

Request:

Case 012244 – 2930 N. Highway 28, by Trinidad DeLaO, a request for a permit to allow a 600 sq.ft. guest house to be built on the property. Zone: Residential/Agricultural (RA)

Description of Request:

The applicant would like to construct a 600 square foot casita (guest house) on the property. The property currently contains a modular home that is recognized by state law (The Manufactured Housing Act of 1987) as the equivalent to a site built dwelling for zoning and taxing purposes.

The purpose of the casita will be to allow an elderly relative of the applicant to live on the property for the purpose of caregiving. The casita will share some utilities with the main structure on the property.

The applicant would like to finish the exterior of the casita to match the exterior of the main structure on the property.

Estimated Cost: (To be determined)

Consistency with the Code:

The request is consistent with the following Sections of the **Building Code** that specifically apply to this project:

18.40.030 Exterior appearance. – The requested exterior finish is not prohibited by the MTC. (This determination was made by the PZHAC and the BOT when the permit for the main dwelling was reviewed in 2014.)

18.60 General Provisions, Conditions and Exceptions – The proposed addition is consistent with the requirements of this Chapter.

18.25.020(C) Permitted uses: “A guest house, used only as an accessory to the primary single-family home and not rented or used as a business.” – The applicant intends to use the proposed structure to provide a residence for an elderly family member.

18.10.020 Definitions – Specific: “Guest house” is an attached or detached unit used as an accessory building to the primary single-family home and not rented or otherwise conducted as a business. A guest house shall not exceed 600 square feet outside dimensions. – The proposed structure will be a maximum of 600 square feet.

18.60.060 Nonconforming use of land – the proposed casita (guest house) is a replacement of a legal non-conforming casita that was part of the original main structure that was torn down in August, 2014. (The proposed structure is not an expansion of the previous use, and is being request within six months of the removal of the original structure.)

The request, as presented, is consistent with all other sections of the **Building and Zoning Codes** that may be applied to this project.

Permit History:

The existing dwelling on the property was the topic of much discussion concerning the permitting of manufactured housing in the Town. It was eventually determined that the manufactured dwelling currently on the property was not restricted by any applicable Town codes. A code amendment to address issues brought up as a result of these discussions is currently in the process of being reviewed by the PZHAC, and will be heard in the Public Hearing portion of this meeting.

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed casita (guest house) is allowed by the Code in the Residential/Agricultural (RA) zoning district.
- The proposed casita (guest house) is a replacement of a legal non-conforming guest house that was on the property within the last six months.
- The requested exterior finish will match the finish of the existing structure, and is not currently prohibited by the Code.
- The proposed structure will need to be built to applicable Building Code requirements for such structures.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff recommends approval of this application with the following conditions prior to a building permit being issued:

1. Detailed plans of the proposed structure shall be submitted to staff. These plans shall include:
 - a. A site plan showing the dimensions and locations of the structures on the property.
 - b. Detailed plans showing the exterior finish and color of the proposed structure.
2. Exterior lighting shall meet the requirements of Chapter 18.50 - Outdoor Lighting of the MTC.

The PZHAC heard this case on February 3, 2014 and tabled a decision on the case to allow the applicant to be present at the meeting to answer questions about the proposed structure.

PZHAC OPTIONS:

- Recommend approval of application.
- Recommend approval of application with conditions.
- Reject the application.

PZHAC ACTION:

Prepared by: Larry Shannon

Date prepared: 2/1/14

Date modified: 2/14/14

BUILDING PERMIT REQUEST CASE 012244
[PZHAC REVIEW – 2/3/14; 2/18/14]

LOCATION

[Doña Ana County Zoning Map](#)

<http://maps.donanaacounty.org/zoning/>

Doña Ana County Zoning Map

Search Parcels

Layer Visibility:

- Roads
- Buildings
- City Limits

Parcel ID: 04-00882
Map Code: 4-006-13B-074-072
NAME: DELA O TRINIDAD
NAME:
Mail Address: 1306 PAJARO RD
CITY: LAS CRUCES
STATE: NM
ZIP: 89305
LOT:
BLOCK:
Subdivision:
Condo Name:
Condo Unit:
Mobile Homes: 0
Clerk Record: 1524627
RTB: 1F 23S 36
Property Address: 2930 AVENIDA DE MILELLA
Acres: 0.75

