
V. Appendix

Appendix A. Mesquite Street-original Townsite Historic District Reconnaissance Survey Final Report

Introduction

During the summer of 2004, Weisiger and Associates conducted a reconnaissance-level architectural survey of 700 buildings in a portion of the Mesquite Neighborhood. The boundaries of the survey area coincided with those of the Mesquite Street-Original Township Historic District, as listed in the national and state registers of historic places (refer to maps). Our survey, based on a visual examination from the public right-of-way, focused on judging whether each building contributed or not to the significance of the historic district and on assessing the condition of each building.

In conducting that survey, we expanded the parameters of the period of significance for the district. The National Register of Historic Places, which sets the national standards for determining whether or not buildings contribute to historic districts, holds that in general a building, structure, or object must be at least 50 years old before it can be considered “historic.” The 1980 survey thus used a 1930 threshold date, and the 1994-95 and 1998 (?) surveys employed a 1940 threshold. These were artificial dates, since the neighborhood remained a significant and cohesive residential area for Hispanics, African-Americans, and working-class whites in Las Cruces until the beginning of the urban renewal program in the early 1960s. A number of buildings constructed after 1940 would now potentially be eligible for inclusion in the National Register as contributing buildings within the district, if the nomination were amended to expand the period of significance. Thus, after consulting with Sylvia Camunez of Las Esperanzas, we expanded the period of significance for the purposes of this survey up to 1955.


Survey Methodology

Preparation prior to field work

To conduct the Reconnaissance Survey of the Mesquite Street-Original Township Historic District, Weisiger and Associates engaged the services of five architectural surveyors, all of whom had experience with similar surveys or had excelled in Professor Marsha Weisiger’s historic preservation course at New Mexico State University. Some also had specialized experience with assessing the condition of adobe buildings or had construction experience. Prior to the survey, each of the surveyors participated in a training workshop to familiarize themselves with the Mesquite Neighborhood, the goals of the survey, survey procedures, the criteria for determining the historic status and condition of the buildings, the format of the maps and forms, and the operation of electronic equipment. After the first day, we made adjustments to the procedures based on practical issues that arose in the field.

We took several measures to inform the neighborhood about the survey and eliminate any qualms they might have about the purpose of our work. Prior to the field work, we alerted neighborhood residents about the purposes of the survey by hand-distributing a letter, written in Spanish and English, to every occupied building accessible from a public right-of-way. Each team of surveyors also carried with them copies of this letter, along with an information sheet about the national and state registers of historic places, to distribute to residents who inquired about their work. As an additional identifying measure, each surveyor wore a “Mesquite Street-Original Township Historic District Survey” T-shirt.

Prior to the field work, we developed a master map, based on a City of Las Cruces map that had been created from aerial photographs.



Each building on the map was numbered and color-coded to reflect the historic status of the buildings as determined in the surveys of 1980, 1994-95, and 1998 (?). We then divided the master map into eleven survey maps, which guided the field work.

Field work

The survey crews completed their work between July 20 and August 25, 2004. Each crew took a map, a handheld computer, and a digital camera into the field. On the maps, they recorded any changes to a given building's footprint, deleted buildings that had been demolished, sketched in buildings that did not appear on the map (most were newly constructed, but some were old), labeled buildings that proved to be outbuildings, and labeled parking lots and vacant lots.

A total of 700 buildings were surveyed, including secondary buildings in backyards used as residences or offices. This was 97 more buildings than anticipated from the earlier survey maps. Ancillary buildings used as garages or sheds were not surveyed; if they appeared on the survey map, they were coded as such. All buildings were surveyed from public rights-of-way. For each surveyed building, we recorded the following information: street address, historic significance ("contributing," "worthy of further study," or "non-contributing"), and condition (good, fair, or poor). In addition, at the suggestion of members of Las Esperanzas who participated in a portion of the training workshop, we filled out a check list of specific defects beginning the second day of the survey. (We did not record this information on the first day, because the suggestion came only the night before field work began, precluding timely revisions to the data base.) We also recorded the map reference number, the photographic number, and the survey date. Later, we added the name of the owner and the owner's address for each property, drawn from a data base provided by the City of Las Cruces. Ownership information was not available from the data base for all properties, however; these are marked as "N/A."


The project director, Marsha Weisiger verified the accuracy of the survey crew's data throughout the course of the study. During the first few days, she spent time with each crew in the field, discussing their assessments of the historical integrity and the condition of several blocks of buildings. Crew members were encouraged to report any uncertainties about integrity or condition, and once the survey was complete, Dr. Weisiger compared the photographic data to the forms and the maps. In each case where uncertainties arose, Dr. Weisiger verified or, when appropriate, corrected the data in the field. Moreover, she verified every change in historical status between the 1998 (?) survey and the present survey through reviews of the photographs or, when appropriate, field visits.

Definition of terms

To determine whether a building contributed or did not contribute to the significance of the district, we used the National Register criteria for eligibility. A contributing element must meet three criteria:

- It must be at least 50 years of age;
- It must possess architectural integrity of location, design, materials, craftsmanship, association, and feeling; and
- It must contribute to the overall significance of the Mesquite Street-Original Township Historic District.

We found it difficult to determine with certainty whether buildings were 50 years of age or not, because the standard historical source for approximating the age of buildings, the Sanborn Fire Insurance Maps, did not cover most of the Mesquite Neighborhood. Only five blocks fronting Campo Street – Blocks 51, 52, 53, 54, 55 – were ever mapped by the fire-insurance company, at least as of 1962. Consequently, for the purposes of this reconnaissance-level survey, we assumed that buildings were at least 50 years old if they had been marked as contributing or significant in earlier surveys or if they were built of adobe, unless obviously of newer construction. We also assumed that those buildings with steel casement windows, which went out of fashion by the 1960s, were probably 50 years old



and at least worthy of further study. For most of these, it would require intensive research through tax-assessor records, building-permit records (if available), oral histories, and photographs to determine the age of most of the buildings in the district with any degree of accuracy. In a few instances, however, where we could be reasonably certain that they were at least 50 years old or altered at least 50 years ago, we counted them as contributing buildings.

Most of the historic buildings in the Mesquite Neighborhood possess integrity of location and association, and several areas of the district continue to possess the highly-subjective integrity of “feeling” much as the neighborhood did in the mid-1950s. Integrity of design, materials, and craftsmanship generally requires that the building possess its original walls, roofline, window sashes, and door openings: Alterations made prior to 1955, or those that essentially replicate the appearance in 1955, are considered part of a given building’s historical evolution and, thus, do not cause a loss of integrity. Alterations to some windows but not others may result in only a partial loss of integrity that does not negate the ability of a building to contribute to a district. Small additions, particularly to the rear, also do not necessarily affect the overall historical integrity. One rule of thumb is to consider whether a building looks today largely as it did in 1955.

Non-contributing buildings include those that were constructed after 1955 and those that have suffered a significant loss of integrity due to alterations made after that year. In the Mesquite Neighborhood, many buildings have lost integrity as a result of some combination of the replacement of original window sashes and changes in the roofline. New exterior-wall fabric (such as brick veneer), large additions that overwhelm the original structure, reconfigured window-openings (for example, new arched openings), new ornamentation, or new porches can also cause a loss of integrity. Because the loss of integrity is cumulative, this is often a subjective assessment.

In many instances, we could not determine through visual examination when a building was built or what the probable window configuration was in 1955. We thus took a conservative position that those buildings that were not clearly contributing or non-contributing elements in the district were **worthy of further study**. A good number of these buildings, particularly those with steel casement windows, were likely built or altered by 1955, and subsequent research may determine that they indeed contribute to the district. On the other hand, we expect photographic research to reveal that many of the buildings with other types of windows were altered after 1955 and no longer contribute to the historic feel of a ca. 1955 neighborhood. More intensive research is necessary to make those determinations with certainty.

In addition to determining the historical significance for each building, the surveyors assessed the condition of each structure, using a three-point scale provided by Bob McCabe, a member of the architectural design team. The surveyors considered the condition of the roof, foundation, exterior surfaces, windows, chimney, porches, and stairs. Each building was then rated according to the following criteria:

- **Good** - No more than two minor defects (such as peeling paint, exposed wood, minor stucco cracks); something the homeowner could fix him- or herself.
- **Fair** - No more than four minor defects OR one major defect (such as spalling, missing, or bulging stucco; large structural cracks; stucco cracks above window or door openings indicating differential settlement; or a bad roof); something the homeowner would probably need to hire a contractor to repair.
- **Poor** - Five or more minor defects OR two or more major defects OR one major defect and four minor defects OR one critical defect (that is, one may make the building too dilapidated to repair).



The vast majority of the buildings have flat roofs, characteristic of adobe architecture. Because our survey was conducted from the public right-of-way, it was impossible for us to judge the condition of the roof in many instances. We looked for evidence such as stains along the eaves and other signs of poor drainage to assess roof condition. But we are certain that some buildings have roof problems that we failed to identify. In an adobe building, more so than in other types of construction, the roof must seal out water and channel the water away from the walls to protect the adobes from moisture. Many homeowners have repeatedly re-roofed their buildings as part of normal maintenance, creating coved areas that crack over time and allow water to pool, creating leaks. Moreover, their canales no longer function properly. Even historically, canales often deposited water too close to the building; now covered up by re-roofing, they fail to move water away from the building at all. In general, however, these types of problems could not be gauged without climbing up on the roofs.

Survey Results

- **Historical Significance:** Of the 700 buildings surveyed, 225 (32 percent) contributed to the national or state historic districts (or both), 197 (28 percent) were worthy of further study, and 276 (39 percent) do not contribute to the district, either because they are less than 50 years old or have experienced a loss of integrity. Another two buildings were not sufficiently accessible to determine their historical significance.

Historic districts are defined by concentrations of contributing buildings along streetscapes. Within the Mesquite Neighborhood, contributing buildings are scattered throughout, but tend to be concentrated in four general areas: (1) the National Register Historic District (see map for boundaries of this irregularly-shaped district); (2) three small areas adjacent to the National Register district: one along East Organ Street, between Mesquite

and Manzanita streets; one along East Griggs Street between Tornillo and Manzanita streets; and one along East Kansas Street, taking in an area one lot west of the current boundary and extending east to Tornillo Street; (3) an area bounded by Campo, Picacho, Mesquite, and Hadley streets; and (4) an area along East Hadley Street near Espina.

Large clusters of non-contributing buildings appear (1) in the area north of Picacho Street (but excluding the north side of Picacho itself, where a number of contributing buildings remain), (2) along Campo Street between Lohman and Kansas streets; (3) along Hadley Street, between Tornillo and Almendra streets; (5) along Las Cruces Street east of Tornillo Street; (6) on the north side of Griggs Street east of Manzanita Street; (7) along Bowman Street east of Manzanita Street; (8) and along the south side of Texas Street. Most of these clusters of non-contributing buildings are concentrated along the edges of the State Register district.

Scattered throughout the study area are buildings that require more study to determine whether or not they actually contribute to the national and state register districts; the outcome of an intensive-level survey may reveal that some portions of these districts are stronger and other portions weaker than we can determine at this time,

- **Building Condition:** Of the 700 buildings, 343 (49 percent) were in good condition, 212 (30 percent) were in fair condition, and 139 (20 percent) were in poor condition.

Buildings in poor condition are scattered throughout the study area. Many of the buildings in poor condition cluster within the boundaries of the National Register district; an especially large concentration exists in an area bounded roughly by Campo, Griggs, Mesquite, and Bowman streets. Other clusters





exist along San Pedro Street between Augustine and Mountain streets; along Hadley Street between San Pedro and Manzanita streets; and in an area bounded roughly by Tornillo, Griggs, Alamendra, and Bowman.

- **Special Issues Concerning Adobe Buildings** - Many of the buildings may be in worse or better condition than we could determine from the public right-of-way. It is especially important to note that the presence of cement stucco on most of the adobe buildings and the addition of concrete collars around their foundations create two problems in accurately determining a given building's condition. The stucco may mask underlying conditions in the adobe walls; indeed, the stucco and the concrete collars may actually contribute to the deterioration of the adobe. Thus many of the buildings that we judged to be in good or fair condition may actually be in fair or poor condition due to underlying problems with the adobe walls, masked by cement stucco. Conversely, a number of the buildings that appear to be in poor condition may actually have sound walls behind deteriorating stucco and, thus, may be fruitful rehabilitation projects.¹

The presence of cement stucco and concrete collars constitutes an ongoing defect in all the adobe buildings. However, in assessing building condition, we did not count the presence of these materials as a critical defect, since we could not assess whether in fact the adobe walls were deteriorating behind the stucco without a more detailed examination than possible in a reconnaissance-level survey. Had we counted these elements as critical defects, nearly all of the buildings in the district would be ranked as "poor," which we believe would seriously overstate the case.

Portland cement stucco accelerates the deterioration of adobe buildings. Historically, adobe buildings constructed before the 1930s employed a lime plaster wash to protect the adobe from the elements. Lime stucco has a similar thermal coefficient as the adobe and, thus, tends to move with the adobe as it expands and contracts; it also "breathes" and allows moisture to transpire. Portland cement stucco was widely adopted in the 1930s and 1940s to replace the historic lime stucco, in part because people mistakenly thought it would help keep moisture out of the walls and in part because it appeared to require less maintenance. However, unlike lime plaster, cement stucco, a dense, rigid material, expands and contracts at a much greater rate than do adobe or lime plaster, leading to far more cracking and allowing penetration of moisture. In fact, cement stucco is less permeable than lime plaster and traps moisture from poorly drained roofs, capillary movement of water from the ground, and capillary condensation into the gap between the stucco and the adobe. This promotes deterioration of the wall, as the adobe literally melts. Additionally, cement stucco is heavier than the adobe, which is a very soft material, and tends to spall away from the wall as a result of gravity. When it does so, it often takes with it the rusted nails that anchor the chicken-wire to which the stucco adheres, causing further damage to the walls.

Concrete collars, which were added along with the cement stucco to the base of most of the buildings in the Mesquite Neighborhood, also present a serious problem. In the past, people thought the collars would help prevent moisture from rising from the ground into the walls through capillary action (a condition called "rising damp"). As it turns out, concrete actually encourages moisture to rise, accelerating deterioration. Moreover, like cement stucco, these collars have thermal coef-

¹Excellent guidelines on preserving adobe buildings are available in James W. Garrison and Elizabeth F. Ruffner, eds., *Adobe: Practical and Technical Aspects of Adobe Conservation* (Prescott: Heritage Foundation of Arizona, 1983). See especially the following chapters: James W. Garrison, "How to Inspect Adobe Buildings," and David G. Battle, "Interaction of Adobe with Other Materials." That book and conversations with Martin Davenport and Pat Taylor have informed the following discussion.





ficients that cause them to expand and contract at different rates than the adobes. To make matters worse, the bond between the hard collar and the soft wall is weak, encouraging cracks, and the lip of the collar encourages rain water to pool exactly where cracks are likely. Consequently, the collars encourage water to become trapped between the stucco and the wall, and as a result the foundation of many adobe buildings can literally melt in a process called basal erosion, contributing to structural weakening.

A final problem endemic to the Mesquite Neighborhood is poor drainage around building foundations, which helps trap water against the wall and encourages deterioration of adobe. Repeated repaving of the streets has in many cases elevated the streets and sidewalks above the grade of the building lots, exacerbating the problem. It is crucial that the earth be graded around adobe buildings so that excess water moves away from the walls, to discourage puddles from around the foundation, which can contribute to rising damp.

We would like to emphasize that many of the buildings we have designated as being in “poor” condition merit rehabilitation, not demolition. In at least some instances, sound adobe walls stand behind deteriorating stucco. A specialist in historic adobe should make a detailed examination of any “poor” adobe building before it is slated for demolition. We especially encourage the rehabilitation of all buildings in the National Register district, since these are generally the oldest and most historic in the neighborhood. Indeed all buildings designated as “contributing” to the national or state districts should be rehabilitated, and all those designated as “worthy of further study” should at least be considered candidates for rehabilitation if, after further research, they prove to contribute to the historical significance of the national or state districts. Additionally, we urge Las Esperanzas and the City of Las Cruces consider the rehabilitation of one or more of a collection of buildings in poor or fair condition, scattered throughout the study area, as listed in our recommendations below.

Recommendations

- 1. Utilize the recently adopted zoning overlay to protect the current low-scale, residential character of the current Mesquite Street-Original Townsite Historic District, while providing for existing commercial use and mixed use along the edges.*
- 2. Revise historic district documentation.*
 - Conduct an intensive-level survey of those buildings designated as “worthy of further study,” employing neighborhood volunteers to conduct oral history, photographic research, and documentary research. Prioritize those areas that are listed below as worthy of amendments to the national and state registers.
 - Amend the boundaries of the National Register Historic District to encompass the area along East Organ Street between Mesquite and Manzanita streets; East Griggs Street between Tornillo and Manzanita streets; and one East Kansas Street from one lot west of the current boundary, east to Tornillo Street. Additionally, amend the nomination to include a new area bounded by Campo, Picacho, Mesquite, and Hadley streets; this may be accomplished as part of a Multiple Resources nomination.
 - Amend the boundaries of the State Register Historic District to exclude areas on the fringes with large numbers of non-contributing buildings. This will help to eliminate unnecessary conflicts over historic-preservation issues with property owners in areas with few contributing buildings.’





3. Pursue a historic preservation ordinance with design review to preserve the historic character of the Mesquite Street-Original Townsite Historic District.

4. Encourage neighborhood awareness of and pride in the historic character of the district with public events.

- Develop an annual fiesta celebrating the history of the neighborhood, with a walking tour of historic buildings designated by signage; an outdoor museum-exhibit with panels of photographs telling the neighborhood's history; and with traditional music, dancing, and food.
- Conduct an oral history program to elicit the history of the neighborhood from elderly, long-time residents. Encourage young people to participate in recording these histories.
- Collect photographs of the neighborhood from long-time residents.
- Prepare a booklet and slide program on the history of the neighborhood, utilizing historical information gained from oral history, photographic, and documentary research.

5. Encourage property owners to preserve the historic character of their buildings.

- Apply to the State Department of Cultural Affairs, Historic Preservation Division, for a grant to write a homeowners guide for monitoring, repairing, and rehabilitating adobe buildings.
- Sponsor a workshop to educate and create a pool of masonry and plaster contractors and general contractors trained to properly repair adobe buildings with lime plaster. Invite building inspectors and city officials.

- Sponsor a workshop to educate homeowners regarding the monitoring, proper repair, and rehabilitation of adobe buildings. Focus on the replacement of cement stucco with lime plaster, the proper repair of roofs, and the regrading around the foundation for proper drainage. Encourage a member of the neighborhood to volunteer the appropriate rehabilitation of his or her home as a demonstration project.
- Encourage use of state and federal tax credits for the rehabilitation of residential and commercial properties. Establish a neighborhood resource-person to help building owners plan projects and complete paperwork.
- Create a materials stockpile (screens, screened aggregate, adobe bricks, adobe mud, sand for mortar, lime), to keep needed materials available to homeowners at low cost.
- Create a tool lending library and reference library to promote appropriate rehabilitation.
- Encourage the removal of Portland cement stucco and concrete collars and replacement with lime plaster.
- Create a team of neighborhood resource-people, trained in the appropriate treatment of historic adobe buildings, to inspect and monitor adobe buildings and make recommendations for rehabilitation.
- Encourage building owners to provide better drainage around their foundations, to shed water away from adobe walls.
- Encourage the repair, rather than the replacement, of historic windows. The replacement of windows – a key design characteristic – is the chief reason for loss of historical integrity in the Mesquite Neighborhood.



6. *Develop programs through the City of Las Cruces to promote the preservation of historic adobe buildings.*

- Encourage the rehabilitation, rather than demolition, of all adobe buildings designated as “contributing” or “worthy of further study” within the National Register Historic District, as amended according to Recommendation 2, above.
- Promote the appropriate rehabilitation of adobe buildings through the HOME program and the Community Development Block Grant program of the U.S. Department of Housing and Urban Development, following the Secretary of the Interior’s Standards for Rehabilitation of Historic Buildings.
- Educate building inspectors regarding the appropriate rehabilitation of historic adobe buildings, as articulated in the New Mexico Historic Preservation Alliance’s model code for historic adobe buildings. This proposed amendment to New Mexico’s State Building Code is currently under consideration. Historic adobe buildings require different treatments to maintain their structural integrity. For example, adobe walls can be destroyed by modern reinforcement requirements and by the additional loads of modern tie-beams.
- Devise and provide infrastructure repairs to address the drainage problems cause by streets and sidewalks that are elevated above the grade of building lots.
- Discourage the replacement of historic windows with historically inappropriate windows in. City-administered rehabilitation projects.

- Provide financial support for replacement windows that replicate the historic windows in design and materials, in those instances where repair is not feasible.
- Develop a jobs program for neighborhood youth to learn lime-plastering and adobe brick-making techniques and work on rehabilitation projects. Such a program could not only provide jobs for young people but would also promote neighborhood pride and discourage vandalism.
- Create a revolving loan fund with Community Development Block Grant funds for appropriate rehabilitation of adobe buildings, following the Secretary of Interior’s Standards for Rehabilitation.
- When demolition is necessary and in redevelopment of vacant lots, encourage infill that respects the historic character of the neighborhood, while remaining distinctive from the historic fabric.

7. *Acquire funding to purchase one or more buildings in “poor condition” and rehabilitate them for resale as a demonstration project, outdoor laboratory, and fund-raising project.*

Rehabilitation of these buildings would enhance the historic district and help revitalize the neighborhood. In a few instances, appropriate rehabilitation could make these buildings contribute to the district once more, because their dilapidated condition resulted in such a loss of integrity that it earned a “non-contributing” assessment. The reconnaissance survey identified 17 buildings that might be considered for such a program. The addresses are available in the full report.

Appendix B. South Mesquite Neighborhood Overlay Zone District

The following is an excerpt from the overlay zone regulations for the South Mesquite Neighborhood adopted by the Las Cruces City Council on May 24, 2005 (Ordinance 2200). These regulations will be an important policy framework to support the implementation of the Mesquite Historic District Neighborhood Design Plan.

Sec. 38-49.2 South Mesquite Neighborhood Overlay Zone District

- A. **PURPOSE.** The South Mesquite Neighborhood District is designed to deal with issues unique to Las Cruces' Original Townsite and surrounding area. Specific provisions in this Ordinance deal with issues such as setbacks and zoning designations that are better suited to this older part of the City. Via neighborhood participation, it was decided to closely follow the zoning designations and permitted land uses of the City's former 1981 Zoning Code, as amended, with some modifications. Additionally, neighborhood design standards have been added to the general area of the Original Townsite to enhance and preserve the unique character of Las Cruces' first neighborhood.
- B. **DELINEATION OF OVERLAY DISTRICT BOUNDARIES.** The South Mesquite Overlay District shall include all properties noted on the associated map. (See Figure 1.)
- C. **DEFINITIONS.** Definitions shall rely on those noted in Chapter 38, Section 38-20 of the Las Cruces Municipal Code unless otherwise noted here:

Compatible: Capable of existing together in harmony. Parts of a whole that work well together when pieced together.

Consistent: That which is similar to, or nearly the same.

Demolition: An act that destroys or removes in whole or in part of the exterior of a building or structure of a historic property.

Design and Architectural Guidelines: Regulations intended to preserve the historic and architectural character within the South Mesquite Overlay Zone District (noted within this document as "Area 2").

Exterior Appearance: The visual character of all outside surfaces of a structure, including the kind and texture of the signs, light fixtures, steps, or appurtenant elements.

Exterior remodeling, exterior renovation, and exterior alteration: Any change or rearrangement in the supporting members of an existing building, such as exterior bearing walls, columns, beams, girders, as well as any substantial change in rooflines, number of doors and/or windows added, removed, or resized, or any enlargement to or diminution of a building or structure, whether horizontally or vertically. Maintenance or repair shall not be construed as exterior remodeling, renovation, and/or alteration.

Facade: Any exterior wall of a structure.

(A complete version of the South Mesquite Neighborhood Overlay (Section 38-49.2 of the 2001 Zoning Code as amended), is available from the City of Las Cruces, Community Development Department.)



I. Existing Conditions



Introduction and History

The Mesquite Street Neighborhood is the oldest district in the City of Las Cruces. It is part of the original townsite which was laid out in 1848. For purposes of the design plan, its boundaries have been expanded beyond that to comprise nearly 349 acres, bounded by Madrid Avenue on the north, Colorado Avenue on the south, Campo Street on the west and Virginia Avenue and several other streets on the east.

A decision was reached during the planning process by representatives of the Las Esperanzas group, the Residents and Business Owners of the North Mesquite District, and City staff that all implementation plans and expenditure of Legislative funds would concentrate on the Mesquite Neighborhood South of Spruce Avenue. The Residents and Business Owners of the North Mesquite District would pursue their own funding and determine their priorities.

The Las Esperanzas Neighborhood organization has been committed for many years to the improvement of the Mesquite Historic District. However, they have lacked the necessary data, analysis and strategic directions to accomplish this task. The City of Las Cruces requested that Las Esperanzas develop and come forward with a plan and vision for the future of their community. The Neighborhood Design Plan is a response to that request. This document includes data on both the north and southern portions of the Mesquite Neighborhood. The analysis, recommendations and implementation priorities focus on the South Mesquite District. This focus is consistent with the area covered by the new overlay zone district adopted by the City of Las Cruces. Funding received to date and future funding for improvement projects will focus on this area.

Planning Context and Purpose

A. Land Use

A majority of the land uses within the Mesquite Neighborhood boundary are single family detached homes, regardless of zoning that allows higher density dwelling units. Most of these homes are built of adobe in many shades of brown with a few facades in pastel pink, yellow, green and blue reminiscent of old Mexico. Often they are set flush against the narrow streets, arranged in the grid pattern of the original town site. In the words of John T. Cabral, a student of the area, "It is a neighborhood where children play out in the open, people sit outside their homes on the sidewalk, and large family gatherings with uncles and grandparents and cousins from all over town are held in lit-up back yards to the sound of live Mexican music." (Cabral, 1990).

A substantial number of parcels are also used for apartments of eight or more units and a lesser number for multi-family dwellings with from two to six units. These are concentrated around the heart of the neighborhood area between Spruce and Bowman.

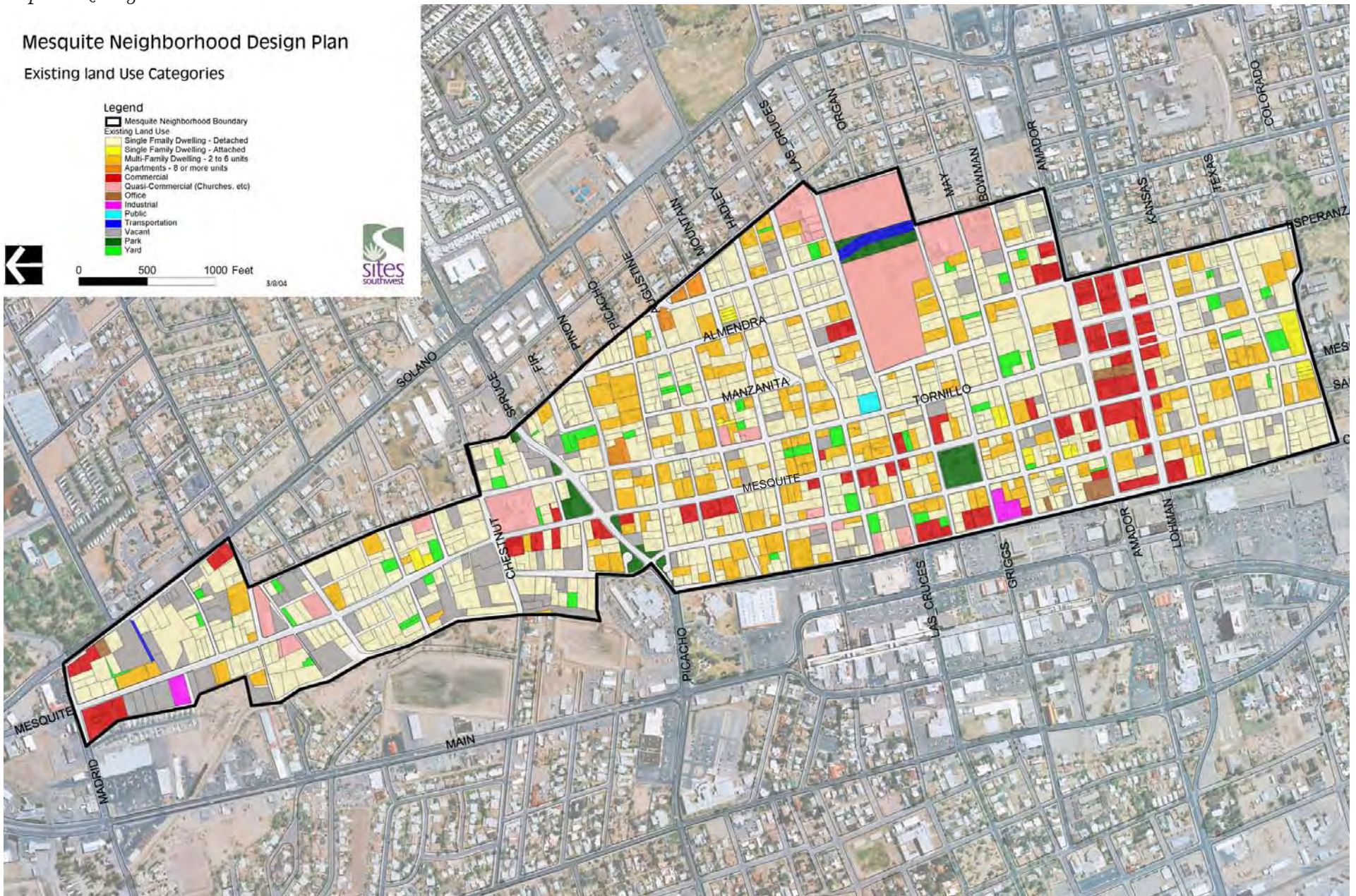
Neighborhood commercial uses predominate along Lohman and Amador, following the zoning and the faster pace of automobile traffic on those one-way streets. Low intensity commercial uses also dot portions of Mesquite Street, occupy a few frontages on Campo Street, and form a few clusters at the northern end of the plan boundary.

Dominating the eastern edge along Esperanza near Griggs stands St. Genevieve Church and cemetery. Several other quasi-commercial uses are sprinkled throughout the neighborhood. The area also contains a number of churches and several parks and yards – most notably Klein Park at the central location of Griggs and Mesquite. The remainder of the acreage, more than ten percent, is vacant.

Mesquite Neighborhood Design Plan

Existing land Use Categories

- Legend**
- Mesquite Neighborhood Boundary
 - Existing Land Use
 - Single Family Dwelling - Detached
 - Single Family Dwelling - Attached
 - Multi-Family Dwelling - 2 to 6 units
 - Apartments - 8 or more units
 - Commercial
 - Quasi-Commercial (Churches, etc)
 - Office
 - Industrial
 - Public
 - Transportation
 - Vacant
 - Park
 - Yard



B. Zoning

A major portion of land within the boundaries of the Mesquite Neighborhood boundary is zoned for residential, particularly low density, multi-dwelling units (R-2). Based on the 2001 Zoning Code, as amended, this zoning category allows only duplexes and triplexes for a total of 12 dwelling units per acre, but permits home occupations. Even higher densities are allowed along Campo Street, through R-3 and R-4, which forms the neighborhood's western border with the Las Cruces Downtown Area. The R-3 district allows triplexes, quadplexes, and mobile home parks for up to 15 dwelling units per acre and is typically used along major local roadways to avoid traffic congestion in lower density areas. R-4 is a high density, multi-dwelling unit district allowing the above building types as well as apartments with five or more units per building. It also permits limited retail, institutional and service-oriented uses. It is designed to be used along collector roadways where public transportation is available and commercial and employment opportunities are nearby.

A swath of commercial C-2 zoning runs nearly the length of the Mesquite Neighborhood, from the northern boundary at Madrid to the south side of Lohman, on both sides of Mesquite Street. C-2 zoning encourages development of uses that provide retail and service activities as a convenience to adjacent neighborhoods and usually serve from 5,000 to 30,000 people. Land uses in that area show scattered clusters of commercial along the Mesquite Street, except along the one-way streets of Amador and Lohman where commercial uses dominate. In addition, there are a few small patches of O-1 (Office, Neighborhood – Limited Retail Services), C-1 (Low Intensity Commercial), C-2C (C-2 Conditional) and 01_C-2C (C-2 Conditional under 2001 code) and 01_C-3C (C-3 Conditional under 2001 code).

Over the past few years, neighborhood residents have called for more neighborhood-oriented commercial uses in the area. In response, the City of Las Cruces Community Development Department developed the South Mesquite Neighborhood Overlay Zone District (SMO) for the area. It authorizes use of the 1991 Zoning Code with slight use variations and, in some cases, acceptance of 2001 Zoning Code nomenclature.

In addition, the overlay zone would allow businesses greater flexibility for on-street parking. Neighbors would also like to limit permitted uses, size, and height of buildings across the street from the new Federal Courthouse on Campo between Oregon and Griggs to maintain the residential, small business character of the Mesquite Historic District.

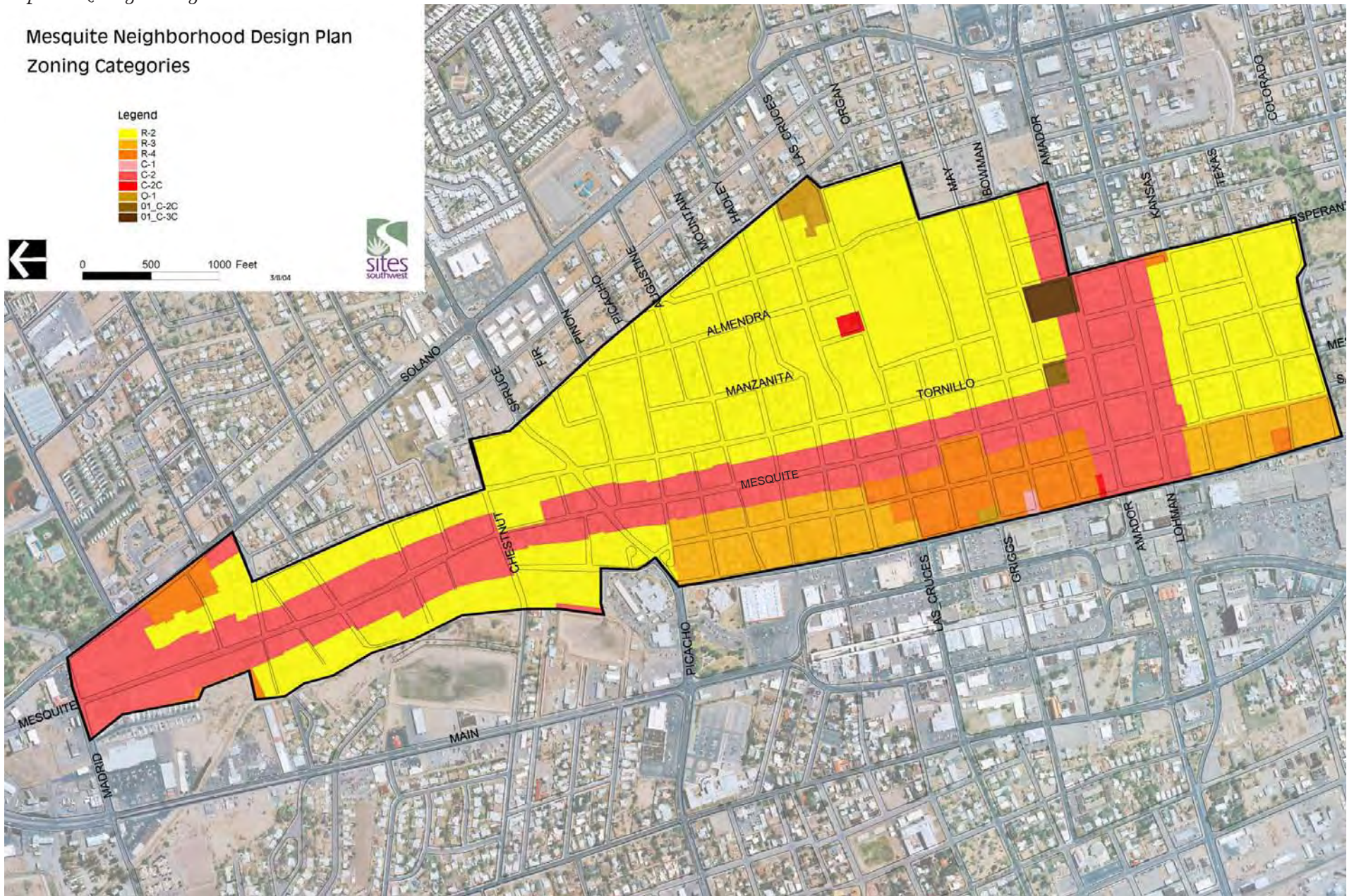
C. Housing

As noted above, the most predominant land use in Mesquite is single-family, one story detached houses mostly built of adobe. Many are built close to the narrow, grid-patterned streets which don't allow a large volume of vehicle traffic, but create a tightly-knit network of walkable streets. Many are bordered by small fences of chain link, adobe, or wrought iron. Of 1,400 units encompassed by a study area with slightly different boundaries than this plan, a third were built before 1939, compared with seven percent in the rest of the city. Only 24 percent of the dwellings were single-family attached, duplexes, multi-family units, or mobile homes. The single family homes also tend to be small: only 24 percent had three or more rooms and none had five or more (Cabral 1990).

Map 2. Existing Zoning

Mesquite Neighborhood Design Plan
Zoning Categories

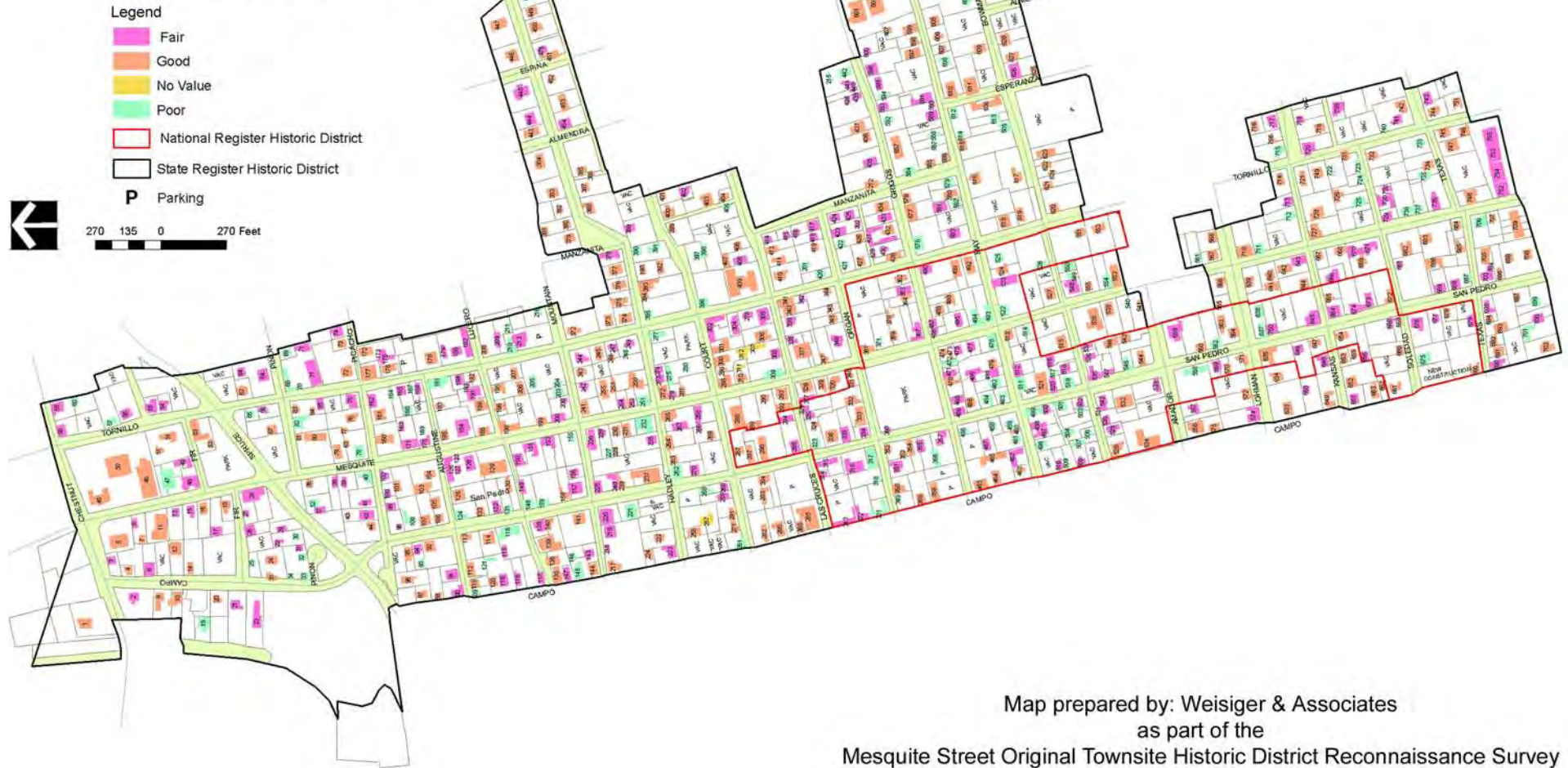
- Legend
- R-2
 - R-3
 - R-4
 - C-1
 - C-2
 - C-2C
 - C-1
 - 01_C-2C
 - 01_C-3C



Map 3. Building Condition

Mesquite Neighborhood Design Plan

Building Condition - August 2004





Housing - Building Conditions

In 2004 Weisiger and Associates* conducted a reconnaissance-level architectural survey of 700 buildings in a portion of the Mesquite Neighborhood (see Appendix A). The boundaries of the survey area coincided with those of the Mesquite Street-Original Township Historic District, as listed in the national and state registers of historic places (see maps 3, 6 and 7). Their survey, based on a visual examination from the public right-of-way, focused on judging whether each building contributed or not to the significance of the historic district and on assessing the condition of each building. In determining the condition of each structure the surveyors considered the condition of the roof, foundation, exterior surfaces, windows, chimney, porches, and stairs. Each building was rated according to the following criteria:

Good - No more than two minor defects (such as peeling paint, exposed wood, minor stucco cracks); something the homeowners could fix themselves.

Fair - No more than four minor defects OR one major defect (such as spalling, missing, or bulging stucco; large structural cracks; stucco cracks above window or door openings indicating differential settlement; or a bad roof); something the homeowner would probably need to hire a contractor to repair.

Poor - Five or more minor defects OR two or more major defects OR one major defect and four minor defects OR one critical defect (that is, one that may make the building too dilapidated to repair).

Of the 700 buildings surveyed, 343 (49 percent) were in good condition, 212 (30 percent) were in fair condition, and 139 (20 percent) were in poor condition. Buildings in poor condition are scattered throughout the Mesquite Neighborhood. Many of the buildings in poor condition cluster within the boundaries of the National Register district; an especially large concentration exists in an area bounded roughly by Campo, Griggs, Mesquite, and Bowman streets. Other

clusters exist along San Pedro Street between Augustine and Mountain Streets; along Hadley Street between San Pedro and Manzanita streets; and in an area bounded roughly by Tornillo, Griggs, Alameda, and Bowman (see map 3).

Many of the buildings that have been designated as being in “poor” condition merit rehabilitation, not demolition. In at least some instances, sound adobe walls stand behind deteriorating stucco. A specialist in historic adobe should make a detailed examination of any “poor” adobe building before it is slated for demolition. The rehabilitation of all buildings in the national Register district, generally the oldest and most historic in the neighborhood, is especially encouraged. Indeed, all buildings designated as “contributing” to the national or state districts should be rehabilitated, and all those designated as “worthy of further study” should at least be considered candidates for rehabilitation if, after further research, they prove to contribute to the historical significance of the national or state districts. Additionally, Las Esperanzas and the City of Las Cruces are urged to consider the rehabilitation of one or more of a collection of buildings in poor or fair condition, scattered throughout the Mesquite Neighborhood, as listed in our recommendations below.

One of the neighborhood’s biggest challenges was recovering from the loss of homes during the urban renewal between 1968 and 1970 and the realignment of Spruce-Picacho in the late 80s that bisected the neighborhood. Long-time residents who achieve higher education and better incomes have tended to sell their homes and move. They, in turn, are followed by new, poorer residents. The area is also a possible target for gentrification (Cabral 1990). Given the need for affordable housing in Las Cruces, however, the area presents a prime opportunity to infill vacant land with homes for those with low to moderate incomes.

* [The Mesquite Street - Original Townsite Historic District Reconnaissance Survey Final Report](#) is found in Section V, Appendix A of this report.

D. Vacant Land

Within the plan boundary, 190 lots are vacant, indicating an erosion of the existing built environment. This number represents approximately 10 percent of the total 349 gross acres of land within the neighborhood. While vacant parcels are distributed throughout the neighborhood, a larger portion is found in the area north of Spruce.

E. Land Ownership

Data from the Dona Ana County Assessor (2002) on the 1,212 parcels within the neighborhood plan boundaries indicated that 512 occupants (42 percent) owned their homes and 421 occupants (35 percent) rented their homes. This determination could not be made for an additional 23 percent of parcels due to gaps in the data. In comparison, 67.5 percent of homes in the Las Cruces metropolitan area were owner-occupied while 32.5 percent were renter-occupied.

F. Historic Buildings, Streets and Places

The Mesquite St.-Original Townsite was plotted out in 1848 by U.S. Army Lt. Delos Bennett Sackett with a rawhide rope and stakes. Sackett chose a site along the acequia madre and designated a block of land for the plaza and church. Eight-four city blocks were then laid out, each with four lots of land. Its rough boundaries were E. Texas, Campo, Tornillo and E. Court Street. Buildings in the area were constructed primarily in Mexican/Spanish traditional style with one-story, flat-roofed adobe construction close to the front property line. Although much of the area retains this unique character, other parts have fallen into disrepair and encroachment by the Downtown.

The boundaries of the Mesquite Neighborhood Plan developed by the City of Las Cruces Community Development Department encompasses about half of the original townsite, beginning at Campo Street on the west and expanding north to Madrid Avenue, south to Colorado Avenue and east as far as Virginia Avenue. This area includes a small Federal Historic District (see Map 9) and a larger State Historic District (see Historic District Map).