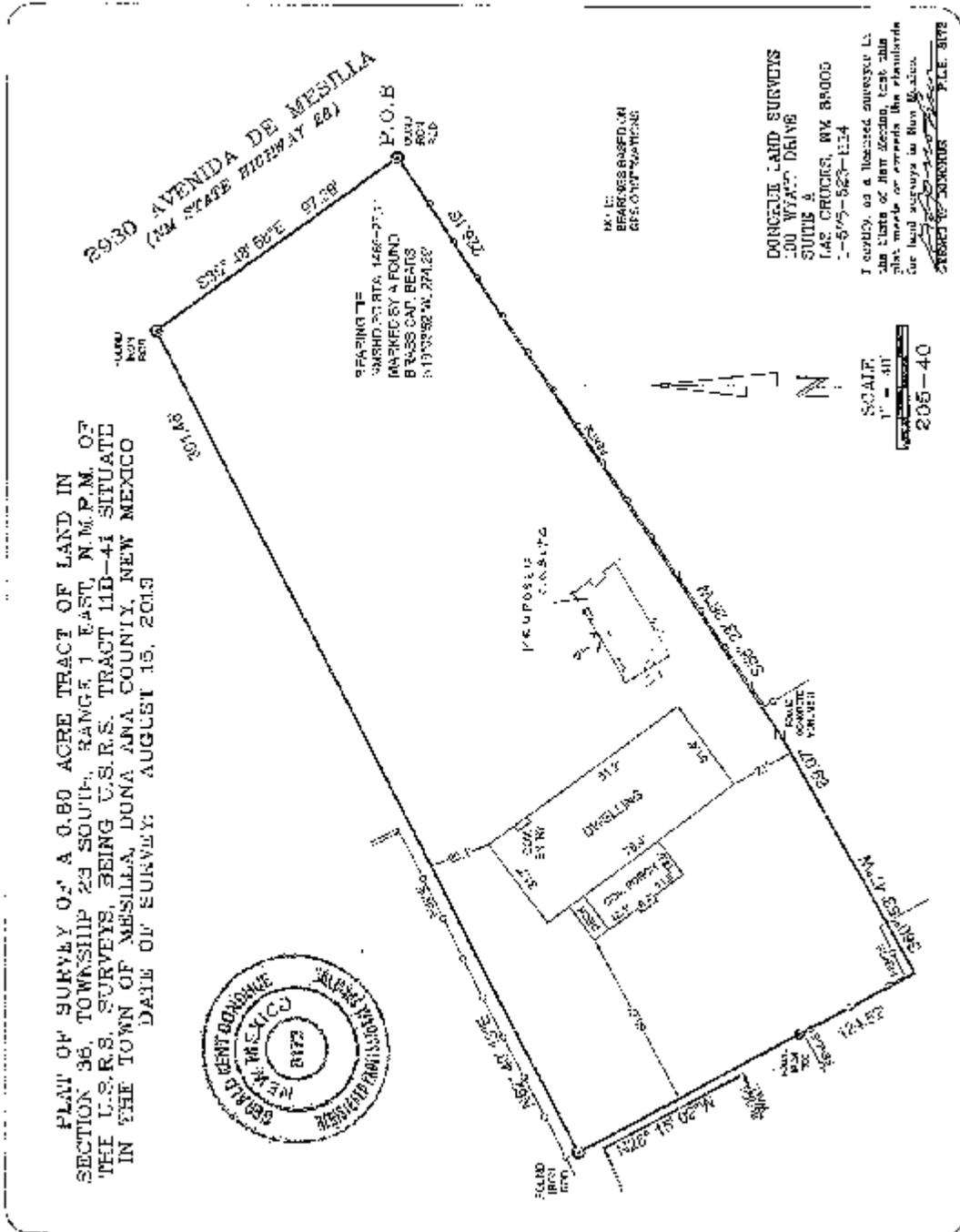


Parcel ID	Map Code	Owner 1	Owner 2	Address
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BUILDING PERMIT REQUEST CASE 012244