A National Register Historic District is an area or neighborhood that has a concentration of buildings, sites, and objects united historically or aesthetically by plan or physical development that are considered worthy of preservation by the U.S. Secretary of the Interior. Buildings are classified as *significant, contributing, supporting, neutral and noncontributing*. Being listed makes property owners eligible for such benefits, such as Federal tax credits and Federal assistance for historic preservation when restoring these properties. They also receive special consideration when Federal or Federally-funded projects are planned. Listing on the State Register in New Mexico qualifies rehabilitation projects for state tax credits. When claiming tax credits or using public funds, the New Mexico Historic Preservation Division must approve restoration activities to ensure the structure's historic designation will be maintained.

Housing - Historical Significance

For the purposes of the 2004 Weisiger and Associates* architectural survey of 700 buildings in a portion of the Mesquite Neighborhood, the National Register criteria for eligibility was utilized to determine whether individual buildings either contributed or did not contribute to the historical significance of the district. For a building to be considered **contributing** it must meet three criteria:

- It must be at least 50 years of age;
- It must possess architectural integrity of location, design, materials, craftsmanship, association, and feeling; and
- It must contribute to the overall significance of the Mesquite Street-Original Township Historic District.

However, in the Weisiger and Associates survey, parameters of the period of significance for the district were expanded. As mentioned above, the National Register of Historic Places, which sets the national standards for determining whether or not buildings contribute to historic districts, holds that in general a building,

* [The Mesquite Street - Original Townsite Historic District Reconnaissance Survey Final Report](#) is found in Section V, Appendix A of this report.

Map 4. Vacant Land Map

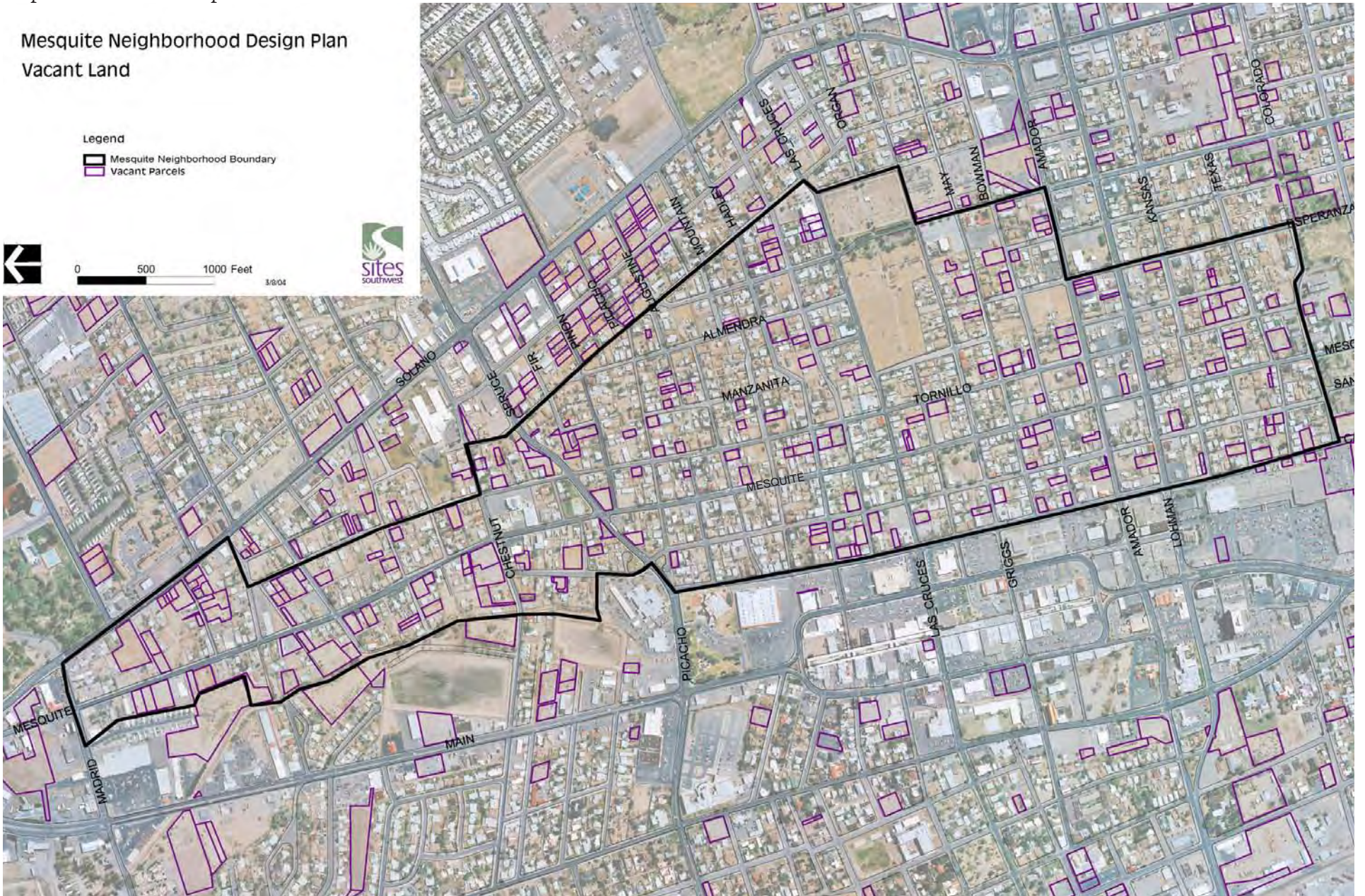
Mesquite Neighborhood Design Plan
Vacant Land

Legend

- Mesquite Neighborhood Boundary
- Vacant Parcels









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Map 5. Owner and Renter Occupied Properties Map

Mesquite Neighborhood Design Plan

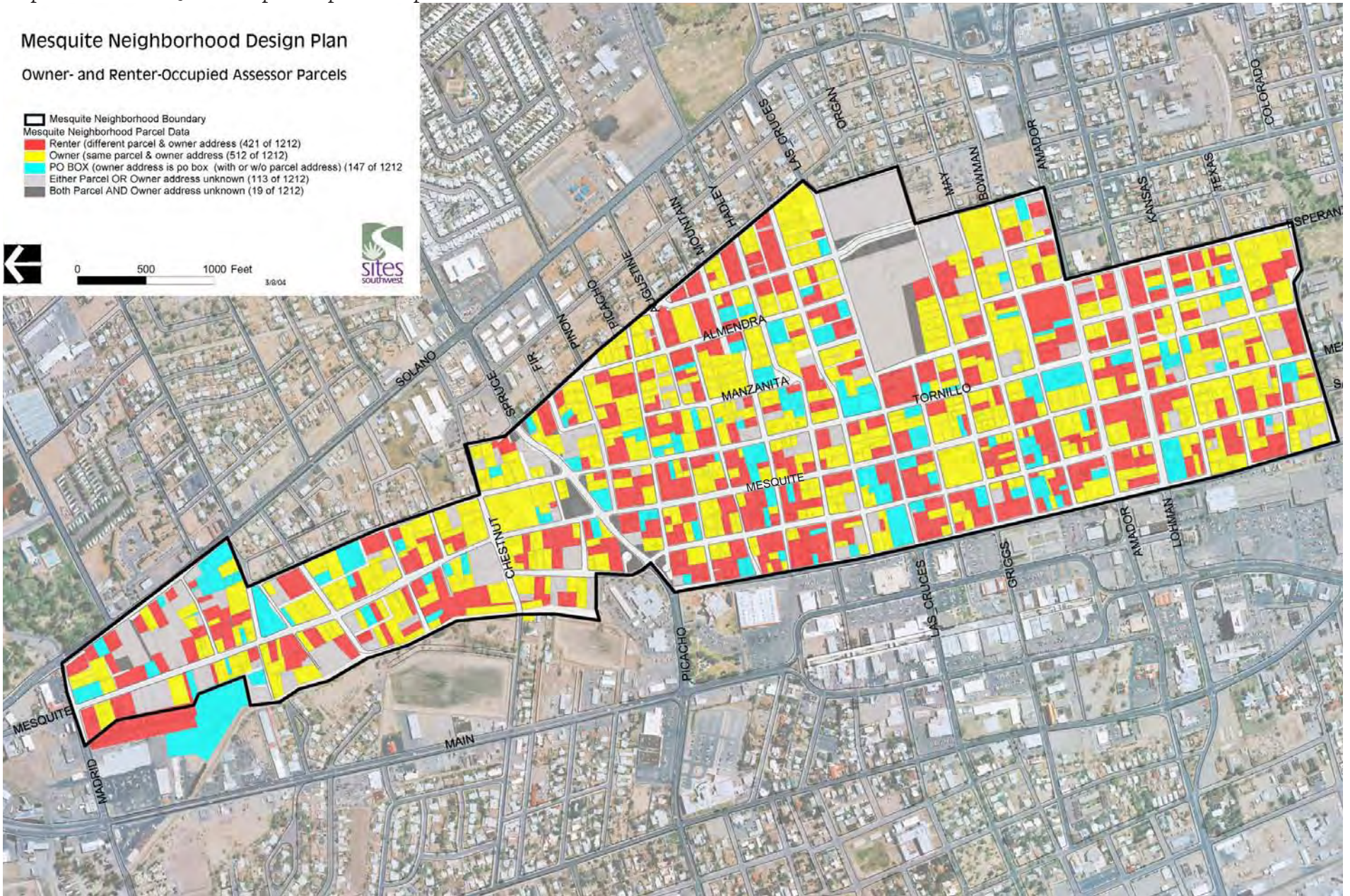
Owner- and Renter-Occupied Assessor Parcels

-  Mesquite Neighborhood Boundary
- Mesquite Neighborhood Parcel Data
-  Renter (different parcel & owner address (421 of 1212)
-  Owner (same parcel & owner address (512 of 1212)
-  PO BOX (owner address is po box (with or w/o parcel address) (147 of 1212)
-  Either Parcel OR Owner address unknown (113 of 1212)
-  Both Parcel AND Owner address unknown (19 of 1212)



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Mesquite Neighborhood Design Plan

Mesquite Historic District

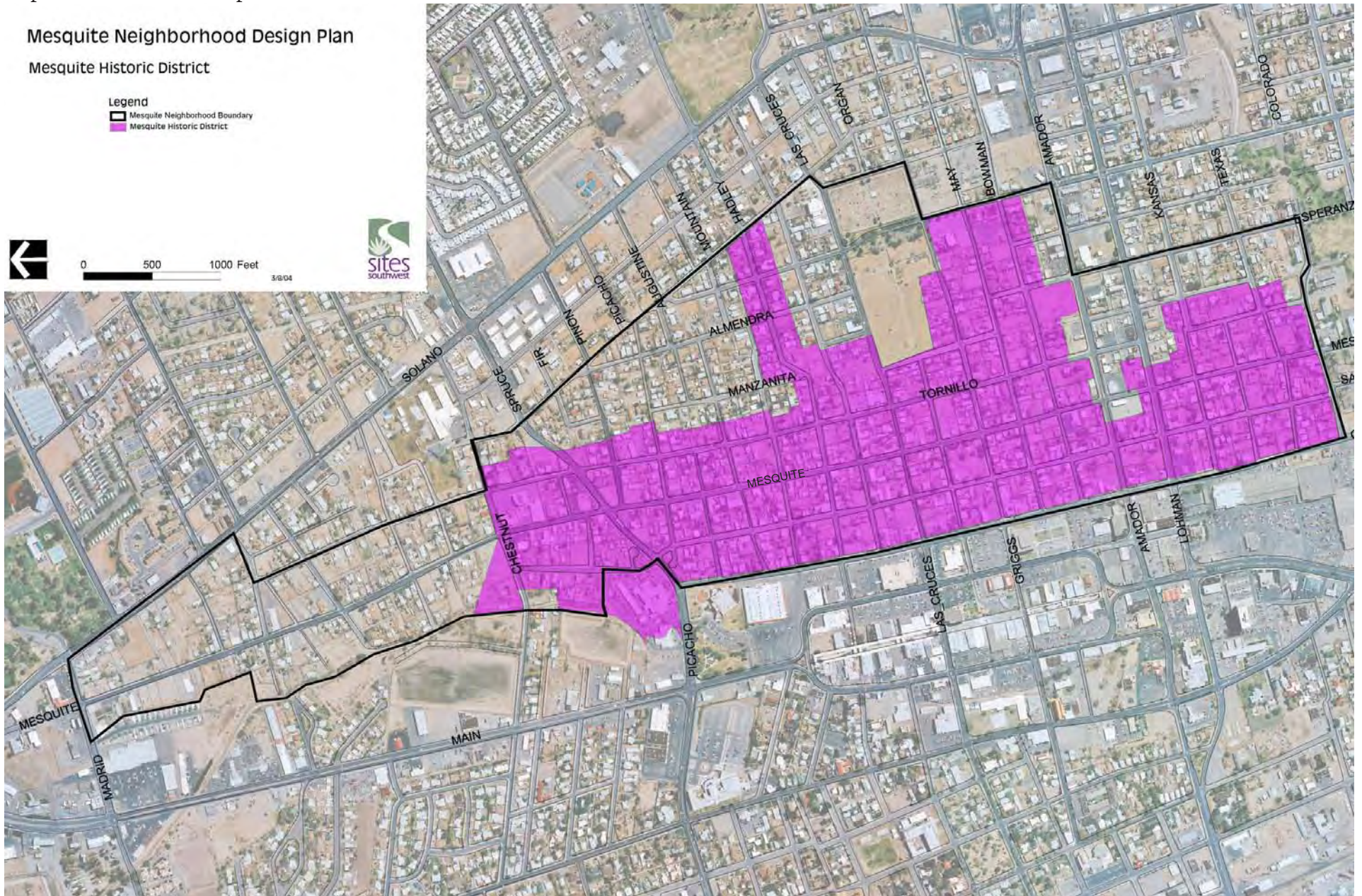
Legend


- Mesquite Neighborhood Boundary
- Mesquite Historic District



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structure, or object must be at least 50 years old before it can be considered “historic”. The 1980 survey thus used a 1930 threshold date, and the 1994-95 and 1998 surveys employed a 1940 threshold. These surveys were informational and apparently were not formally adopted by the City of Las Cruces. A number of the buildings constructed after 1940 would now potentially be eligible for inclusion in the National Register as contributing buildings within the district, if the nomination were amended to expand the period of significance. Thus, after consulting with Las Esperanzas Neighborhood Group, the period of significance for the purposes of this survey was expanded up to 1955.

It was often difficult for the surveyors to determine with certainty whether buildings were 50 years of age or not. Buildings were assumed to be at least 50 years old if they had been marked as contributing or significant in earlier surveys, if they were built out of adobe (unless of obviously newer construction), and if they had steel casement windows, which were out of fashion by the 1960s.

Most of the buildings in the Mesquite Neighborhood possess integrity of location and association, and several areas of the district continue to possess the highly-subjective integrity of “feeling” much as the neighborhood did in the mid-1950s. Integrity of design, materials, and craftsmanship generally requires that the building possess its original walls, roofline, window sashes, and door openings. Alterations made prior to 1955, or those that essentially replicate the appearance in 1955, are considered part of a given building’s historical evolution and, thus, do not cause a loss of integrity. Alterations to some windows but not to others may result in only a partial loss of integrity that does not negate the ability of the building to contribute to a district. Small additions, particularly to the rear, also do not necessarily affect the overall historical integrity. One rule of thumb to consider is whether a building looks today largely as it did in 1955.

Non-contributing buildings include those that were constructed after 1955 and those that have suffered a significant loss of integrity due to alterations made after that year. In the Mesquite Neighborhood, many buildings have lost integrity as a result of some combination of the replacement of original window sashes and changes in the roofline. New exterior-wall fabric (such as brick veneer), large additions that overwhelm the original structure, reconfigured window-openings (for example, new arched openings), new ornamentation, or new porches can also cause a loss of integrity. Because the loss of integrity is cumulative, this is often a subjective assessment.

Buildings whose age could not be clearly determined through visual examination or determination of the probable window configuration in 1955 were considered by the architectural surveyors to be **worthy of further study** as it cannot be clearly determined whether or not they can be considered historically contributing elements within the district.

Of the 700 buildings surveyed, 225 (32 percent) contributed to the national or state historic districts (or both), 197 (28 percent) were worthy of further study, and 276 (39 percent) do not contribute to the district, either because they are less than 50 years old or have experienced a loss of integrity. Another two buildings were not sufficiently accessible to determine their historical significance.

Historic districts are defined by concentrations of contributing buildings along streetscapes. Within the Mesquite Neighborhood, contributing buildings are scattered throughout, but tend to be concentrated in four general areas:



1. the National Register Historic District (see Map 9) for boundaries of this irregularly-shaped district;
2. three small areas adjacent to the National Register district: one along East Organ Street, between Mesquite and Manzanita streets; one along East Griggs Street between Tornillo and Manzanita streets; and one along East Kansas Street, taking in an area one lot west of the current boundary and extending east to Tornillo Street;
3. an area bounded by Campo, Picacho, Mesquite, and Hadley streets; and
4. an area along East Hadley Street near Espina.

Most of these clusters of non-contributing buildings are concentrated along the edges of the State Register district.

Scattered throughout the surveyed area are buildings that require more study to determine whether or not they actually contribute to the national and state register districts; the outcome of an intensive-level survey may reveal that some portions of these districts are stronger and other portions are weaker than could be determined by the 2004 Weisiger and Associates reconnaissance level survey.

Large clusters of non-contributing buildings appear:

1. in the area north of Picacho Street (but excluding the north side of Picacho itself, where a number of contributing buildings remain);
2. along Campo Street between Lohman and Kansas streets;
3. along Hadley Street, between Tornillo and Almendra streets;
4. along Las Cruces Street east of Tornillo Street;
5. on the north side of Griggs Street east of Manzanita Street;
6. along Bowman Street east of Manzanita Street;
7. and along the south side of Texas Street.



Map 7. Historical Significance
Mesquite Neighborhood Design Plan
 Historical Significance - August 2004



Map prepared by: Weisiger & Associates
 as part of the
 Mesquite Street Original Townsite Historic District Reconnaissance Survey



II. Neighborhood Design Goals

The Goals, Objectives and Strategies presented here are the result of an extensive public input process by the City of Las Cruces staff with Residents, the Las Esperanzas neighborhood group and Business Owners in both the North and South Mesquite districts.

A decision was reached by these groups during the planning process that all implementation plans and expenditures of Legislative funds would concentrate on the Mesquite neighborhood south of Spruce Avenue. The Residents and Business Owners of the North Mesquite District would pursue their own funding and determine their priorities. The resulting Zoning Code ordinances were also divided into the North Mesquite Overlay (Section 38-49.1) and the South Mesquite Overlay (Section 38-49.2).

A. Land Use

In compliance with the South Mesquite Neighborhood Overlay Zone District, adopted May 24, 2005:

Objective 1: Encourage more small-scale commercial businesses to locate within walking distance of Mesquite residents.

Strategies

- 1) Allow businesses greater flexibility for on-street parking.

Objective 2: Facilitate development of more businesses that cater to other segments of the City of Las Cruces. (SFI)

Strategies

- 1) Allow businesses greater flexibility for on-street parking.

Objective 3: Prevent Las Cruces Downtown development and traffic flow imperatives from encroaching on or destroying the Mesquite Neighborhood.

Strategies:

- 1) Limit permitted uses, size and height of buildings across the street from the new Federal Courthouse.

B. Historic District

Objective 1: Preserve and enhance the unique historic character of the Mesquite St.-Original Townsite Historic District and Neighborhood Plan boundaries.

Strategies:

- 1) Provide architectural continuity and compatibility throughout the plan's boundaries.
 - Use 2001 Zoning Code's Flex-Standard provisions
- 2) Maintain a visual balance and rhythm between walls, doors, and windows along a given street segment.
- 3) New development should use the front and side yard setbacks found along the subject property's street segment.
- 4) Remodeling projects should maintain the existing structure's front and side yard setbacks.



- Locate doors/entryways on the streetside façade.
 - Windows should be compatible with neighboring buildings in terms of placement, size, and shape.
 - Roof materials and styles generally found on neighboring buildings should be used on new development and remodeling projects.
 - Set attached or detached garages back from the primary structure so that the primary structure is the main focus along the street front.
- 5) New development and remodeling projects should use construction materials on all exterior facades that are compatible with those found in the surrounding area. Examples of common materials found in this area include adobe, brick, stone, limeplaster, and stucco.
- 6) New development locating within the boundaries of the Mesquite Neighborhood Plan and especially the Mesquite St. - Original Townsite Historic District should be constructed at a human scale.
- 7) New development and remodeling projects should create a landscape design, whether for a commercial or residential project, that is compatible with the subject property's street segment.
- 8) Integrate urban design standards into all properties that contain office, commercial, and residential uses.
- 9) Establish an Urban Design Review Board to review new projects and exterior alterations to ensure the policies listed in this objective are carried out.
- 10) Implement an historic overlay zoning district.
- 11) Encourage Las Esperanzas to assist area residents with questions regarding the preservation of historic structures, local preservation guidelines, low interest loans, etc. to preserve the historical integrity and residential character.
- 12) Ensure that local historic designations follow the National Register and New Mexico State historical designation categories.
- 13) Investigate the possibility of taking part in the New Mexico State Historic Preservation Office's Certified Local Government (CLG) Program to receive supplementary technical assistance and the ability to apply for historical grant funding by creating a board, such as the UDRB mentioned earlier, to review and provide comments on construction plans for historic structures.
- 14) Seek funding to update the Mesquite St.- Original Townsite Historic District's historic designations with the State and National



Registers and continue to do so in a timely manner.

- 15) Establish guidelines to preserve the historic quality and character of both the historic district and historic structures located in the Mesquite St.-Original Townsite Historic District. Guidelines should apply to all additions, accessory structures, new construction, and any exterior remodeling projects taking place within the boundaries of the historic district regardless of historical designation as those described in the Urban Design Section of this document.
- 16) Discourage the demolition of historic structures.

Objective 2: Improve the overall look and feel of the area

Strategies:

- 1) Control visual blight, such as unscreened storage areas and refuse containers.
- 2) Investigate programs for façade and site improvements.
- 3) Work with the City's Codes and Enforcement officers to further minimize issues dealing with municipal code violations in the area.
- 4) Create a beautification plan that will provide an aesthetic component throughout the Neighborhood Plan's boundaries.

C. Housing

Objective 1: Create, restore, and rehabilitate and maintain affordable housing in the Mesquite neighborhood without pricing current residents out of the market (ie, gentrification).

Strategies:

- 1) Continues and expand the City of Las Cruces' efforts with Community Development Block Grant (CDBG) funding and HOME Program funds.
- 2) Investigate program that allow in-kind labor partnerships for the purpose of creating affordable housing and rehabilitating existing residences.
- 3) Explore the possibilities of combining City, state and federal resources/monies to assist with affordable housing and rehabilitation.
- 4) Seek assistance from those with experience in structural rehabilitation to conduct workshops for area residents/property owners. Investigate creating partnerships with New Mexico State University, Dona Ana Branch Community College, non-profit and community groups.

Objective 2: Increase home ownership



D. Streetscape

Objective 1: Create an attractive streetscape that enhances the unique character of the Mesquite Neighborhood Plan boundaries and provides a pedestrian-friendly environment.

Strategies



- 1) Encourage the use of well-designed, visually attractive bus stops, shelters, and benches within the neighborhood.
 - Investigate the use of Federal Transit Authority monies to improve transit stops.
 - Investigate the use of CDBG and other types of grant funding for bus stop improvements.
- 2) Encourage the use of appealing, yet functional street lights in the Mesquite Neighborhood Plan Boundaries.
- 3) Use special street signs to help convey the historic character of the Mesquite Neighborhood Plan Boundaries.
- 4) Develop a maintenance schedule for area sidewalks to ensure that the existing sidewalks are properly maintained and to avoid higher replacement costs in the future.
- 5) Identify those areas that lack sidewalks and develop a construction schedule for those areas that focuses on connectivity.

- 6) Encourage property owners to acquire historic plaques and/or markers for their historic properties.
- 7) Investigate additional traffic calming measures in the area, such as curb cuts, to provide a more pedestrian-friendly environment.
- 8) Examine the possibility of bus service that links this general area to New Mexico State University.
- 9) Support the Las Cruces Metropolitan Planning Organization's bicycle planning activities.

Objective 2: Use urban design concepts to help make the Mesquite St.-Original Townsite Historic District a physically safer environment.

Strategies:

- 1) Create and improve safe pedestrian crossings from the Mesquite Neighborhood to Downtown Las Cruces, particularly across Campo Street.
- 2) Maintain existing sidewalks and construct new ones.
- 3) Encourage the use of both appealing and functional street lights to provide light as a means of warding-off criminal activity.

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- 
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- 4) Encourage the vacation of alleys, where possible, to limit areas where criminal activity may occur.
 - 5) Investigate areas where traffic calming should occur and what types of methods should be used in order to restrict traffic to permitted speeds.

Objective 2: Create additional green space in the neighborhood.

Strategies:

- 1) Convert vacant lots into parks and community open space.
- 2) Support the efforts of neighborhood groups, such as Las Esperanzas to acquire vacant parcels and convert them into community green space.
- 3) Where feasible, donate City services and property that would enhance the efforts of neighborhood groups to increase green space within the boundaries of the Mesquite Neighborhood Plan and the Historic District.
- 4) Advocate the placement of parks, green space, and/or community gardens to provide green or garden boundary markers for the Mesquite St.-Original Townsite Historic District.
- 5) Investigate the possibility of converting city-owned vacant parcels into usable green space or parks for residents and visitors.
- 6) Encourage coordination with neighborhood groups to provide opportunities for synergistic benefits, such as city owned-parks located adjacent to community green spaces.

E. Signage and Wayfinding

Objective 1: Signage for businesses located in the neighborhood plan boundaries should blend with the architectural character of the property to which they pertain.

Strategies:

- 1) Establish signage standards for businesses within neighborhood boundaries.
- 2) Recognize Las Cruces' original Townsite by erecting historic markers delineating its boundaries.
- 3) Distinguish the Mesquite St.-Original Townsite Historic District with street signage that conveys the district's official boundaries.

F. Parks and Gardens

Objective 1: Design and create a community garden.



G. Funding and Implementation

Objective 1: Implement the strategies in this document.

Strategies:

- 1) Utilize the adopted overlay zoning district ordinance to improve the neighborhood.
- 2) Promote the use of this document as a policy guide when decisions are being made.

Objective 2: Identify funding sources and alternatives to provide the desired amenities and improvements.

Strategies:

- 1) Encourage neighborhood groups, such as Las Esperanzas, to apply for state and federal grants for neighborhood improvements.
- 2) Work with City departments to investigate the feasibility of making those improvements that are possible without excessive/additional cost to the City and taxpayers.

III. Neighborhood Plan Elements

A decision was reached during the planning process by representatives of the Las Esperanzas group, the Residents and Business Owners of the North Mesquite District, and City staff that all implementation plans and expenditure of Legislative funds would concentrate on the Mesquite Neighborhood South of Spruce Avenue. The Residents and Business Owners of the North Mesquite District would pursue their own funding and determine their priorities.

A. Land Use

1. Proposed Land Use Concept

A. Residential

The majority of land uses within the Mesquite Neighborhood boundary are single family detached homes. There are also a substantial number of parcels used for apartments of eight or more units and a lesser number for multi-family dwellings with from two to six units. Most of these higher density units are concentrated around the heart of the neighborhood area between Spruce and Bowman. While new single family residential infill is encouraged for areas throughout the Historic District, development of moderate density residential is encouraged in the area along San Pedro between Picacho and Court streets (see map 8). This area is currently zoned for office use. Bringing in moderate density patio or townhomes provides the opportunity to create a more urban housing choice in an area that is close to existing office and retail areas as well as within walking distance to the “revitalizing” Downtown area. This should be able to be accomplished without disrupting the historic fabric of the neighborhood.



B. Commercial

Community serving commercial uses predominate along Lohman and Amador, following the zoning and enhanced automobile access provided by the one-way streets. Low intensity neighborhood serving commercial uses dot portions of Mesquite Street and occupy a few locations on Campo Street and at the northern end of the plan boundary.

An objective of this Plan is to encourage neighborhood serving commercial businesses to be located within walking distance of Mesquite residents. At the same time the area surrounding Klein Park offers a unique opportunity to create a special mixed use commercial area that could provide specialty shops, restaurants and housing that could serve the neighborhood and at the same time capitalize on the re-emergence of an active downtown workforce and growing residential population. The special historic character of the Klein Park area and its “walkability” from Downtown could make it a much desired destination as a special place to eat, shop or live. The pedestrian focus of new commercial development is critical to minimize the encroachment of the automobile into the neighborhood.

The Plan recommends a possible strategy that proposes that the area along Mesquite Street north of Villa Mora Avenue could become a primarily commercial and “live work” location to respond to the preponderance of commercial establishments and vacant land. The current zoning in the area with a little revision would support that strategy. The area south of Villa Mora Avenue should remain primarily residential. This concept is depicted on Map 8.

C. Office

Office development that is designed with sensitivity to the historic traditions of the Mesquite Neighborhood is encouraged for the area along Campo Street between Picacho and Hadley streets. This area is zoned for these uses and has been overlaid with design requirements (SMO, May 24, 2005) to insure its compatibility with the

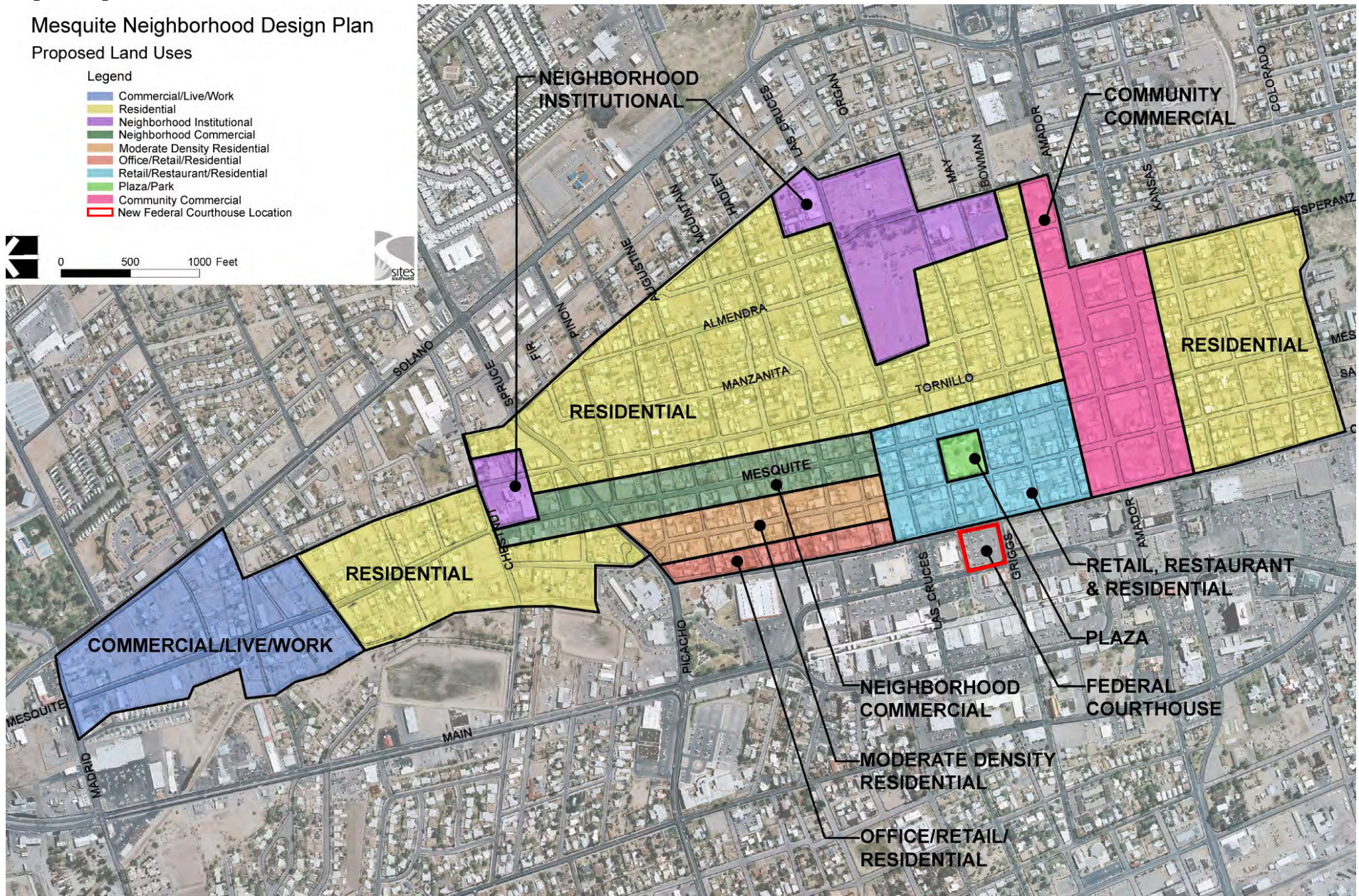
Map 8. Proposed Land Uses

Mesquite Neighborhood Design Plan

Proposed Land Uses

Legend

- Commercial/Live/Work
- Residential
- Neighborhood Institutional
- Neighborhood Commercial
- Moderate Density Residential
- Office/Retail/Residential
- Retail/Restaurant/Residential
- Plaza/Park
- Community Commercial
- New Federal Courthouse Location





Neighborhood. If done properly this area could create a transitional buffer to the Neighborhood and present a “face” to the Downtown that reinforces the history of the area.

D. Mixed Use

Mixed use development, such as retail/residential and/or retail/restaurant is especially encouraged around Klein Park which could come to serve as a plaza and focal point for neighborhood activity and business. One concept for properties on the north side of Campo is to introduce a 2-story mixed use type of development comprised of retail shops, offices, or restaurants on the ground level with residential units on the second floor. This concept could create both a vibrant center for neighborhood business and an important link to and attraction for the nearby area of Downtown Las Cruces. This concept will need to be carefully studied to insure that “contributing” buildings are not compromised and that the historic integrity of the area is not compromised.

E. Neighborhood Institutional Areas

There are two areas in the neighborhood that are significant activity centers for those living in Mesquite. They both are energized by the existence of neighborhood churches. These areas include a section south of Chestnut Avenue between Mesquite and Tornillo streets and the area roughly bounded by Court Avenue, Martinez Street, Bowman Street, and Manzanita Street.

B. Historic District

1. Recommendations for the Future

The following represents a summary of recommendations made in the 2004 Weisiger and Associates’ *Mesquite Street- Original Townsite Historic District Reconnaissance Survey*. (See Appendix A for more detailed recommendations in the final report for the survey.)

- A. An Overlay Zone has been adopted to protect the current low-scale, residential character of the Mesquite Street-Original Townsite Historic District, while providing funding for existing commercial use and mixed use along the edges.
- B. Revise historic district documentation and amend the boundaries of the National Register Historic District to include areas with a large number of historically “contributing” buildings and the boundaries of the State Register Historic District to exclude areas on the fringe with a high number of “non-contributing” buildings (see map 7).
- C. An Overlay Zone ordinance has been adopted with design review to preserve the historic character of the Mesquite Street-Original Townsite Historic District.
- D. Encourage neighborhood awareness of and pride in the historic character of the district with public events.
- E. Encourage property owners to preserve the historic character of the buildings (see Pages 30-32 for examples).
- F. Develop programs through the City of Las Cruces to promote the preservation of historic adobe buildings.
- G. Acquire funding to purchase one or more buildings in “poor condition” and rehabilitate them for resale as a demonstration project, outdoor laboratory, and fund-raising project.

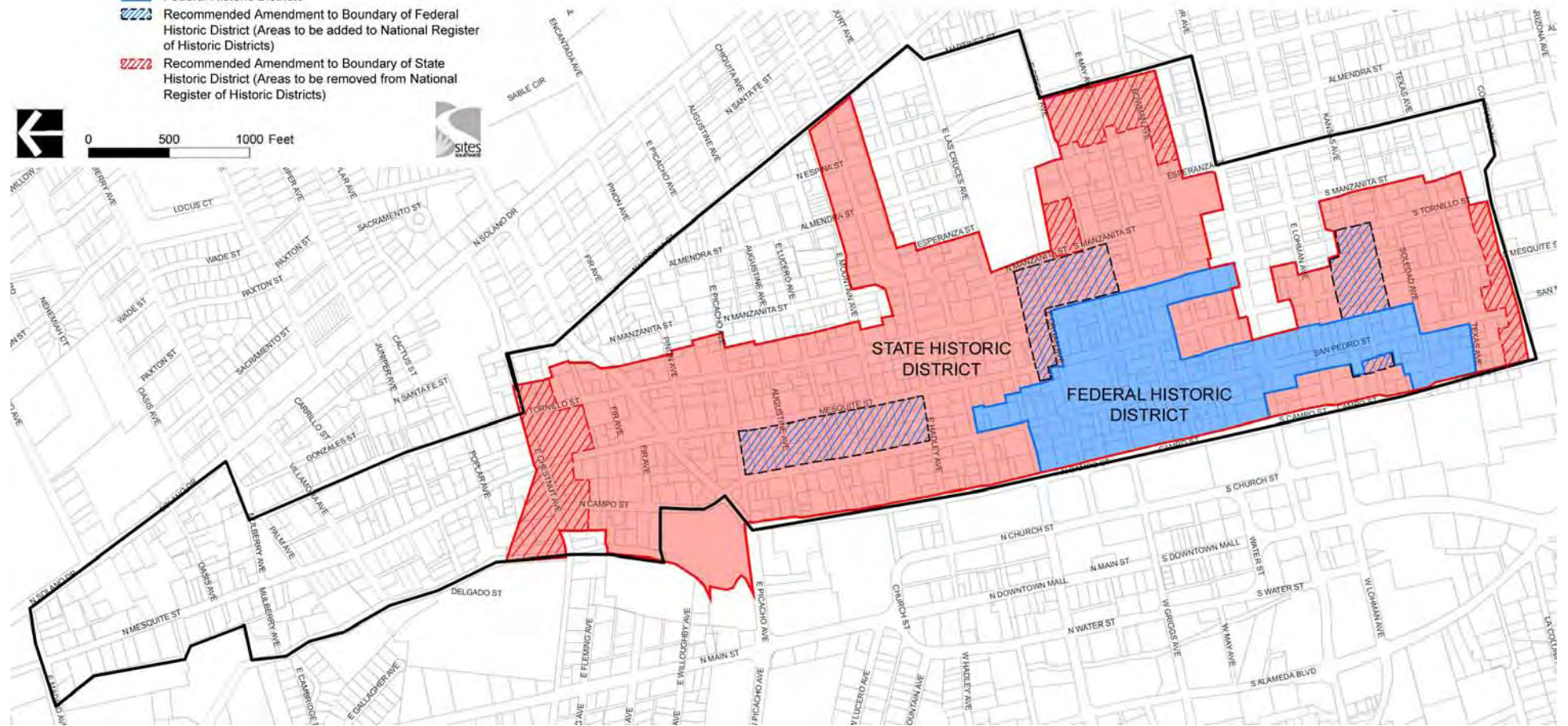
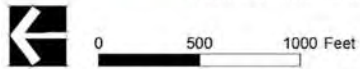


Mesquite Neighborhood Design Plan

Historic District Boundaries

Legend

- State Historic Districts
- Federal Historic Districts
- Recommended Amendment to Boundary of Federal Historic District (Areas to be added to National Register of Historic Districts)
- Recommended Amendment to Boundary of State Historic District (Areas to be removed from National Register of Historic Districts)



C. Housing

1. Infill Sites






There are a number of vacant lots in residential areas located within both the National and State Register historic districts. These lots are the ideal starting point for the development of residential infill projects to create, restore, rehabilitate, and maintain affordable housing in the Mesquite Neighborhood that also further enhances the character of the existing neighborhood. A Design Overlay Zone has recently been adopted that regulates setbacks and presents design guidelines for new construction. A secondary intent of infill development is to increase home ownership and owner occupied housing within the neighborhood. Any new residential development should be built in a style that reflects the existing historically “contributing” buildings. New homes should be designed and constructed with architectural details and materials that “fit in” with the existing historic homes and capture the spirit of the neighborhood while remaining distinctive from the historic fabric. Ideally any new construction should not be an exact replica of any existing building within the district, but simply be made to blend in seamless with the surrounding neighborhood and look as if it had been constructed in or before 1955 by utilizing design, craftsmanship, materials, and colors that would have been in use during that time. Therefore, the use of materials such as adobe and lime stucco and the replication of historic rooflines and window and door placement styles are recommended. Core areas that could be developed with infill sites are illustrated in the Priority Infill Sites Map on the following page (see Map 10).



Mesquite Neighborhood Design Plan

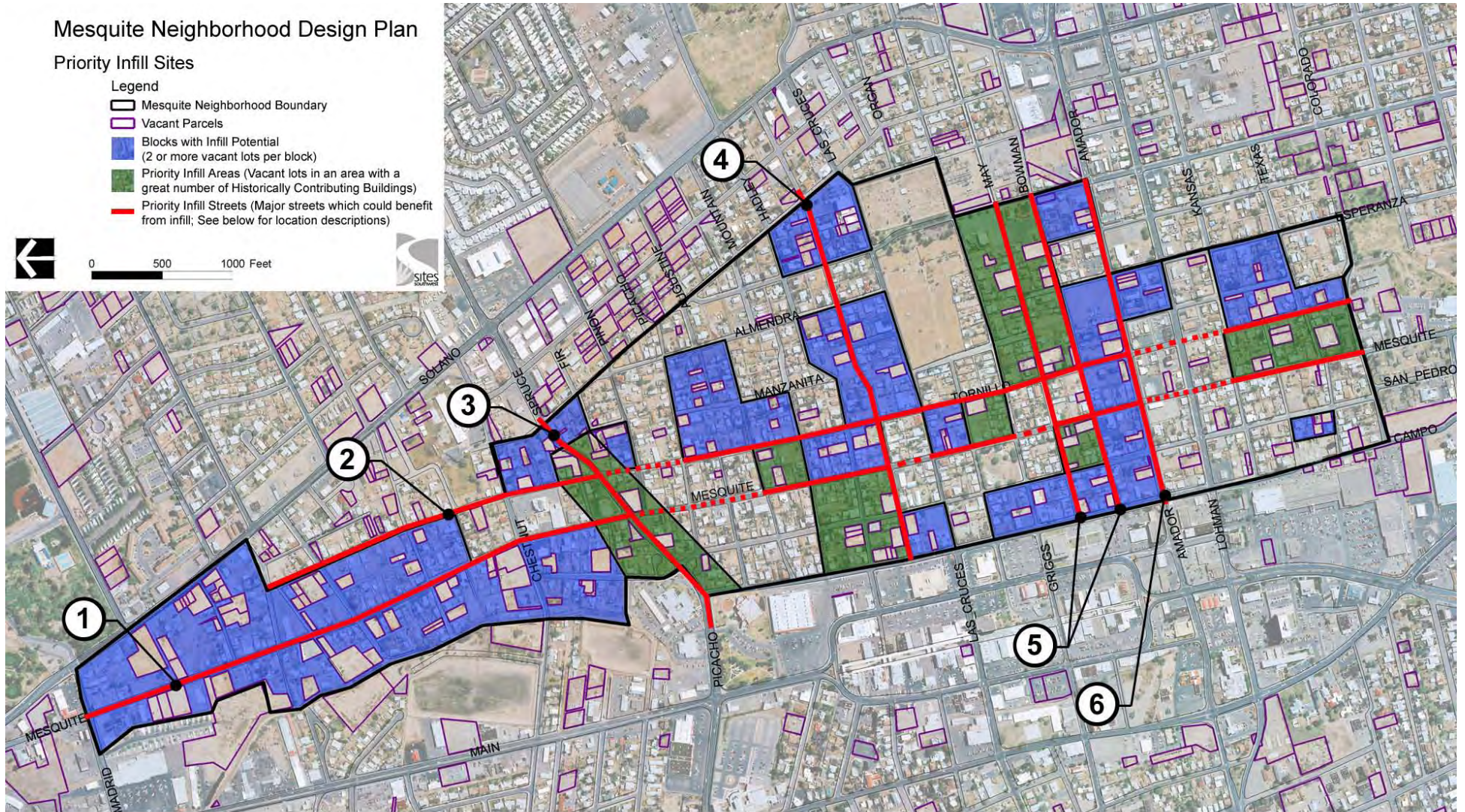
Priority Infill Sites

Legend

-  Mesquite Neighborhood Boundary
-  Vacant Parcels
-  Blocks with Infill Potential (2 or more vacant lots per block)
-  Priority Infill Areas (Vacant lots in an area with a great number of Historically Contributing Buildings)
-  Priority Infill Streets (Major streets which could benefit from infill; See below for location descriptions)



0 500 1000 Feet



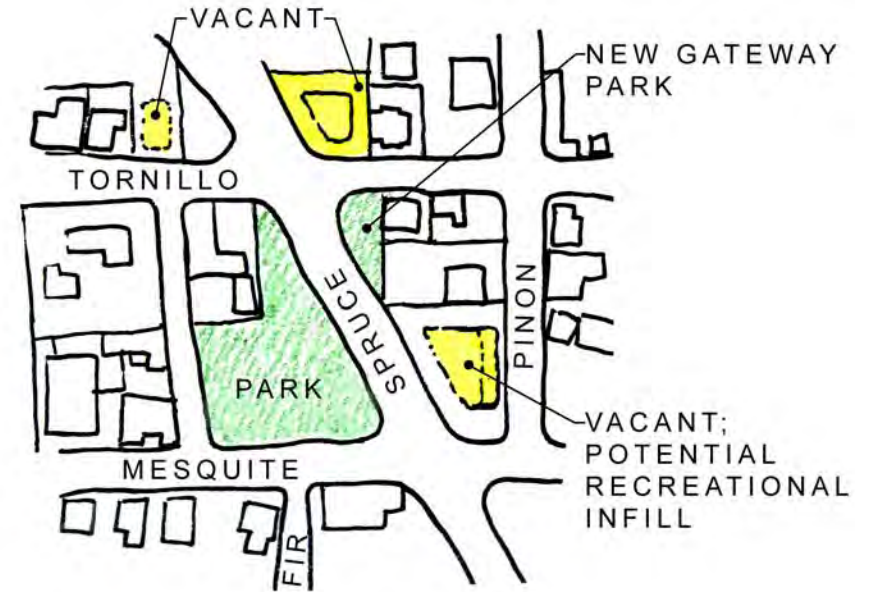
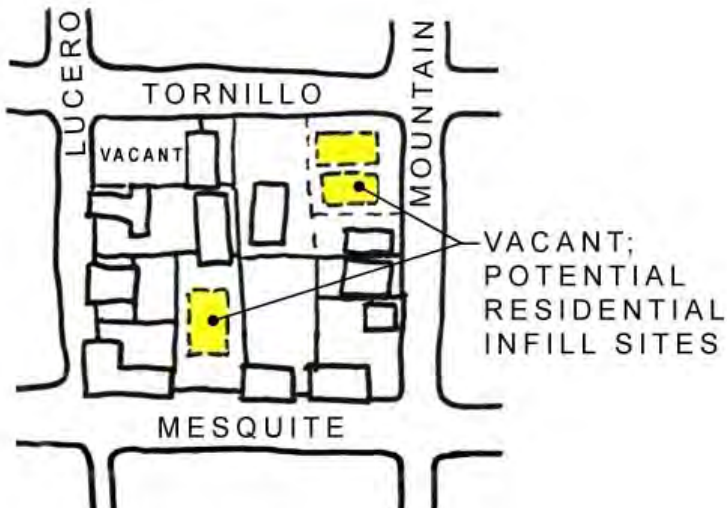
- 1) Mesquite Street (Especially between Madrid & Picacho)
- 2) Tornillo (Especially between Picacho/Spruce & Colorado)
- 3) Picacho/Spruce between San Pedro & Virginia
- 4) Court Avenue between Campo & Virginia
- 5) May and Bowman between Campo & Espina
- 6) North Side of Amador between Campo & Espina



Potential Infill Sites

As described previously, there are a number of vacant lots scattered throughout the historic district that could be used for infill development. Generally speaking, any lots big enough to support residential development should be utilized for new homes. However, in the right circumstances, smaller sites could be developed as pocket parks or small community plazas to provide more public recreation and gathering spaces for the neighborhood. General examples of how such infill development might look are illustrated below. Specific locations would be determined by targeting blocks or areas within the district where infill, either residential or recreational, could have a maximum positive impact on the neighborhood.