[PZHAC REVIEW – 2/3/14; 2/18/14]

DIAGRAM OF PROPERTY



**BUILDING PERMIT REQUEST CASE 012244
[PZHAC REVIEW – 2/3/14; 2/18/14]**

**PHOTOS
Front yard of existing structure**



Rear yard of existing structure



**BUILDING PERMIT REQUEST CASE 012244
[PZHAC REVIEW – 2/3/14]**

APPLICATION

OFFICIAL USE ONLY:
Case # _____
Fee \$ _____

TOWN OF MESILLA
APPLICATION FOR RESIDENTIAL BUILDING PERMIT
2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 624-3262 ext. 104

CASE NO. _____ ZONE: _____ CODE: _____ APPLICATION DATE: _____

Trinidad De La O 575.640.5065
Name of Applicant Applicant's Telephone Number

2930 N. Hwy 28 Las Cruces NM 88005
Mailing Address City State Zip Code

Contractor's Name & Address (If none, indicate Self):

Contractor's Telephone Number: _____ Contractor's Tax ID Number: _____ Contractor's License Number: _____

Address of Proposed Work: 2930 Avenida de Mesilla Las Cruces NM 88005
Description of Proposed Work: Casita 600 to 800 sq ft.

\$ _____ Trinidad De La O 1-27-2014
Estimated Cost Signature of Applicant Date

With the exception of administrative approvals, all permit applications must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Required proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC	<input type="checkbox"/> Administrative Approval	BOT	<input type="checkbox"/> Approved Date: _____
	<input type="checkbox"/> Approved Date: _____		<input type="checkbox"/> Disapproved Date: _____
	<input type="checkbox"/> Disapproved Date: _____		<input type="checkbox"/> Approved with Conditions
	<input type="checkbox"/> Approved with conditions		

CONDITIONS:

REVIEW ISSUED BY: _____ ISSUE DATE: _____
PERMIT ISSUED BY: _____ ISSUE DATE: _____

This application includes:

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was legally subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. Foundation Plan with details.
3. Floor Plans showing rooms, their uses and dimensions.
4. Cross Sections of walls.
5. Roof and floor framing plan. (If manufacture trusses, submit layout of trusses and stamped engineer design plan.)
6. Drainage plan.
7. Architectural style and color scheme (Historic and commercial zones only).
8. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services)

PZHAC ACTION FORM

[PZHAC REVIEW - 2/3/14] SIGN PERMIT REQUEST CASE 2014-001

Request:

Case 2014-001 – A request by Tres Mano Weaving of New Mexico to put up two signs on opposite sides (one sign per side) of The Ole Tortilla Factory located at the northwest corner of Calle de Parian and Avenida de Mesilla. One sign will face east along Highway 28 (Avenida de Mesilla), and the other will be on the west side of the building facing the Plaza. Zone: Historic Commercial (HC).

Description of Work to be Done:

One sign will face east along Highway 28 (Avenida de Mesilla), and the other will be on the west side of the building facing the Plaza. (See attached photos.) The two signs will be 15 square feet each. The signs are not accurately shown to scale in the photos, and will probably appear smaller when they are actually measured accurately. The requested size of 15 square feet may be restricted by the size of the walls if either wall is less than 150 square feet in size.

Consistency with the Code:

The request is consistent with the following sections of the BTC that specifically apply to this project:

Chapter 18.65 SIGNS – The proposed signs meet the requirements of this chapter, providing that the PZHAC determine that the color and overall design of the signs is acceptable for the Historic Commercial district.

The requested signs are specifically addressed by the following sections of the sign code:

18.65.220(A) Number of permitted signs - A total of two exterior signs may be allowed to each store or bona fide place of business.

18.65.140 Wall signs (A) - Wall Sign Area: Within the Historical Commercial (H-C) zone, the wall sign area, on any given house or building, shall in no case exceed 10 percent of any wall area including apertures or 15 square feet, whichever is less.