In some cases there are multiple vacant lots near or adjacent to buildings that are designated as contributing to the historic character of the neighborhood, but are “brought down” by nearby unkempt lots. As shown in the example below, these areas, particularly those that lie within the neighborhood commercial areas, could be infilled with either housing or community oriented retail sites constructed in a style to further enhance the historic character of the neighborhood.



In other areas, there are vacant lots near or adjacent to existing park land. In addition to refurbishing the existing parks, these vacant areas could be developed as additional park land or as recreation or activity related community center type buildings or small plazas. In the example above, a series of small park and plaza areas could be developed to create a gateway area.

2. *Rehabilitation Sites*

Based on the reconnaissance survey, there are a number of houses within the historic district that are contributing to the historic character of the neighborhood, but which are currently in poor condition. These houses could be targeted as a first priority for overall rehabilitation within the historic district. As described above, the goal of rehabilitation is to preserve, and enhance and recreate the historical integrity of original buildings through the use of a historically appropriate palette of design styles, details, materials, and colors. The key to this type of rehabilitation will be neighborhood involvement. As Weisiger and Associates suggest in their 2004 Mesquite Street Original Townsite Historic District Reconnaissance Survey (see Appendix A), property owners must be encouraged to preserve the historic character of their buildings. Suggestions for providing such encouragement include:

- Developing a homeowners guide for monitoring, repairing, and rehabilitating adobe buildings.
- Sponsoring a workshop to educate and create a pool of masonry and plaster contractors and general contractors trained to properly repair adobe buildings with lime plaster.
- Sponsoring a workshop to educate homeowners regarding the monitoring, proper repair, and rehabilitation of adobe buildings. This workshop should focus on the replacement of cement stucco with lime plaster, the proper repair of roofs, and regarding around the foundation for proper drainage. Ideally a member of the neighborhood could be encouraged to volunteer the appropriate rehabilitation of his or her home as a demonstration project.

- Encouraging the use of state and federal tax credits for the rehabilitation of residential and commercial properties and establishing a neighborhood resource-person to help building owners plan projects and complete paperwork.
- Creating a materials stockpile (screens, screened aggregate, adobe bricks, adobe mud, sand for mortar, lime) to keep needed materials available to homeowners at low cost.
- Creating a tool lending library and reference library to promote appropriate rehabilitation.
- Encouraging the removal of Portland cement stucco and concrete collars and replacement with lime plaster.
- Creating a team of neighborhood resource-people, trained in the appropriate treatment of historic adobe buildings, to inspect and monitor adobe buildings and make recommendations for rehabilitation.
- Encouraging building owners to provide better drainage around their foundations to shed water away from adobe walls.
- Encourage the repair, rather than the replacement of historic windows. The replacement of windows – a key design characteristic – is the chief reason for loss of historical integrity in the Mesquite Neighborhood.



Specific areas within the historic district that could become core areas for rehabilitation are illustrated in the Priority Rehabilitation Sites Map (see Map 11).

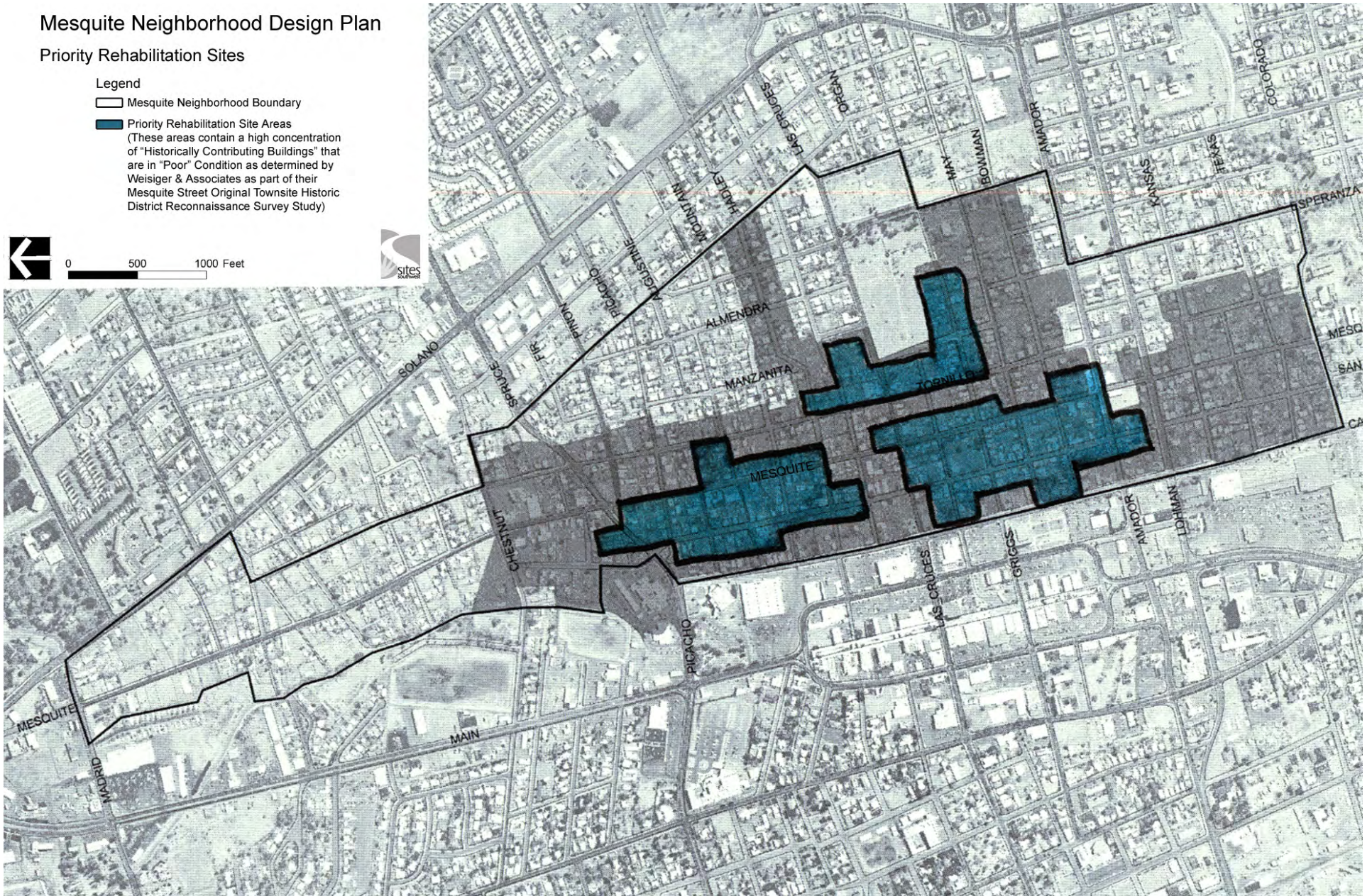
Map 11. Priority Rehabilitation Sites

Mesquite Neighborhood Design Plan

Priority Rehabilitation Sites

Legend

-  Mesquite Neighborhood Boundary
-  Priority Rehabilitation Site Areas
(These areas contain a high concentration of "Historically Contributing Buildings" that are in "Poor" Condition as determined by Weisiger & Associates as part of their Mesquite Street Original Townsite Historic District Reconnaissance Survey Study)





Potential Rehabilitation Sites

Recommendations:

Rehabilitation is recommended for all buildings which are considered to be “contributing” to the historic character of the neighborhood. However, perhaps a first priority would be buildings which are considered to be in “poor” condition. As described above, the determination of building as being in “poor”, “fair”, or “good” condition was made by Weisiger and Associates in the 2004 Mesquite Street-Original Townsite Historic District Reconnaissance Survey (See Appendix A). “Poor” condition is defined in the survey as: “Five or more minor defects OR two or more major defects OR one major defect and four minor defect OR one critical defect (that is, one that may make the building too dilapidated to repair.” Examples of defects include problems with stucco, concrete collars, roof, foundation, drainage, structural cracks, or other major structural problems. A list of such “poor” condition, but historically significant buildings can be found in the full report developed by Weisiger and Associates.

Additionally, it may also be beneficial to rehabilitate even some of the “non-contributing” buildings. In a few instances, appropriate rehabilitation could make these non-contributing buildings contribute to the district once more, because their dilapidated condition resulted in such a loss of integrity that they earned a “non-contributing” assessment. Rehabilitation of such sites (identified in the reconnaissance survey) would enhance the historic district and help revitalize the neighborhood (see Map 7 and Appendix A).



3. Façade Enhancement

There are a number of historically “contributing” homes within the historic district which are in fair enough condition that they only need a bit of a face-lift rather than a complete rehabilitation. These homes could benefit from façade enhancement involving the application of new paint or stucco, window or doorway repair, new fence or wall treatment, or the removal or addition of trees or other plantings, and so on. As with infill and rehabilitation, the goal of façade enhancement is to maintain and enhance the historic character of homes within the district. Therefore, any improvements made to historic structure should reflect the period in which it was constructed. Only colors, materials, and design details and styles which reflect an appearance of how the structure looked in 1955 or earlier should be utilized. Particular attention should be paid to maintaining traditional rooflines and historic window and door placement.

Many of the suggestions mentioned above for encouraging residents to become actively involved in rehabilitation of buildings in poor condition could also equally benefit homeowners who are trying to maintain and improve buildings that are in good or fair condition. In particular, homeowners updating and improving their buildings through the City’s weatherization program should be careful to coordinate changes to ensure that they support criteria for historically contributing buildings.

Although buildings throughout the historic district could always benefit from some level of façade enhancement, areas within the historic district that could become core areas of enhancement are illustrated in the Priority Façade Enhancement Sites Map on the following page (see Map 12).



The enhancements shown below include a new, more traditional roofline as well as a new door and windows, new stucco, a new porch, wall, gate, and plantings



Potential Façade Enhancements

Throughout the Mesquite neighborhood there are many buildings, homes and businesses alike, which could be revived through facade enhancement. These buildings, while in fair enough condition that they do not need to be completely rehabilitated, still may not be contributing to the historic character of the neighborhood as much as they could. These homes and businesses may benefit from non-structural enhancement which could involve new paint or stucco, new fencing or wall treatments, the removal or addition of trees or other plantings, and so on. Although the goal of facade enhancement is to “spruce up” the exterior of buildings with minor

non-structural defects, in the Mesquite historic neighborhood it is essential that any improvements to a structure reflect the period in which it was constructed. Therefore, all paint colors, building materials, and design details and styles should emulate those used in the historic district prior to 1955. In many cases simple changes to recently completed, more modern updates should allow the original character of historic homes to shine though once again. In particular, traditional rooflines and window placement should be maintained or restored and new materials, such as Portland cement, should be replaced with traditional materials such as lime plaster.



Facade enhancements shown above include new paint on the house & wall, a new gate, and new trees & shrubs



Facade enhancements shown above include new paint, tile accents, and an archway for the wall and new plantings



Facade enhancements shown above include new tile accents on the roof, a new wall, archway, gate, and plants




D. Streetscape

A key design objective of the neighborhood plan is to develop attractive streetscapes that will enhance and further define the unique character of the Mesquite neighborhood and provide a pedestrian-friendly environment (see examples on Pages 34-37). The use of streetscape amenities such as well-designed, visually attractive bus stops, shelters, and benches, appealing, yet functional street lights, street trees and other plantings, more unified wall and fencing treatments, updated or specialty paving, special street signs, and historic plaques could create a more attractive, pedestrian-oriented, and physically safer environment for the Mesquite Historic Neighborhood. The streets that should receive special attention include Mesquite Street, Picacho & Spruce avenues, Hadley Avenue, Las Cruces Avenue, and Amador & Lohman avenues.

1. Major Streetscapes

Mesquite Street - Mesquite Street should be a key focus area for streetscape improvement. Although it is a minor arterial, Mesquite Street is *the* major North-South street running through the heart of the historic district. Defining and enhancing the character of this neighborhood “main street” will impact the visual quality, pedestrian-friendliness, and commercial character of the entire historic district. Suggested improvements include: widening the sidewalk (if right-of-way allows) to include a planting strip with periodic bulb-outs for street trees, lighting, bus stops, shelters, street furnishings, and signage; specialty paving along sidewalks and at major intersections to reflect and enhance the historic character of the neighborhood; and a focus on rehabilitation and façade improvement for any historically “contributing” buildings along Mesquite Street.

Las Cruces Avenue - As both an East-West street that runs right through the heart of the historic district and an important link to nearby Downtown Las Cruces, Las Cruces Avenue should also be a focus area for streetscape enhancement. The streetscape design for Las Cruces Street should include elements of both the Mesquite neighborhood’s historic character and the newer feel of nearby Downtown Las Cruces. Perhaps the type of street lighting and street tree scheme could match or emulate, on a more neighborhood scale, the style of the downtown area, while the paving, street furnishings and signage could be a unique reflection of Mesquite’s historic character.



Picacho / Spruce Avenue - Picacho / Spruce Avenue is a major East-West arterial located several blocks north of the Mesquite Historic Neighborhood’s central core. It links the neighborhood to the northern end of Downtown and provides an opportunity for a gateway area at its Mesquite Street intersection. As with Las Cruces Avenue, the streetscape scheme for Picacho could emulate some of the newer style of the downtown area while maintaining the flavor and human scale of the Mesquite’s historic neighborhood. As a major arterial through the neighborhood, this street feels more car-oriented than pedestrian-friendly. To make it safer and more desirable for pedestrian traffic certain traffic calming measures such as clearly defined pedestrian crossings at intersections, wide comfortable sidewalks with a planting buffer, street trees, lighting, street furnishings and human-scale signage could be incorporated into the streetscape scheme.

Hadley Avenue - Hadley is an East-West collector two blocks north of Las Cruces Avenue. As with Las Cruces and Picacho / Spruce Avenues, Hadley Avenue does provide a connection between the historic Mesquite Neighborhood and Downtown Las Cruces and, therefore, may also benefit from a somewhat blended style streetscape scheme. Because it is only two blocks away from Las Cruces, a key East-West linking streetscape, perhaps Hadley’s streetscape could share some of the same elements as Las Cruces Avenue albeit on a slightly smaller scale (i.e. fewer streetlights and furnishings, etc. than Las Cruces Avenue except at the intersection of Hadley Avenue & Mesquite Street where a full-blown streetscape scheme seems appropriate).

Amador Avenue & Lohman Avenue - Although Amador and Lohman are both major community-serving streets, streetscape improvements could allow these busy, one-way, downtown-oriented streets to tie in more with the Historic Mesquite Neighborhood. Specialty paving at major intersections could create more visible and safer pedestrian zones. Beyond special paving, the creation of a street tree scheme, a lighting scheme, and the addition of pedestrian amenities, such as bus stops, shelters, and benches, would provide a more human-scale environment along these busy arterials. Such streetscape enhancement would help define the character of these streets, allowing them to better relate to and reflect the historic, residential character of the surrounding neighborhood.

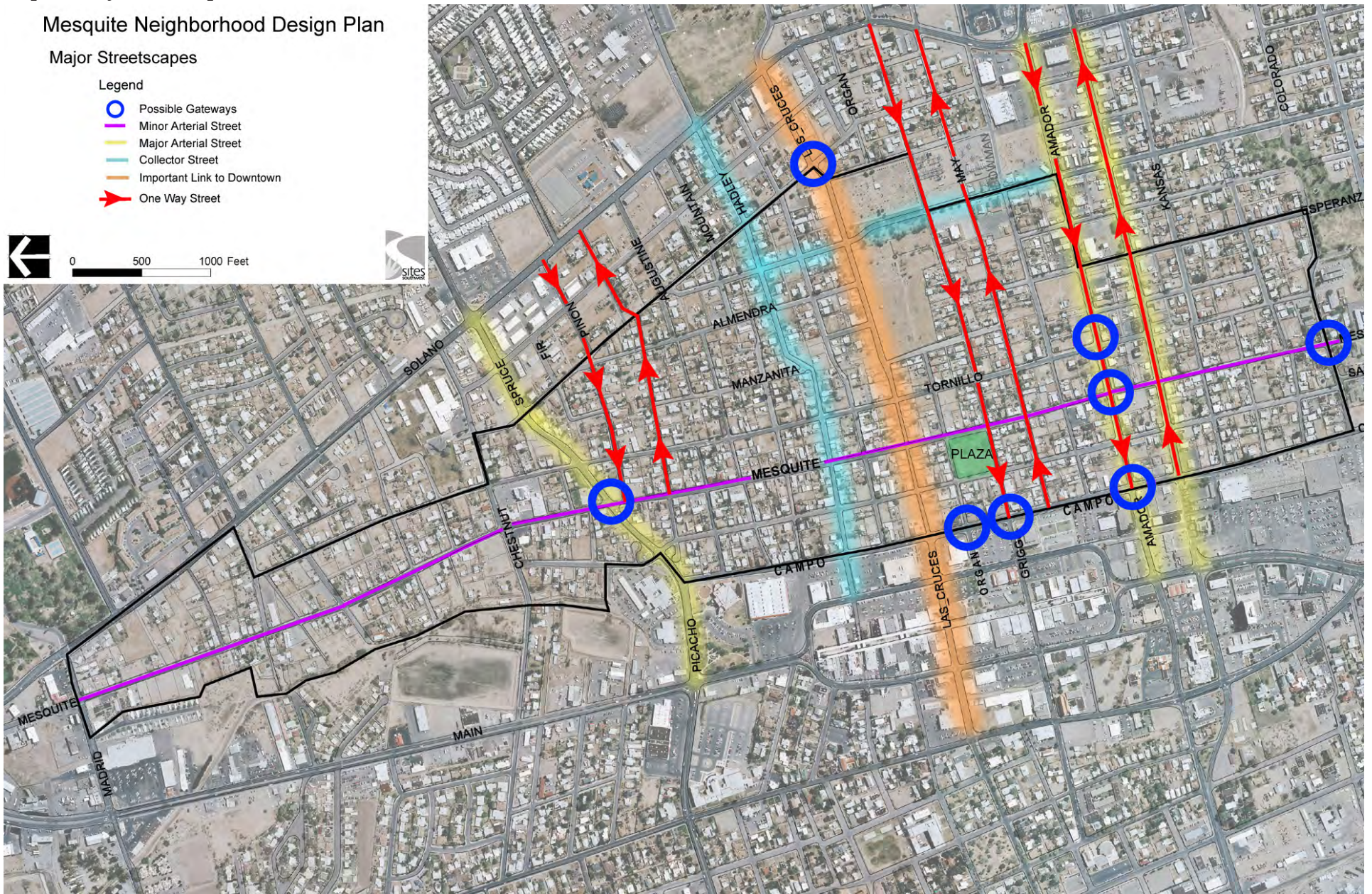
Map 13. Major Streetscapes

Mesquite Neighborhood Design Plan

Major Streetscapes

Legend

-  Possible Gateways
-  Minor Arterial Street
-  Major Arterial Street
-  Collector Street
-  Important Link to Downtown
-  One Way Street

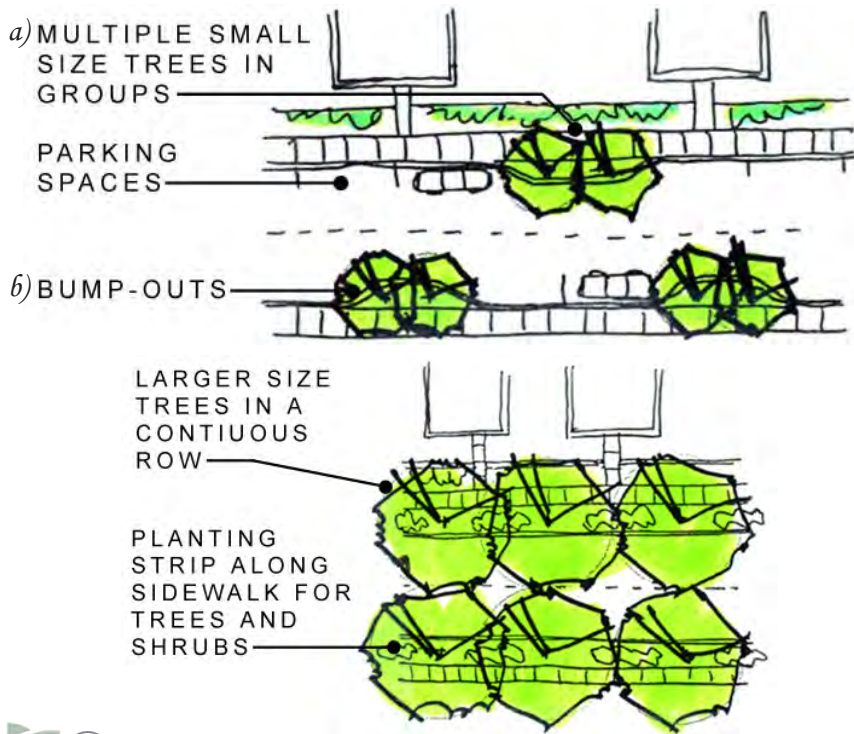


2. Landscape/Hardscape

Improvements to landscape and hardscape elements along major streetscapes through the neighborhood and at key intersections would provide an immediate, attractive, and unifying look for the district. Street trees and other plantings along major streetscapes and specialty paving at central intersections, in small parks and plaza areas, and at gateway locations will help enhance and define the historic character of the neighborhood and encourage pedestrian traffic within the district.

a. Street Tree Placement

The diagrams below illustrate two possible street tree placement schemes for planting along major streetscapes in the Mesquite Historic Neighborhood. The first scheme (a) depicts new trees planted within regularly spaced “bump-outs” added along existing sidewalks. Such placement could provide shade for pedestrians and parked cars and provide some distance between the sidewalk and



roadway to create a safer, more pedestrian-friendly streetscape. The second scheme (b) depicts street trees planted in a continuous planting strip along the outer edge of the sidewalk.

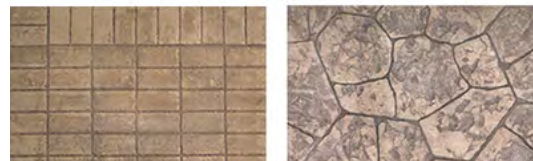
b. Street Tree Types

Suggested types of street trees include:

- Arizona Ash
- Modesto Ash
- Chinese Pistache
- Palo Verde ‘Desert Museum

c. Hardscape: Materials & Details

Suggested options for hardscape enhancement include pigmented or color washed/stained concrete paving in traditional colors, possibly with brick, stone, or tile inset detailing, at prominent streetscape locations (i.e. gateway areas, major intersections, in park or plaza areas, and along the edges of sidewalks and/or planting strips on major pedestrian routes). Additionally, low adobe & stucco walls, possibly with seating bays and brick, stone, or tile inset detailing could be placed in similar locations.



d. Klein Park

The location of Klein Park makes it ideally suited to become a focal point, a town square, for the Mesquite Historic Neighborhood. Close to Downtown Las Cruces, yet centrally located along Mesquite Street, the Klein Park area could become a vibrant hub of mixed use activity with shops, restaurants, and homes encircling a central plaza. (See example plazas below.)



1. Suggested Plant Materials

- | | | | |
|---|---|--|---|
| <p>Trees:</p> <ul style="list-style-type: none"> - Mexican Hat - Mexican Poppy - Globe Mallow - Desert Marigold - Gaura - Powis Castle Sage - Plume Tiquilia | <p>Shrubs:</p> <ul style="list-style-type: none"> - Yuccas, Bear Grass, Parry’s Agave - Sages (Sand Sage, Big Sage, Mexican Blue Sage, Cherry Sage, Chihuahuan Sage, Grayball Sage) - Fourwing Saltbush - Chamisa, Apache Plume, Winterfat - Arizona Rosewood, Bird of Paradise - Spreading Candelilla - Trailing Rosemary | <p>Perennials:</p> <ul style="list-style-type: none"> - Yarrow - Penstemons - Catmint - Aster - Chocolate Flower - Paper Flower - Trailing Indigo | <ul style="list-style-type: none"> - Mexican Hat - Mexican Poppy - Globe Mallow - Desert Marigold - Gaura - Powis Castle Sage - Plume Tiquilia |
|---|---|--|---|

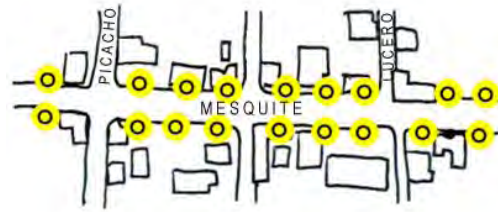
2. Suggested equipment for Klein Park includes multiple park benches (some in well-shaded areas) and/or low seatwalls, ample lighting, trash receptacles, drinking fountains, a small shelter or stage area for neighborhood events and celebrations, and perhaps some sort of central feature such as artwork or a fountain

3. Lighting

Historically appropriate style street lights can also add tremendous character and visual unity to the neighborhood while increasing pedestrian safety. The systematic replacement of the current “cobrahead” fixtures with historically sensitive street lights would make a major positive improvement to the traditional character of the area.



Intersections & Gateways



Major Streetscapes
& Pedestrian Routes



Parks or Plazas

Specialty Lighting

There are several locations within the district where it may be appropriate to introduce specialty lighting fixtures. For example, specialty lighting could be introduced at key intersections and gateway areas, along major streetscapes and pedestrian routes, or at feature locations such as parks or community plaza areas. As illustrated in the Existing Lighting Map (see Map 14), there is an existing infrastructure of lighting in the Mesquite Neighborhood that could be utilized for the development of a more extensive lighting system.

Possible Lighting Types & Details

A number of different lighting styles, such as those illustrated below, could be utilized to reflect and enhance the historic character of the Mesquite Neighborhood. Further research is recommended to determine the best suited, most historically accurate style of light fixture.



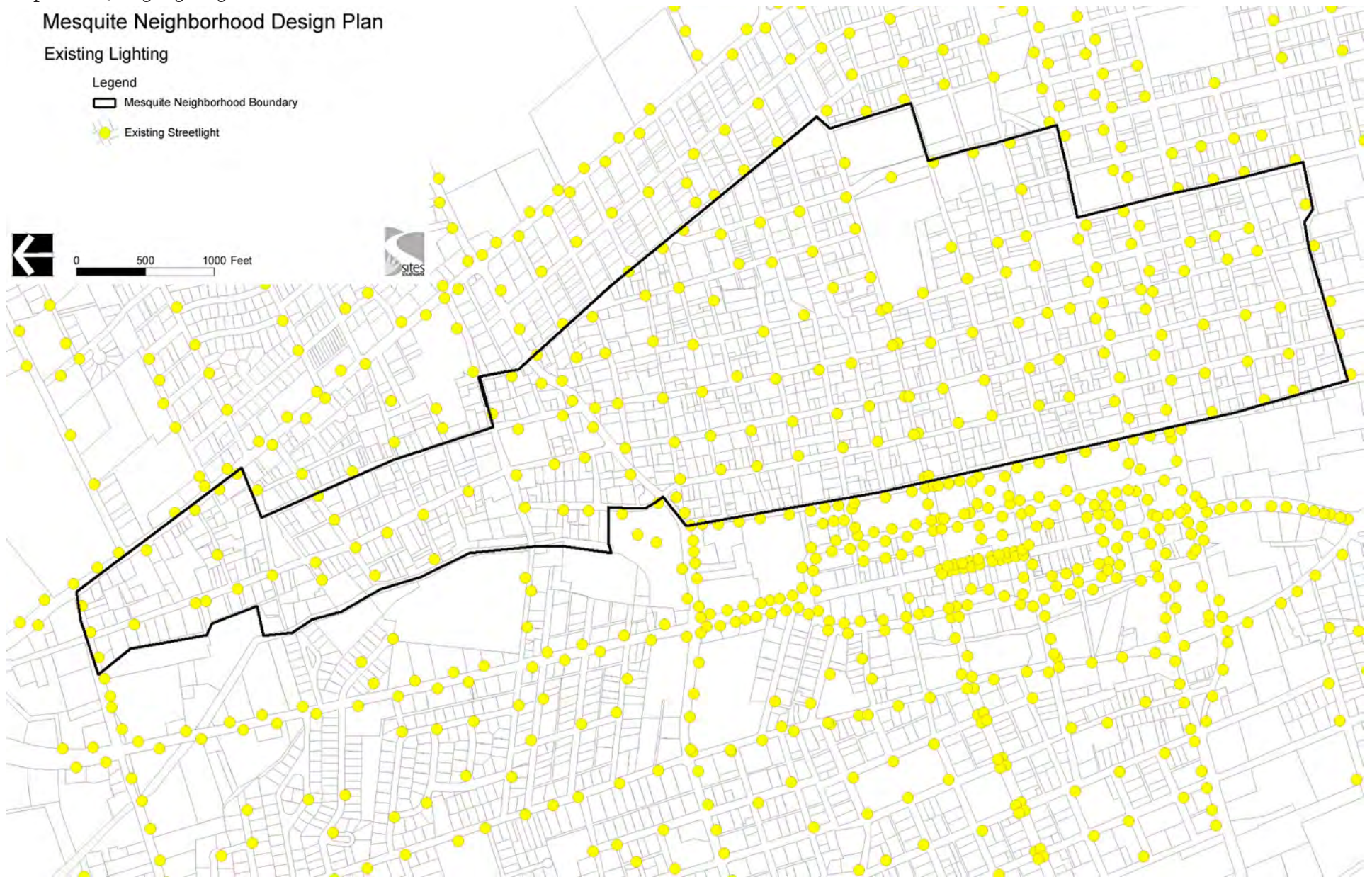
Mesquite Neighborhood Design Plan

Existing Lighting

Legend

▭ Mesquite Neighborhood Boundary

● Existing Streetlight



4. Pedestrian System

The pedestrian system in the historic district could be enhanced through the improvement of existing sidewalks as well as the addition of directional signage, traffic calming measures, and bus service links to the neighborhood. Safety improvements for pedestrian crossings at key intersections, particularly those that link the Mesquite Neighborhood to Downtown Las Cruces across Campo Street, would encourage pedestrian traffic into and throughout the district.

Major Pedestrian Streets

As illustrated in Map 15, there are several streets within the district that could be identified and enhanced as major pedestrian routes including:

- Mesquite Street
- Las Cruces
- Hadley (Between Downtown & Mesquite Street)
- San Pedro (Between Hadley & Griggs)
- Griggs (Between San Pedro & Mesquite)

Amenities & Improvements

A number of different amenities such as benches, trash receptacles, bollards, pedestrian-scale street lighting as well as shade trees and colorful plantings, could all be incorporated in a new streetscape design to enhance the pedestrian experience in the Mesquite Historic District. The style of these amenities should reflect the historic character of the neighborhood.

Improvements to existing sidewalks, the creation of new sidewalks where necessary, and the enhancement of pedestrian crossings with visible, specialty paving would all help to make the Mesquite Historic Neighborhood a safer, more welcoming pedestrian environment.



As illustrated below, the introduction of periodic bump-outs planted with shade trees and flowering plants, visible specialty paving at crosswalks, and additional streetlamps and furnishings all combine to create a pleasant, welcoming, and pedestrian-friendly streetscape.

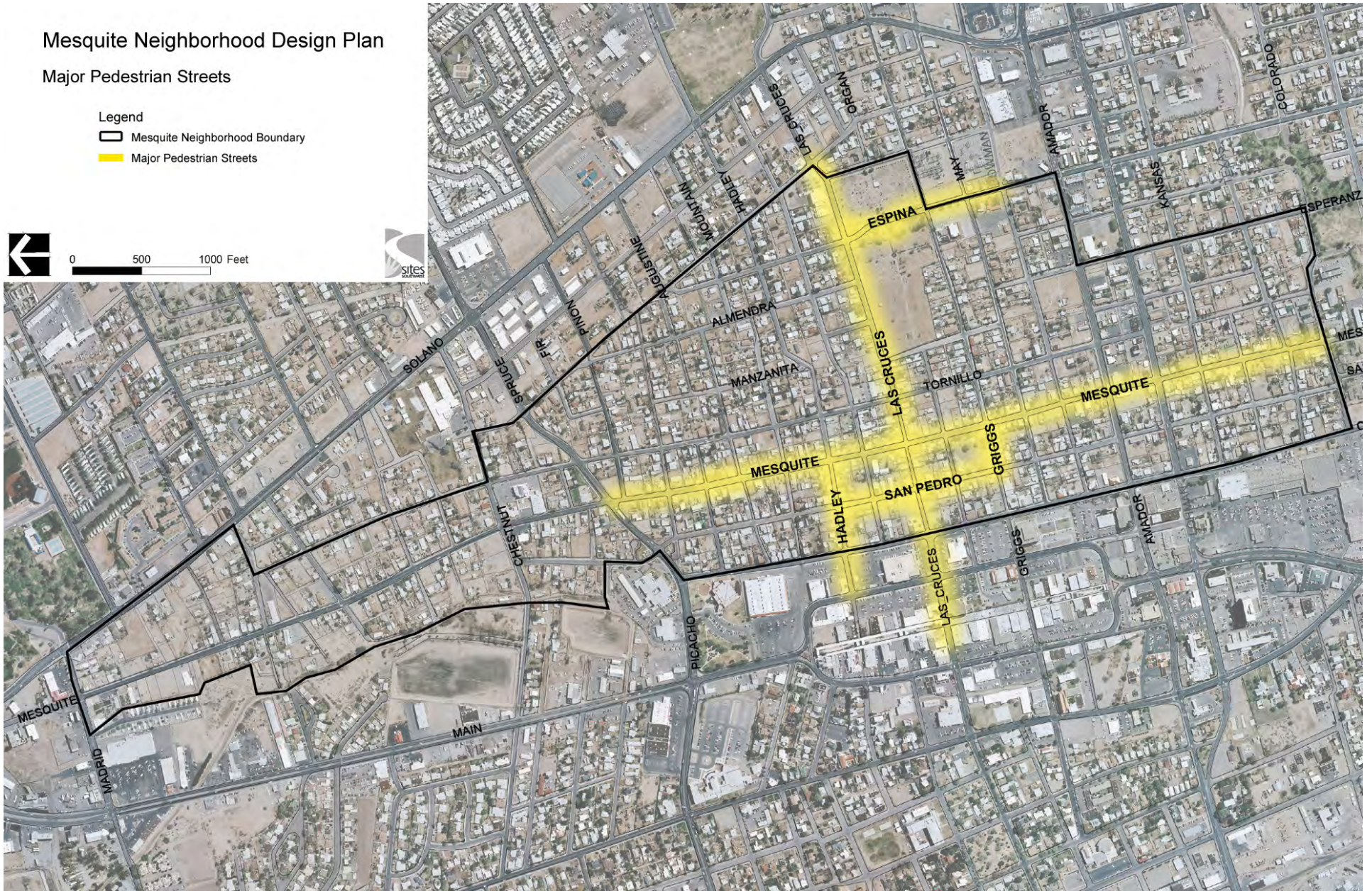


Mesquite Neighborhood Design Plan

Major Pedestrian Streets

Legend

- Mesquite Neighborhood Boundary
- Major Pedestrian Streets



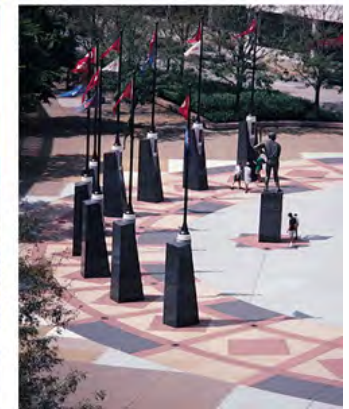
5. Gateways

There are several key intersections within the historic district that could be developed as gateways to and within the historic district. For example, Organ/Campo and Griggs/Campo could become the gateways between the Mesquite Historic Neighborhood and Downtown Las Cruces. Specialty paving, street lights and trees, and signage could all be incorporated to create a defining entry point into the historic district. Creating welcoming and appealing gateways will increase awareness of and interest in the historic district and can create a renewed sense of pride for residents of Mesquite.

Located at key intersections and framed by welcoming archways or signage, “gateway” areas could both define the boundaries and enhance the overall character of the Mesquite Historic Neighborhood. The addition of gateway elements such as decorative planting, lighting, street furnishings, specialty paving, and directional signage at key entry points into the district would draw attention, guide and welcome visitors to the historic district.

Potential locations for gateway areas are illustrated in the Major Streetscapes Map (see Map 13) and include:

- Las Cruces Avenue at Virginia Street
- Las Cruces Avenue at Campo Street
- Griggs Avenue at Campo Street
- Mesquite Street at Picacho/Spruce Avenue
- Mesquite Street at Amador Avenue
- Mesquite Street at Colorado Avenue



E. Signage & Wayfinding

The *Las Cruces Downtown Revitalization Comprehensive Planning and Design Services Draft Concept Report* proposes ideas for a signage and wayfinding system for Downtown Las Cruces. Ideally, a signage & wayfinding system for the Mesquite Historic District would utilize and refine these concepts to create a compatible, but distinct signage system that reflects the unique, historic character of the neighborhood. Several different levels of signage are recommended for the Mesquite Historic Neighborhood. Such signs will not only provide information and assist in direction, but will also enhance awareness of the historic district and elevate the residents' sense of pride in their unique local community.

1. Neighborhood

General directional and informational signs would be located throughout the neighborhood to provide wayfinding assistance for locals and visitors alike. These signs should be in scale with the surrounding buildings and reflect the historic style of the neighborhood.

2. Historic District & Buildings

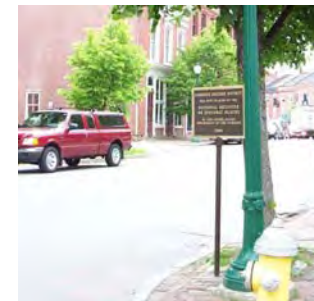
At main gateway locations into the Mesquite Neighborhood would be welcome/educational signage that explains the history of the neighborhood as a whole. On historic buildings there should be individual plaques or markers that give specific information regarding the history of particular buildings.

3. Landmarks

Similarly, at any landmarks within the neighborhood there should be plaque type informational signs describing the significance and history of that landmark site as it relates to the Mesquite Neighborhood.

4. Pedestrian System

Directional pedestrian signs would provide both safety and wayfinding information on signs that are visible, but which blend in gracefully with the historic character of the neighborhood.



F. Parks & Gardens

1. Proposed Parks & Community Gardens

New park development is recommended for some of the larger vacant lots located throughout the Mesquite Historic District. Large central plaza type parks, such as Klein Park, as well as small pocket type parks suitable for simple tot lots, and smaller community-gathering type parks designed in a style that reflects the character of the surrounding district, could all provide the community with places to come together, to relax, to play, and to take pride in the neighborhood. Existing and Potential Park locations are shown on Map 16.

2. Landscape/Hardscape/Equipment Palette

Recommended materials include both large and small shade trees and other plantings, furnishings such as benches or seat-walls, trash receptacles, drinking fountains, shelters, gated entry elements, play equipment (for the tot lots), artwork (either free-standing or murals, etc.), and decorative water features, fountains or other focal point type elements. Paving could consist of a combination of brick or brick pavers or concrete pigmented in historic colors with tile, stone, or brick insets/details. Low adobe and stucco or stone walls could add a finishing touch.



IV. Funding and Implementation

A decision was reached during the planning process by representatives of the Las Esperanzas group, the Residents and Business Owners of the North Mesquite District, and City staff that all implementation plans and expenditure of Legislative funds would concentrate on the Mesquite Neighborhood South of Spruce Avenue. The Residents and Business Owners of the North Mesquite District would pursue their own funding and determine their priorities.

A. Rationale for Project Prioritization

Several factors were taken into account in establishing development priorities for the Mesquite Historic District Neighborhood Plan. These factors include:

a) Availability of Funding

- Typically public grant funding can only be used on public facilities

b) Community Needs

- Evaluating the entire neighborhood to identify potential projects that have maximum benefit to a broad cross section of the neighborhood such as:
 - Establish educational programs
 - Assisting home owners in accomplishing self-help home rehabilitation
 - Making home owners aware of purchase or home rehabilitation loans, winterization programs and low cost landscaping techniques.

B. Proposed Prioritization of Projects

Klein Park and the Rehabilitation Project were originally considered top priority projects for the Mesquite Historic Neighborhood. However, City Council now recommends directing currently available funding toward smaller projects spread throughout the entire neighborhood. Therefore, each of the recommendations in the Mesquite Historic District Neighborhood Design Plan is categorized below as either an immediate or secondary priority project. In general, immediate priority projects

represent those design plan goals to be completed (or at least initiated) within the next five years. The initiation of secondary priority projects may take longer. As projects are evaluated findings may show that some projects are not as funding or labor intensive as envisioned. In these cases, priorities may be shuffled to reflect a high probability of accomplishment.

1. Immediate Priority

a) Identifying Signage & Wayfinding Needs

- Historic Building Markers (Similar to the Court Youth Center ceramic tile and mosaic pot projects.)
- Landmarks (To be located at the corners of the original Townsite and at the retaining wall at the corner of Campo and Soledad.)

b) Gateway Design & Installation

- To be located at the intersection of Griggs and Campo

c) Klein Park Re-purpose

- Implement additional programming (i.e. Movies in the park, concerts in the park, and entertainment and games associated with the summertime lunch program.)
- Klein Park: Landscape/Hardscape Improvements

d) Rehabilitation Workshops

- Partner with Dona Ana Branch Community College to offer workshops on home rehabilitation, adobe renovation, lime-plastering, etc.

2. Secondary Priority

a) Wayfinding/Directional Street Signage

b) Signage Standards

c) Installation of Additional Gateways

d) Building Rehabilitation Projects

e) Home Ownership Assistance

f) Development of New Parks & Gardens/Greenspace

g) Streetscape Improvements:

- Street Trees & Plantings
- Improved Pedestrian System
- Improved Street Lighting
- Improved Transit Stops

C. Implementation Schedule & Funding Sources for Design Plan Goals

A variety of potential funding sources, from local, state, and federal agencies to private, for-profit, and non-profit organizations are available for projects within the Mesquite Historic Neighborhood. Table 1 lists implementation categories, actions, and tasks, project priority and timing, as well as potential partnerships and funding sources. These priorities are tentative and are bound to change as community aspirations and the availability of funding change over time. Descriptions of these funding sources are included at the end of Table 1.