The request is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this request:

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed signs are allowed in this zoning district.
- The proposed signs are consistent with the sign code for the Historic /Commercial district, provided that size requirements set forth in the code are met, and the PZHAC determines that the proposed sign colors are acceptable.
- The proposed work meets all other applicable Code requirements.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff recommends approval of this application with the following conditions:

1. That the size requirements for wall signs be met.
2. The PZHAC shall make a determination on the colors of the signs.

PZHAC OPTIONS:

4. Recommend approval of application.
5. Recommend approval of application with conditions.
6. Reject the application.

PZHAC ACTION:

Prepared by: Larry Shannon

Date prepared: 1/31/14

SIGN PERMIT REQUEST CASE 2014-001
[PZHAC REVIEW – 2/3/14]
PHOTOS
East (Ave. de Mesilla) side of Property



SIGN PERMIT REQUEST CASE 2014-001
[PZHAC REVIEW – 2/3/14]
PHOTOS
East (Ave. de Mesilla) side of Property (with proposed sign)



SIGN PERMIT REQUEST CASE 2014-001
[PZHAC REVIEW – 2/3/14]
PHOTOS
Southeast (Calle de Parian) side of Property



**SIGN PERMIT REQUESTCASE 2014-001
[PZHAC REVIEW - 2/3/14]**

REQUEST

To whom it may concern:

Tres Manos Weaving of New Mexico is requesting permission to put up 2 signs for our business located at the Old Tortilla Factory Shops, 2910 Calle Del Parian. One sign will be facing East on Hwy 28, the second one will be facing West toward the Mesilla Plaza on back of the building.

Respectfully,

Teresa Guerra
Executive Director
Tres Manos Weaving of New Mexico
575-544-6140

**PZHAC PUBLIC HEARING
MTC CODE AMENDMENT
TO
TITLE 15
(BUILDINGS AND CONSTRUCTION)**

PZHAC ACTION FORM

[PZHAC PUBLIC HEARING - 2/3/14 (continued)]

PROPOSED AMENDMENTS TO ADDRESS UNIFORM DEVELOPMENT IN THE TOWN

Purpose and Rationale of the Amendments:

As a result of the discussion on mobile/manufactured homes by the Board of Trustees on July 22, 2013; staff was asked to develop an amendment to the Code that would put limits directly on Manufactured Housing in the hopes of limiting construction types or architectural styles to those that would be considered appropriate in the Town. Unfortunately, this approach would target only a particular construction style (manufactured homes), while not addressing other construction types. Such restrictions would violate Sections 3-21A-3 (Manufactured Housing; Permissible Regulations) and 3-21A-5 (Impermissible Regulations) of the New Mexico State Statutes by imposing regulations on manufactured homes that would not be equally applied to site built homes in the same zoning districts. This section also states that a manufactured home cannot be required to be "...installed in an excavated site in a specific-use district in which site built, single family-housing is allowed. (Section 3-21A-2 defines "manufactured housing", "mobile homes", and "excavated site".)

The result of the approach as requested would be that although limits would be imposed on manufactured homes, site built dwellings could still be constructed that may be incompatible (geodetic domes, log cabins, recycled tire or aluminum can homes, etc.) with the Town's character as discussed in Chapter 8 of the 2004 Town of Mesilla Comprehensive Plan. Therefore, any amendments to the Code done for the purpose of maintaining the Town's character, or in support of any other elements of an overall plan for the Town need to address all types of construction equally. (This is based on the assumption that the construction type meets the requirements and standards set forth in the applicable International Building Codes and Town Codes.)

The proposed amendment was developed using the Town's Historic Preservation chapter (Chapter 18.33) of the zoning code as the basis for an amendment to the Building Code chapter (Chapter 15.15). This was done in order to provide a mechanism that could be used to maintain a sense of architectural uniformity and stability in the areas of Town outside the Historic Districts. While the amendments borrow heavily from the wording of Section 18.33.060, the context has been changed to ensure that the **general** architectural, rural or farm character of an area is maintained, rather than impose specific architectural styles on an area.