Table 1. Implementation of Mesquite Historic District Neighborhood Design Plan Goals

<i>Implementation Action</i>	<i>Priority</i>	<i>Potential Partnerships</i>	<i>Tasks</i>	<i>Potential Funding Sources</i>
Signage & Wayfinding:				
Historic Building Markers	Immediate	Doña Ana County Historical Society; City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful	Develop & install historic building markers similar to the Court Youth Center ceramic tile and mosaic pot project. Encourage property owners to acquire plaques/markers for their historic properties.	Doña Ana County Historical Society; Volunteer Sponsors / Private Funding located via Keep Las Cruces Beautiful and/or Dona Ana County Historical Society
Landmarks/Historic Markers	Immediate	Doña Ana County Historical Society; City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful	Design & install historic markers to delineate the boundaries of the original townsite and at the retaining wall at the corner of Campo & Soledad.	Doña Ana County Historical Society; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant; Volunteer Sponsors / Private Funding located via Keep Las Cruces Beautiful and/or Dona Ana County Historical Society
Wayfinding/Directional Street Signage	Secondary	City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful	Design & install system of wayfinding and directional street signage which conveys the district's official boundaries and the historic character of the Mesquite Neighborhood and enhances pedestrians' experience and safety.	CDBG Grant; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant; Volunteer Sponsors / Private Funding located via Keep Las Cruces Beautiful
Signage Standards	Secondary	City of Las Cruces Community Development Department	Establish signage standards for businesses within neighborhood boundaries.	City of Las Cruces General Fund
Gateways:				
Gateway at Griggs & Campo	Immediate	City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful	Design and install gateway area at Griggs and Campo as a junction between Downtown Las Cruces and the Mesquite Neighborhood Historic District.	CDBG Grant; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant; Private Funding
Additional Gateways	Secondary	City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful	Design and install additional gateway areas at locations recommended in plan.	CDBG Grant; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant; Private Funding

<i>Implementation Action</i>	<i>Priority</i>	<i>Potential Partnerships</i>	<i>Tasks</i>	<i>Potential Funding Sources</i>
Events Programming:				
Klein Park Re-Purpose	Immediate	City of Las Cruces' Department of Public Services: Recreation	Implement additional programming (i.e.. Movies in the park, concerts in the park, entertainment and games associated with the summertime lunch program.	Mesquite Street Weed and Seed Project
Rehabilitation of Historic Buildings/Homes:	Immediate & Ongoing			
Educational Workshops	Immediate	Las Esperanzas; Dona Ana Branch Community College Learning Center; Mesilla Valley Habitat for Humanity; City of Las Cruces Community Development Department	Partner with DABCC Learning Center to offer workshops on home rehabilitation, adobe renovation, lime-plastering to: 1) Create a pool of masonry & plaster contractors and general contractors trained to properly repair adobe buildings with lime plaster 2) Educate property owners on the monitoring, repairing, and rehabilitation, of adobe buildings.	CDBG Grant; DABCC Learning Center HUD Grant; Mesilla Valley Habitat for Humanity; Doña Ana County Historical Society; Mesquite Street Weed and Seed Project; Private Funding
Create, restore, and rehabilitate affordable housing by supporting infill, façade enhancement, and rehabilitation projects	Secondary	City of Las Cruces Community Development Department; Dona Ana Branch Community College Learning Center; Las Esperanzas; Mesilla Valley Habitat for Humanity	a) Purchase one or more buildings in "poor" condition and rehabilitate them for resale as a demonstration project. b) Develop a homeowners' guide for monitoring, repairing and rehabilitating adobe buildings. c) Establish a neighborhood resource-person to help building owners plan rehabilitation projects and complete paperwork d) Create a materials stockpile to make needed materials available to homeowners/property owners at low cost. e) Create a tool lending library and reference library to promote appropriate rehabilitation. f) Create a team of neighborhood resource-people to inspect and monitor adobe buildings and make recommendations for rehabilitation.	HUD Grants (CDBG Loans/Grants & HOME Grants) New Mexico Community Development Loan Fund; State and Federal Tax Credits such as: - New Market Tax Credits (Federal) - Historic Rehabilitation Tax Credits - New Mexico's Low-income Housing Tax Credits (LIHTC); Mesilla Valley Habitat for Humanity; Doña Ana County Historical Society; Mesquite Street Weed and Seed Project; Private Funding
Home Ownership	Immediate & Ongoing			
Increase Home Ownership	Secondary (Ongoing)	Mesilla Valley Habitat for Humanity; Housing Authority of the City of Las Cruces and Dona Ana County	a) Educate Mesquite Neighborhood residents about availability of home ownership programs to encourage home ownership in the Historic District. b) Direct qualified families to existing housing agencies for information on home ownership programs.	HUD Grants (CDBG and HOME) Mesilla Valley Habitat for Humanity; The Housing Authority of the City of Las Cruces and Dona Ana County's HOME Choice II Program; New Mexico Mortgage Finance Authority

<i>Implementation Action</i>	<i>Priority</i>	<i>Potential Partnerships</i>	<i>Tasks</i>	<i>Potential Funding Sources</i>
Greenspace/Parks Improvements:				
Klein Park Landscape/Hardscape Improvements	Secondary	City of Las Cruces' Department of Public Services: Recreation; City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful;	Design & install landscape and hardscape improvements to better serve the neighborhood and meet new programming requirements as recommended in plan.	CDBG Grant; HOME Grant; Mesquite Street Weed and Seed Project; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; EDA Title 1 and Title IX Grant; Private Funding
Increase Parks/Green Space	Secondary (Ongoing)	City of Las Cruces' Department of Public Services: Recreation; City of Las Cruces Department of Community Development & Keep Las Cruces Beautiful; Las Esperanzas	a) Convert appropriate City owned vacant parcels into usable green space or parks b) Acquisition of vacant parcels by neighborhood groups, such as Las Esperanzas, to convert them into community gardens.	CDBG Grant; HOME Grant; Mesquite Street Weed and Seed Project; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; EDA Title 1 and Title IX Grant; Private Funding
Streetscape Improvements:				
Street Trees & Plantings	Secondary	City of Las Cruces Department of Community Development: Keep Las Cruces Beautiful	Design & install a street tree and planting plan (as recommended in plan) to enhance the neighborhood character and pedestrian experience.	CDBG Grant; Mesquite Street Weed and Seed Project; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; EDA Title 1 and Title IX Grant; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); Volunteer Sponsors / Private Funding located via Keep Las Cruces Beautiful
Update/Improve Pedestrian System	Secondary	City of Las Cruces; The Las Cruces Metropolitan Planning Organization (MPO)	a) Improve existing sidewalks and crossings. b) Create new sidewalks and crossings where necessary. c) Add traffic calming measures such as curb bump-outs, specialty paving at crossings, etc. d) Install street furnishings such as benches, trash receptacles, and so on to create a more welcoming pedestrian environment.	CDBG Grant; Mesquite Street Weed and Seed Project; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant; Private Funding
Update/Improve Street Lighting	Secondary	City of Las Cruces	Select and install new pedestrian-scale streetlights to enhance and highlight historic streetscape character and increase public safety.	CDBG Grant; Mesquite Street Weed and Seed Project; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant
Improve Transit Stops	Secondary	City of Las Cruces' Department of Public Services: Transit System; The Las Cruces Metropolitan Planning Organization (MPO) State Transportation Authority; Federal Transit Authority	a) Improve existing bus stops by adding new shelters, benches, signage, etc. b) Create new bus stops with shelters, etc. where necessary.	Federal Transit Authority; CDBG Grant; City of Las Cruces Capital Project Funds; Special Legislative Appropriation; Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds); EDA Title 1 and Title IX Grant

Funding Source Descriptions:

Transportation and Equity Act for the 21st Century (Federal TEA-21 Enhancement Funds) - Federal TEA-21 Enhancement funds, in excess of \$200 billion, are allocated to integrate transportation projects with environmental and community revitalization goals over a period of six years. TEA-21 funds are applicable beyond highways, road and transit maintenance -- funds may also be used for relevant environmental restoration, pollution abatement, historic preservation, trails, bike paths and pedestrian infrastructure including aesthetic enhancements.

CDBG Grant - The CDBG Program, one of the nation's largest Federal grant programs, is administered by the Department of Housing and Urban Development to promote the revitalization of neighborhoods and the expansion of affordable housing and economic opportunities. This includes activities that support the redevelopment of properties in distressed areas if such activity supports the mission of the program. CDBG is a "bricks and mortar" program, with the rehabilitation of affordable housing traditionally being the largest single use of CDBG funds.

EDA Title 1 and Title IX Grant - Grants are available to governments and nonprofit organizations in distressed areas to fund improvements in infrastructure and public facilities, including industrial parks.

Historic Rehabilitation Tax Credits - Investors can receive a credit against their total income taken for the year in which a rehabilitated building is put into service. Rehabilitation of certified historic structures qualifies for a credit equal to 20 percent of the cost of the work; rehabilitation work on non-historic structures built before 1936 qualifies for ten percent.

HOME Grant - The HOME Investment Partnerships (HOME) Program is a federal entitlement grant program authorized by Title II of the National Affordable Housing Act of 1990, as amended. The program provides annual grants on a formula basis to entitled cities, counties, approved consortia, and states. Local governments receiving HOME funds are called "participating jurisdictions." The amount of the HOME funds annually available to participating jurisdictions is determined by Congress through passage of the annual federal budget. The Department of Housing and Urban Development (HUD) is also responsible for management and oversight of the HOME Program. Each participating jurisdiction is responsible for deciding how HOME funds will be used in its jurisdiction and for daily administration of HOME funds. The HOME Program is intended to increase affordable housing opportunities, particularly low-income persons. Specific purposes of the program are:

- a) To expand the supply of decent and affordable housing, particularly rental housing, for low and very low-income persons;
- b) To strengthen the abilities of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing;
- c) To provide both financial and technical assistance to HOME recipients, including the development of model programs for affordable low-income housing, and
- d) To expand and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing.

Housing Authority of the City of Las Cruces and Dona Ana County's HOME Choice II Program - Offers families an opportunity to purchase their own homes. The estimated sales price for these homes range from \$49,500 to \$82,000. The HOME Choice II Program offers two types of home ownership assistance plans. Program eligibility requirements: At least one member of the family must have been employed for two years, and the family must have a minimum gross annual income of at least \$13,150. Income must be no more than 80% of the median income for Dona Ana County (adjusted for family size). Letters of reference and a credit check are required.

HUD funds for local CDBG loans and "floats" - Community Development Block Grants are used to finance locally determined activities and can include coping with contamination and financing site preparation or infrastructure development. Eligible activities include planning for redevelopment, site acquisition, environmental site assessment, site clearance, demolition, rehabilitation, contamination removal and construction. Also, when a grant recipient can show that previously awarded CDBG funds will not be needed in the near term, it may tap its block grant account on an interim basis, using a "float" to obtain short-term, low interest financing for projects that create jobs. Money borrowed from grants in this way may pay for the purchase of land, buildings and equipment, site and structural rehabilitation (including environmental remediation) or new construction.

New Market Tax Credits (Federal) - The New Markets Tax Credits (NMTC) Program permits taxpayers to receive a credit against Federal income taxes for making qualified equity investments in designated Community Development Entities (CDEs). Substantially all of the qualified equity investment must in turn be used by the CDE to provide investments in low-income communities. The credit provided to the investor totals 39% of the cost of the investment and is claimed over a seven-year credit allowance period. In each of the first three years, the investor receives a credit equal to five percent of the total amount paid for the stock or capital interest at the time of purchase. For the final four years, the value of the credit is six percent annually. Investors may not redeem their investments in CDEs prior to the conclusion of the seven-year period.



Funding Source Descriptions:

New Mexico Community Development Loan Fund - The New Mexico Community Development Loan Fund is a private, non-profit organization that provides loans, training and technical assistance to business owners and non-profit organizations. Their services support the efforts of low-income individuals and communities to achieve self-reliance and control over their economic destinies. Loans to new and existing small businesses for such needs as equipment, inventory, building renovations, and operating capital. They provide loans to non-profits for such needs as bridge financing against awarded private and public contracts, capital improvements and equipment, and loans to non-profits that develop affordable housing.

New Mexico's Low-income Housing Tax Credits (LIHTC) - Ten year credit for owners of newly constructed or renovated rental housing who set aside a percentage for low-income individuals for a minimum of 15 years. The amount of the credit varies for new construction and renovation. The project must receive allocation of New Mexico State's bond volume cap. Allocations are made on the basis of the New Mexico State Qualified Allocation Plan.



Mesquite Historic District Neighborhood Design Plan

Prepared by:

Steve Newby, Architects
Sites Southwest, LLC

May 2007



Table of Contents

I. Existing Conditions	1
A. Land Use.....	1
B. Zoning.....	3
C. Housing	3
D. Vacant Land	7
E. Land Ownership.....	7
F. Historic Buildings, Streets and Places.....	7
II. Neighborhood Design Goals	14
A. Land Use.....	14
B. Historic District	14
C. Housing	16
D. Streetscape.....	17
E. Signage and Wayfinding.....	18
F. Parks and Gardens.....	18
G. Funding and Implementation	19
III. Neighborhood Plan Elements	20
A. Land Use.....	20
B. Historic District	22
C. Housing	24
D. Streetscape.....	33
E. Signage & Wayfinding.....	42
F. Parks & Gardens.....	43
IV. Funding and Implementation.....	45
A. Rationale for Project Prioritization	45
B. Proposed Prioritization of Projects.....	45
C. Implementation Schedule & Funding Sources for Design Plan Goals.....	46
V. Appendix.....	51
Appendix A. Mesquite Street-original Townsite Historic District Reconnaissance Survey Final Report	51
Appendix B. South Mesquite Neighborhood Overlay Zone District.....	59

Maps

Map 1. Existing Land Use	2
Map 2. Existing Zoning	4
Map 3. Building Condition	5
Map 4. Vacant Land Map.....	8
Map 5. Owner and Renter Occupied Properties Map	9
Map 6. Historic District Map.....	10
Map 7. Historical Significance.....	13
Map 8. Proposed Land Uses.....	21
Map 9. Historic District Boundaries	23
Map 10. Priority Infill Sites	25
Map 11. Priority Rehabilitation Sites.....	28
Map 12. Priority Facade Enhancement Sites	31
Map 13. Major Streetscapes	34
Map 14. Existing Lighting.....	38
Map 15. Major Pedestrian Streets	40
Map 16. Neighborhood Parks	44

Tables

Table 1. Implementation of Mesquite Historic District Neighborhood Design Plan Goals	46
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Sec. 38-49.1. - NMO—North Mesquite Neighborhood Overlay Zone District.

- A. *Purpose.* The North Mesquite Neighborhood district is designed to deal with issues unique to one of the city's older neighborhoods. Specific provisions in this Code deal with issues such as setbacks and zoning designations that are better suited to this older part of the city. Via neighborhood participation, it was decided to closely follow the zoning designations and permitted land uses of the city's former 1981 Zoning Code, as amended, with some modifications.
- B. *Delineation of North Mesquite overlay district boundaries.* The North Mesquite overlay district shall include all properties noted on the associated map (figure 1).
- C. *Development standards and permitted uses.* There shall be no development or alteration of the lands, uses, or structures within this overlay zone district except as provided for by this section of this Code from the date of its enactment and other sections of this Code and other city codes and ordinances where applicable. Development requirements and permitted uses shall be established for all areas in this overlay zone district as follows:

1. *Development standards.* The following development standards shall apply to all areas within the overlay zone district.

Minimum lot area/size: 3,500 square feet

Minimum lot width/frontage: 40 feet

Minimum lot depth: 70 feet

Minimum side setback: Five feet*, ***

Minimum rear setback: Five feet*, ***

Minimum front setback(s): The average of the two adjacent properties on either side of the subject property. If this situation does not exist, a minimum of ten feet**, ***. At the minimum, all setbacks shall meet clear site triangle**.

Maximum building height:

North Mesquite R-1: 35 feet

North Mesquite R-2: 35 feet

North Mesquite R-3: 45 feet

North Mesquite R-4: 60 feet

North Mesquite O-1: 45 feet

North Mesquite C-1: 45 feet

North Mesquite C-2: 60 feet

*Overhangs are not permitted within the required setbacks.

**Clear-Site-Triangle requirements must be met or applicable encroachment agreements must be entered into when applicable.

***All projects must meet the city's design standards, including drainage. The public works department will determine on-site drainage requirements. Permitted setbacks as noted here may need to be modified/increased if on-site drainage facilities are required.

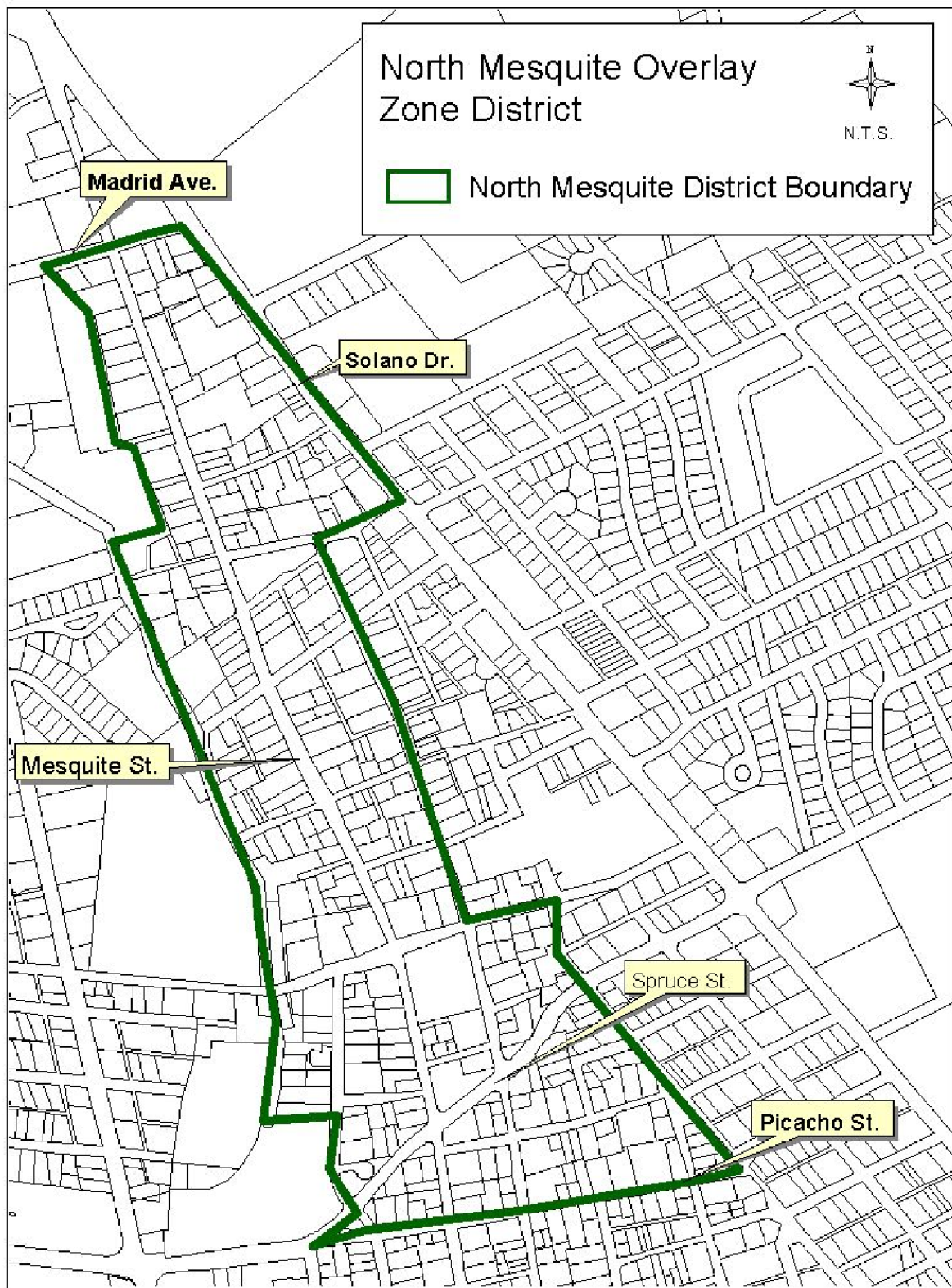


Figure 1

- 2. *Zoning.* There shall be no development or alteration of the lands, uses, or structures within this overlay zone district except as provided for by this section of this Code from the date of its enactment, and other sections of this Code and other codes where applicable.
 - (a) Permitted uses and development standards are established as described hereafter:
 - (1)

North Mesquite R-1 single-family low density residential district (maximum of eight dwelling units per acre).

Purpose. The North Mesquite R-1 district is intended to accommodate detached single-family dwelling units and to maintain and protect a low density residential character of development. Accessory uses which are incidental to and customarily found within the North Mesquite R-1 district are also permitted.

- a. *R-1 permitted uses.* The following uses are permitted with their noted conditions the North Mesquite R-1 districts.

Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.

Accessory building. See "accessory building/structure.

Accessory dwelling unit. Shall follow requirements found in section 38-33.A.

Construction yard or building (temporary). Such yard or building shall be removed upon completion of construction or within three years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in a neat and orderly fashion, and open yards shall be enclosed by a fence five feet in height. However, there shall be no fence or wall more than three feet in total height above street-curb level located within 30 feet of a street intersection. Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the Uniform Fire Code as adopted by the city and be approved by the city fire department.

Garage or yard sale or similar use for individual residences. Three sales are permitted in a one-year period at a single address. A sale shall not exceed three consecutive days.

Greenhouse (noncommercial), garden sheds, tool sheds. When detached from the main dwellings, such structures are subject to the provisions of accessory buildings, article 10.

Home for the disabled. See section 38-21.

Home occupation. Subject to the provisions of this section and section 38-52.

Kennel (private, residential).

Public park, playground, or ballfields. See section 38-33.E.

Real estate office (temporary). Permitted only when used in conjunction with a residential subdivision, provided such use shall be discontinued upon the completion of the development or within three years from date permit issued, whichever is sooner.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences.

Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Storage of recreational vehicles and motor vehicle appurtenances. Storage of personal recreational vehicles, boats, trailers, or similar uses shall be limited to a maximum of one per dwelling unit in the front or side yard, with no limit in the rear yard, separated at least five feet from any property line.

Swimming pool (private). Permitted only when a protective fence, four feet in height, is provided around the yard, lot or pool area. The pool shall be no closer than five feet from any property line, and approval from all utilities is required to insure overhead safety.

Utility installation: The site shall be developed and maintained in conformance with the general character and appearance of the district, and such development shall include landscaping and suitable opaque screening in the form of a solid wall, fence or compact shrubbery around the entire perimeter of the lot or tract, or around the installation itself in cases such as transformers. A wall or fence may be up to ten feet high. A solid wall or fence shall surround the installation. Landscaping shall be provided to screen and/or buffer the installation as necessary to allow the use to blend with the surrounding properties and minimize noise and visual pollution.

- b. *North Mesquite R-1 Special Uses.* The following uses require a public hearing and approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Cemetery/columbarium.

Community building.

Golf course and country club.

Group child care home.

Halfway house.

Nursing home.

School (private, public, and parochial).

- (2) North Mesquite R-2: Medium density residential district (maximum of 15 dwelling units per acre).

Purpose. The North Mesquite R-2 district is intended to accommodate an overall maximum density of 15 dwelling units per acre. This district is intended for single-family, duplex or apartment units in which a medium density residential character is protected and maintained.

- a. North Mesquite R-2 permitted uses with their noted conditions:

Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.

Accessory building. See *accessory building/structure*.

Child care center, nursery, or similar use. Child care center, group child care home, family child care home, preschool, nursery school, day nursery, kindergarten, and similar uses shall be in accord with State licensing requirements. Care of 13 or more children at one time is prohibited in the residential zoning districts listed. Refer to section 38-52 of the Municipal Code, home occupation business registration, for babysitting service/child care when 12 or fewer children are cared for.

Condominiums. Maximum of four attached units.

Construction yard or building (temporary). Such yard or building shall be removed upon the completion of construction or within three years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in a neat and orderly fashion, and open yards shall be enclosed by a fence five feet in height. However, there shall be no fence or wall more than three feet in total height above street-curb level located within 30 feet of a street intersection. Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the Uniform Fire Code as adopted by the city and be approved by the city fire department.

Dwellings. Maximum of four attached or detached dwelling units, not to exceed a maximum density of 15 dwelling units per acre.

Garage or yard sale or similar use for individual residences. Three sales are permitted in a one-year period at a single address. A sale shall not exceed three consecutive days.

Greenhouses (noncommercial), garden sheds, tool sheds. When detached from the main dwelling, such structures are subject to the provisions of accessory buildings, [article 10](#).

Home for the disabled. See [section 38-21](#).

Home occupation. Subject to the provisions of this section and [section 38-52](#).

Public park, playground, or ballfield.

Kennel (private, residential).

Real estate office (temporary). Permitted only when used in conjunction with a residential subdivision, provided such use shall be discontinued upon the completion of the development or within three years from date permit issued, whichever is sooner.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences.

Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Storage of recreational vehicles and motor vehicle appurtenances. Storage of personal recreational vehicles, boats, trailers, or similar uses shall be limited to a maximum of one per dwelling unit in the front or side yard, with no limit in the rear yard, separated at least five feet from any property line.

Swimming pools: Private. Permitted only when a protective fence four feet in height is provided around the yard, lot or pool area. The pool shall be no closer than five feet from any property line, and approval from all utilities is required to insure overhead safety.

Townhouses. Maximum of four attached units.

- b. *North Mesquite R-2 special uses*. The following uses require a public hearing and approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Automobile parking lot.

Cemetery/columbarium.

Community building.

Golf course and country club.

Mobile home park.

Mobile home subdivision.

Nursing home/assisted living facility.

School (public, private, parochial).

Swimming pool (public or commercial).

- (3) North Mesquite R-3 high density residential district (maximum of 30 Dwelling units per acre).

Purpose. The North Mesquite R-3 district is intended to accommodate multiple family dwelling units and accessory structures and uses. The zone is intended to maintain and protect high density residential development that is characteristic of apartments, townhouses, condominiums, and other similar dwelling complexes. The North Mesquite R-3 zone is intended to be located in areas that have access to main thoroughfares.

- a. North Mesquite R-3 permitted uses with their noted conditions:

Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.

Accessory building. See "accessory building/structure.