There has been concern expressed by citizens of the Town that the proposed amendments will place unfair restrictions on building in areas of the Town outside the Historic Districts by imposing unnecessary architectural standards on areas where such standards are not needed. It was stated that such restrictions could have the effect of limiting individualistic and artistic expression, and that such limits should be first addressed in the comprehensive plan. (Staff believes that Chapter 8 of the 2004 Town of Mesilla Comprehensive Plan does address this concern, as stated previously.)

Staff believes that the proposed amendment, when applied to the remainder of the town outside of the Historical Districts, will help to protect the historical heritage of Mesilla referenced in Section 18.33.040 of the Historic Preservation Chapter of the Code by applying to all construction types. It will also help to protect property values in the Town as a whole.

The proposed amendment is attached. (Changes made as a result of public and PZHAC input from the 1/21/2014 PZHAC Public Hearing are indicated by *italic* type and ~~striketrough~~ font.

At the 2/3/2014 PZHAC Public Hearing, the PZHAC directed staff to research the words "shall", "will" and "may" as used in this amendment, and to comment on the appropriateness of each in the context in which they are used. The results of this research will be presented and discussed at the 2/18/14 PZHAC meeting.

PZHAC OPTIONS:

1. Recommend approval of the amendment as written.
2. Recommend approval of the amendment with changes.
3. Reject the amendment.

PZHAC ACTION:

Prepared by: Larry Shannon
Date modified: 2/14/14

Add (g) to the following section of the Code:

15.15.030 Application for building permit.

D. Non-Historic Zone Permit.

2. Application is reviewed by community development staff for the following:

g. Compliance with MTC 15.15.035

Add the following new section:

15.15.035 Uniform Development Standards

A. The purpose of this section is to maintain a sense of architectural uniformity and stability in the areas of Town outside the Historic Districts.

B. This section shall apply to all new construction on any property located within the Town's boundaries, but outside of the Historic Districts. This section applies only to new construction, or improvements, alterations, or enlargements of an existing structure or accessory building that will result in a change to the architectural style or use of the structure being altered. (Changes to the use of a structure shall also be subject to the applicable requirements of Chapter 18-Zoning of the MTC.)

C. The design components to be used to determine compatibility with existing development shall include the following: architectural style and character, building height, setbacks, proportions, pattern and rhythm, roof types, surface texture, color, site utilization and density, uses, and any outstanding or predominant architectural details.

D. Uniform Development Areas shall be used to provide a basis for determining the compatibility of new construction and alterations with existing structures and development in the Town.

E. A Uniform Development Area is the physical vicinity to be used to identify the architectural and land use character of a particular area and includes the predominant architectural styles and character of existing structures together with their setting and uses.

F. Process to Identify and use a Uniform Development Area.

1. Identify the immediate vicinity surrounding any new construction, or exterior alteration or change in use of an existing structure, that is to take place on an interior lot, a corner lot or a boundary lot as follows:

a. The Uniform Development Area for an interior lot shall include any lot fronting on the same street as the lot in question and within the same block, as well as those lots located on the opposite side of the street, except such portions of the ~~zone~~ *Uniform Development Area* which fall outside the boundary of the ~~historic district~~ *Town*.

b. The Uniform Development Area for a corner lot shall include any lot fronting on the same streets as the lot in question and within the same block, as well as those lots located on the opposite side of the streets, including the opposite corner, except such portions of the ~~zone~~ *Uniform Development Area* which fall outside the boundary of the Town.

c. The Uniform Development Area of any lot located adjacent to a historic district boundary shall include all lots located in the same block plus those lots located on the opposite side of any street adjoining that block, as well as those lots located on the opposite corners, except such portions of the ~~zone~~ *Uniform Development Area* which fall outside the boundary of the Town.

2. Identify the design components enumerated in (C) above as found in the applicable Uniform Development Area.

3. Staff shall review the proposed project to determine if the design components of the proposed project are similar to those found in the applicable Uniform Development Area.

4. If there is no predominant architectural style or character within the selected Uniform Development Area, then the zoning district in which the property is located shall, as a whole, shall become the uniform development area for purposes of defining architectural style.

5. Once it is determined by Staff that the style and character of the proposed construction is not out of character with the applicable Uniform Development Area, the applicant may proceed with the process to obtain a building permit.