Boarding house.

Condominiums.

Child care center, nursery, or similar use. Child care center, group child care home, family child care home, preschool, nursery school, day nursery, kindergarten, and similar uses shall be in accord with State licensing requirements. Care of 13 or more children at one time is prohibited in the residential zoning districts listed. Refer to section 38-52 of the Municipal Code, home occupation business registration, for babysitting service/child care when 12 or fewer children are cared for.

Construction yard or building (temporary use). Such yard or building shall be removed upon the completion of construction or within three years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in

a neat and orderly fashion and open yards shall be enclosed by a fence five feet in height. However, there shall be no fence or wall more than three feet in total height above street-curb located within 30 feet of a street intersection.

Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the current fire code as adopted by the city and be approved by the city fire department.

Dwellings. Single or multi-family units, apartments, townhouses, and condominiums with a maximum density of 30 dwelling units per acre.

Fraternity house.

Garage or yard sale or similar use for individual residences. Three sales are permitted in a one-year period at a single address. A sale shall not exceed three consecutive days.

Greenhouses (noncommercial), garden sheds, and tool sheds. When detached from the main dwelling, such structures are subject to the provisions of accessory buildings, article 10.

Home for the disabled. See section 38-21.

Home occupation. Subject to the provisions of this section and section 38-52.

Nursing home/assisted living facility.

Kennel (private, residential).

Private club or lodge. Permitted when used in conjunction with nonprofit organizations such as Lions Club, Elks Lodge, and the like. Building(s) shall not be located within 100 feet of an R-1 or R-2 zone. Private clubhouses and game rooms are also permitted when used as a part of an apartment, condominium, or townhouse complex, provided such building(s) shall not be located within 50 feet of an R-1 or R-2 zone.

Public park, playground, and ballfield.

Real estate office: Temporary. Permitted only when used in conjunction with a residential subdivision provided such use shall be discontinued upon the completion of the development or within three years from date of permit, whichever is sooner.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district

shall provide an opaque buffer consisting of landscape and walls or fences.

Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Sorority house.

Swimming pool: Private. Permitted only when a protective fence four feet in height is provided around the yard, lot, or pool area. The pool shall be no closer than five feet from any property line, and approval from all utilities is required to insure overhead safety.

Townhouses. Maximum of eight attached units.

- b. North Mesquite R-3 special uses. The following uses require a public hearing and approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Amusement park.

Automobile parking lot.

Cemetery/columbarium.

Community building.

Flea market.

Golf course and country club.

Halfway house and quasi-institutional house.

Mobile home park.

Mobile home subdivision.

School (public, private, parochial).

Swimming pool (public or commercial).

- (4) North Mesquite R-4 high density residential and limited office district (maximum of 40 dwelling units per acre).

Purpose. The North Mesquite R-4 district is intended to accommodate a mixture of high density multiple family dwelling units and limited offices in which no merchandise or goods are sold as the primary business. The North Mesquite R-4 zone is intended to be located in areas that have access to main thoroughfares and are large enough in area to accommodate large-scale apartment complexes or limited office developments.

a. North Mesquite R-4 permitted uses with their noted conditions:

Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.

Accessory building. See "accessory building/structure."

Boarding house.

Child care center, nursery, or similar use. Child care center, group child care home, family child care home, preschool, nursery school, day nursery, kindergarten, and similar uses shall be in accord with State licensing requirements. Care of 13 or more children at one time is prohibited in the residential zoning districts listed. Refer to section 38-52 of the Municipal Code, home occupation business registration, for babysitting service/child care when 12 or fewer children are cared for.

Condominiums.

Construction yard or building (temporary use). Such yard or building shall be removed upon the completion of construction or within three years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in a neat and orderly fashion and open yards shall be enclosed by a fence five feet in height. However, there shall be no fence or wall more than three feet in total height above street-curb level located within 30 feet of a street intersection.

Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the Uniform Fire Code as adopted by the city and be approved by the city fire department.

Dwellings. Single or multi-family units, apartments, townhouses, and condominiums with a maximum density of 40 dwelling units per acre.

Fraternity house.

Garage or yard sale or similar use for individual residences. Three sales are permitted in a one-year period at a single address. A sale shall not exceed three consecutive days.

Greenhouses (noncommercial), garden sheds, and tool sheds. When detached from the main dwelling, such structures are subject to the provisions of accessory buildings, article 10.

Home for the disabled. See section 38-21.

Home occupation. Subject to the provisions of this section and section 38-52.

Nursing homes/assisted living facility.

Kennel (private, residential).

Offices (limited). Offices which provide health services as a convenience to the neighborhood such as medical, chiropractic or dental, and certain professional offices which have a very low traffic volume such as attorneys, accountants, and architects are permitted, provided such uses maintain the residential character of the neighborhood and zoning district in which they are located. There shall be no goods or merchandise prepared or sold on the premises. Uses such as barbershops, hairdressers, banks, and similar commercial and business offices which generate moderate or high volumes of traffic are prohibited in the North Mesquite R-4 district.

Private club or lodge. Permitted when used in conjunction with nonprofit organizations such as Lions Club, Elks Lodge, and the like. Building(s) shall not be located within 100 feet of an R-1 or R-2 zone. Private clubhouses and game rooms are also permitted when used as a part of an apartment, condominium, or townhouse complex, provided such buildings shall not be located within 50 feet of an R-1 or R-2 zone.

Public park, playground, and ballfield.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences.

Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Sorority house.

Swimming pool: Private. Permitted only when a protective fence four feet in height is provided around the yard, lot or pool area. The pool shall be no closer than five feet from any property line, and approval from all utilities is required to insure overhead safety.

Townhouses. Maximum of ten attached units.

- b. North Mesquite R-4 special uses. The following uses require a public hearing and approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Amusement park.

Automobile parking lot.

Cemetery/columbarium.

Community building.

Flea market.

Golf course or country club.

Halfway house and quasi-institutional house.

Hospital and overnight clinic.

Institution: Public, educational, religious, and philanthropic.

Mobile home park.

Mobile home subdivision.

School (public, private, parochial).

Swimming pool (public or private).

(5) North Mesquite O-1 office district:

Purpose. The North Mesquite O-1 district is intended to accommodate office, service and institutional uses in which merchandise or goods are not prepared or sold as the primary business. This zone is designed to be a transition between commercial and residential uses and serve specified business, personal and professional services that can function efficiently without generating large volumes of vehicular traffic. The North Mesquite O-1 district should maintain a predominantly residential character. Residential uses are not permitted in the North Mesquite O-1 zone, except in cases where a proprietor uses a part of an office building as a dwelling. Limited landscaping is also required in the North Mesquite O-1 zone:

Landscaping requirements:

- A landscaping buffer, a minimum of five feet, excluding sidewalks, shall be provided and maintained along all street frontages. This landscaping shall be accomplished by the use of greenery, trees, lawn grass, shrubs, crushed stones, cactus, lava rock, or similar materials. In addition, all areas not devoted to buildings, structures, paved drives, walks and off-street parking facilities shall be covered with one of the above materials

- The entire lot width shall be landscaped with the exception of approved driveways.
 - Landscaping shall not interfere with visibility for safe ingress and egress.
- a. North Mesquite O-1 permitted uses.
- Art studio
 - Automobile parking lot
 - Barber shop
 - Beauty shop
 - Clinic (excluding animal clinic)
 - Community or public office building
 - Cosmetologist shop
 - Dentist office
 - Funeral home, mortuary, excluding crematoriums
 - Insurance office
 - Law office
 - Lessons (art, dance, music, and the like)
 - Office complex
 - Photographic studio
 - Physicians office
 - Private club or lodge
 - Professional and business offices
 - Real estate office
- b. Permitted uses—With conditions: The following uses are permitted in accord with stated conditions:
- Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.
 - Accessory building/structure. See "accessory building/structure."

Construction yard of building (temporary use). Permitted only during construction, provided such yard or building shall be removed upon the completion of construction or within three years from date of permit, whichever is sooner.

Construction yards and buildings shall be maintained in a neat and orderly fashion, and open yards shall be enclosed by a fence of a minimum of five feet in height.

However, there shall be no fence or wall more than three feet in total height above street-curb level located within 30 feet of a street intersection.

Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the Uniform Fire Code as adopted by the city and be approved by the city fire department.

Dwelling use. Only when used as an incidental or accessory use to a business by a proprietor and when located in the same building as the primary business.

Electronic banks. Buildings shall not exceed 2,500 square feet of floor area. There shall be no interior commercial use and no drive-up window facilities.

Laboratory: Medical, dental, or similar uses. Permitted only when entirely contained within an office building and used strictly for the purpose of serving the occupants of the office complex. There shall be no direct entrance from the exterior of the building, and no advertising signs or other visible displays indicating the use from the exterior of the building.

Prescription sales shop. Permitted only for the purpose of serving the occupants of a medical, dental, or similar office facility and with no direct entrance from the exterior of the building. There shall be no advertising signs or other visible displays indicating the use from the exterior of the building.

Public utility installations, substations, and waterwells. The site shall be developed and maintained in conformance with the general character and appearance of the zoning district and shall include landscaping and suitable screening in the form of a solid wall, fence or compact shrubbery around the perimeter of the lot or tract.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences.

Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

c.

North Mesquite O-1 special uses. The following uses require a public hearing and approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Drive-in bank.

Golf course or country club.

Halfway house or quasi-institutional house.

Home for disabled.

Institution: Public, educational, religious, and philanthropic.

Public building (other than offices).

Schools (public, private, parochial).

Swimming pools (public or commercial).

(6) North Mesquite C-1 neighborhood commercial district.

Purpose. The North Mesquite C-1 district is intended to accommodate limited retail and service establishments as a convenience to nearby residential neighborhoods. This zone is designed to be compatible and consistent with the needs and character of a residential neighborhood. Uses such as the sale, service and repair of motor vehicles, engines, and mobile homes; gasoline service stations and body shops; dancing establishments; the wholesaling and warehousing of merchandise; pet shops; and similar uses are not permitted in the North Mesquite C-1 zone. Uses which exceed 3,000 square feet of gross floor area per business require a special use permit after public hearing of the Planning and Zoning Commission, in order to insure that the size of the business does not create undue traffic congestion, noise or other problems that would be detrimental to the residential character of the neighborhood.

Residences in North Mesquite C-1 shall comply with North Mesquite R-4 development standards.

- a. North Mesquite C-1 permitted uses. The following uses are permitted by right in the North Mesquite C-1 district provided the gross floor area of each business does not exceed 3,000 square feet. Uses exceeding 3,000 square feet may be considered for approval only as a special use permit after a public hearing before the Planning and Zoning Commission in accord with section 38-10.

Arts and crafts studio

Bakery

Barber shop

Beauty parlor

Bicycle sales and service

Bookstores and stationery shops

Cigarette and cigar shops

Clinic (excluding animal clinics)

Coffee shop and snack bar

Community building (publicly or privately owned)

Cosmetologist shop

Delicatessen (walk-in with 16 seats maximum)

Dressmaking shop

Dry-cleaning and steamcleaning (receiving shop)

Florist shop

Gift shop

Grocery store

Hobby shop and toy store

Household appliance and repair shop

Knit and yarn shops

Laundry (self service)

Lessons (art, dance, music, and the like)

Library

Meat and seafood markets

Messenger service

Newspaper distribution office

Offices: Professional and business

Photographic studio

Post office

Prescription shop

Private club or lodge

Public park, playground, recreational use

Real estate office

Residences

Restaurant (walk-in with 16 seats maximum)

Shoe repair shop

Tailor shop

Variety store

- b. Permitted uses—With conditions: The following uses are permitted in accord with stated conditions.

Above ground storage tanks for flammable and combustible liquids. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the city fire department.

Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.

Accessory building/structure. See "accessory building/structure."

Child care center, nursery, or similar use. Child care center, group child care home, family child care home, preschool, nursery school, day nursery, kindergarten, and similar uses shall be in accord with state licensing requirements. Care of 13 or more children at one time is prohibited in the residential zoning districts listed. Refer to section 38-52 of the Municipal Code, home occupation business registration, for babysitting service/child care when 12 or fewer children are cared for.

Construction yard or building (temporary use). Permitted only during construction, provided use or building shall be removed upon the completion of construction or within three years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in a neat and orderly fashion, and open yards shall be

enclosed by a solid fence of a minimum of five feet in height. However, there shall be no fence or wall more than three feet in total height above street-curb level located within 30 feet of a street intersection.

Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the Uniform Fire Code as adopted by the city and be approved by the city fire department.

Christmas tree sales. Temporary, not prior to November 15 and provided lots are removed by December 31.

Drive-in bank. Stacking lanes shall be provided and designed to insure that no bank or ATM traffic backs into the street giving access to the bank. Banks or ATMs shall have access to a major local or higher designated roadway. See the Municipal Code for stacking lane requirements.

Firewood sales. Maximum of ten cords per business stored on site.

Home for handicapped, disabled, retarded, or retired. See section 38-21.

Home occupation. Subject to the provisions of this section and section 38-52.

Retail sales: Specialized merchandise. Retail sales, except as otherwise stated, shall be limited to stores that specialize in a particular type of merchandise such as clothing, records, shoes, home appliances, or other similar convenience goods to serve nearby residential neighborhoods.

Shopping center (less than two acres). Provided a site plan for the entire development is approved.

Public utility installation, substation, and waterwell. The site shall be developed and maintained in conformance with the general character and appearance of the zoning district and shall include landscaping and suitable screening in the form of a solid wall, fence or compact shrubbery around the perimeter of the lot or tract.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences.

Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Storage: Incidental to primary use. Storage shall be permitted only for merchandise incidental to the primary use of the business. Such storage shall be totally enclosed within the building of primary use, and at least ten percent of the gross floor area shall be used for retail sales or service. Exterior or open storage is prohibited.

Swimming pools. Permitted only when a protective fence four feet in height is provided around the yard, lot or pool area. The pool shall be no closer than five feet from any property line, and approval from all utilities is required to insure overhead safety.

- c. C-1 special uses. The following uses require a public hearing and approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Gas pumps (accessory to a grocery store).

Gross floor area: Exceeding 3,000 square feet.

Golf course and country club.

Halfway house and quasi-institutional house.

Hospital and overnight clinic.

Institutions: Public, educational, religious, and philanthropic.

School (public, private, and parochial).

Shopping center (limited to a maximum of five acres).

Auto washing establishment.

- (7) North Mesquite C-2 general commercial district.

Purpose. The intent of the North Mesquite C-2 zoning district is to provide for certain commercial/retail uses which generate large volumes of automobile traffic. The district is intended for areas surrounding major arterial intersections where a wide range of automobile-related service facilities, convenience goods and personal services are desirable and appropriate as a land use.

*Total lot area must be equal to, or greater than, 3,500 square feet.

Residences in the North Mesquite C-2 zoning district shall comply with North Mesquite R-4 zoning district development standards.

- a. North Mesquite C-2 permitted uses. The following uses are permitted by right in the C-2 North Mesquite district:

Animal hospital and clinic

Arts and crafts studio

Automobile and camper sales and service

Automobile parking lot

Automobile washing establishment

Bakery

Banking and financial institution

Barber shop and beauty parlor

Bicycle sales and service

Boat sales and service

Bowling alley

Bus terminal

Business service establishment

Butcher shop/meat market

Catering

Cigarette and cigar stand

Clothing store and apparel shop

Coffee shop and cafe

Columbarium

Community and public building

Convention or exhibition hall

Country club

Dance hall or music academy

Department store

Dressmaking shop

Drugstore

Dry cleaning and steam cleaning

Electrical shop

Firewood sales

Florist

Food store

Fraternity

Frozen food locker

Funeral home, mortuary (including crematorium)

Gasoline station

Glass cutting and finishing

Golf course

Gymnasium

Hardware store

Hospital or overnight clinic

Hotel and motel

Household appliance sales, service and repair

Institutions, public and quasi-public

Laboratory (medical and dental)

Laundry

Lessons (art, music, dance, and the like)

Liquor store

Lumber store

Medical center

Microwave radio relay structure

Miniature golf course

Motion picture theater

Motorcycle sales and service

Newspaper establishment, including distribution office

Newsstand

Nursing or convalescent home

Office (business and professional)

Paint sales

Parking garage/lots

Plumbing/heating/cooling/sheet metal business (refer to contractor-type yard, e.g. associated with cooling, heating, plumbing, and sheet metal shops if a yard is associated with the business)

Pet shop

Photographic studio and supply store

Plant nursery

Pool and billiard room

Printing and engraving shop

Private club or lodge

Public park, playground, recreational use

Radio, television, music store

Residence

Restaurant

Retail sales

Shoe repair

Show and sales room for business products

Skating rink

Sorority

Sporting goods store

Steamcleaning establishment

Tailoring

Tavern

Taxicab stand

Telegraph and messenger service

Tire sales and service

Upholstery shop

Variety store

Other: Businesses in existence at the time of this Code's adoption and have a current business registration shall be heretofore known as permitted uses, as such, all will be allowed to continue their operations in the manner in which they currently operate at the time of this Code's adoption. (Please note that all permits, regulations, etc., which are mandated by state and/or federal law must be adhered to.)

- b. Permitted uses with conditions. Applies to new businesses and (refer to section 38-70.4 for further information). The following North Mesquite C-2 uses are permitted in accord with stated provisions.

Above ground storage tanks for flammable and combustible liquids. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the city fire department.

Above ground storage tanks for liquid petroleum (LP) gas. Tanks shall be permitted only when meeting Uniform Fire Code requirements as adopted by the city and when receiving approval from the state LP gas bureau.

Amusement park or enterprise. Subject to the provisions and requirements of the Municipal Code. Temporary amusement enterprises are prohibited within 300 feet of any residential zoning district. Permanent amusement enterprises are prohibited within 500 feet of any residential zoning district.

Assembly of arts and crafts. Only when such assembly is for display and sale on the premises or when such assembly occupies less than 1,500 square feet of a building.

Bank drive-up windows. Stacking lanes shall be provided and designed to insure that no bank or ATM traffic backs into the street giving access to the bank. Banks or ATMs shall have access to a major local or higher designated roadway. See the Municipal Code for stacking lane requirements.

Body shop. Buildings shall be located a minimum of 300 feet from a residential district boundary and shall have fire department approval.

Child care center, nursery, or similar use. Child care center, group child care home, family child care home, preschool, nursery school, day nursery, kindergarten, and similar uses shall be in accord with State licensing requirements. Care of 13 or more children at one time is prohibited in the residential zoning districts listed. Refer to section 38-52 of the Municipal Code, home occupation business registration, for babysitting service/child care when 12 or fewer children are cared for.

Christmas tree sales. Temporary, not prior to November 15, provided lots are cleaned and removed by December 31.

Construction yard or building (temporary). Such yard or building shall be removed upon completion of construction or within three years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in a neat and orderly fashion, and open yards shall be enclosed by a fence five feet in height. However, there shall be no fence or wall more than three feet in total height above street-curb level located within 30 feet of a street intersection. Above ground storage tanks for flammable and combustible liquids within construction yards shall meet the Uniform Fire Code as adopted by the city and be approved by the city fire department.

Contractor-type yards (e.g. Associated with cooling, heating, plumbing, and sheet metal shops). Yards shall be maintained in a neat and orderly fashion and enclosed by a solid wall or fence a minimum of six feet in height (clear-site-triangle requirements must be met).

Cottage industry. A cottage industry is defined as any manufacturing, compounding, and/or assembly process, including food preparation, which is subordinate to a primary use of retail sales or service. This use is not to be confused with or treated as a home occupation. Cottage industry land use listings may be found in section 38-33.I. of the Las Cruces Municipal Code. Cottage industries are limited to 5,000 square feet of retail sales space or retail sales space limited to 49 percent of the total building square footage, whichever is less. Cottage industry may only occur within a totally enclosed building where the primary use (retail/service) is conducted. The processing of goods shall be clearly secondary to the primary use, shall be sold on site only, and shall not pose any significant adverse impact to adjacent properties due to noise, odor, dust, or vibration. A maximum of 49 percent of the total business floor area, not to exceed 3,000 square feet, may be used in the conduct of the cottage industry.

Firewood sales. No more than 20 cords stored on site.

Flea market. Subject to the requirements of Ordinance No. 625 in the Municipal Code.

Furniture assembly (accessory use). Permitted only as an incidental or accessory use to retail sales. Maximum floor area for assembly shall not exceed 3,000 square feet, not to exceed 30 percent of the total business floor area, and shall be within the same building.

Heavy equipment repair (accessory use). Permitted only as an incidental or accessory use to heavy equipment sales. Floor area for repair shall not exceed 3,000 square feet and not exceed 30 percent of the total gross floor area. Welding is permitted only in conjunction with repair and shall not be used for the purpose of heavy equipment assembly.

Home for handicapped, disabled, retarded, or retired. See section 38-21.

Home occupation. Subject to the provisions of this section and section 38-52.

Meat processing. Meat processing of wild game and custom orders is allowed provided that the meat that is processed is not for wholesale distribution.

Mini-storage units. Units shall not be used for commercial sales of products, merchandise, service, or repair.

Paint shop. Spraying or mixing is allowed provided such use shall be located at least 100 feet from any residential zoning district and provided there shall be fire department approval.

Public utility installation, substation, and waterwell. The site shall be developed and maintained in conformance with the general character and appearance of the zoning district and shall include landscaping and suitable screening in the form of a solid wall, fence or compact shrubbery around the perimeter of the lot or tract.

Schools. Elementary, middle or high schools shall be located on a collector or higher designated roadway. Commercial, trade or technical schools, college or university shall be located on a minor arterial or higher designated roadway. All sites shall have a minimum of one acre. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences. Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Storage of wrecked or dismantled vehicles and parts (accessory use). The storage of wrecked and dismantled vehicles and parts thereof shall be permitted only as an incidental accessory use to a vehicle repair establishment or a body shop approved by a special use permit in the C-2 district. Such use shall meet the following requirements:

1. Storage shall be within an enclosed building or within a site-obscuring fence at least six feet in height;
2. Vehicles and parts stored at the exterior of the building shall be owned by customers of the business and such storage shall be only for the purpose of repair and return to customers;
3. Exterior storage of vehicles shall not remain on the premises for a period exceeding three months;
4. There shall be a maximum of five wrecked vehicles stored at the building exterior during any one time; and
5. Exterior storage shall be a minimum of 100 feet from a residential zoning district.

Storage as an accessory use. Storage shall be permitted only when incidental or accessory to sales of merchandise. Such storage shall be within a totally enclosed area and at least five percent of the gross floor area shall be used for retail sales or service.

Temporary uses. Temporary uses, such as fireworks stands, shall be allowed in the North Mesquite C-2 district and shall follow the timelines and other such requirements established in section 38-50 of the Municipal Code.

Recycling purchase centers. This business is limited to the inspection, weighing, purchasing and temporary storage of aluminum and scrap metal, cloth, glass and paper products. Said materials are to be purchased for the purpose of transporting to local and area processing centers.

1. Storage shall be within an enclosed building; or
2. Storage may be located within mobile trailer units within a sight obscuring fence at least six feet in height, and not to be a contamination, rodent, insect, or health hazard;
3. Materials to be recycled shall not remain on the premises for a period exceeding eight weeks; and
4. Recycling purchase centers shall be located a minimum of 300 feet from any residential zoning district.

Religious institution (over ten persons)/columbarium. Religious institutions, with or without a columbarium, shall be located on a major local or higher designated roadway. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences. Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Swimming pools. Permitted only when a protective fence four feet in height is provided around the yard, lot, or pool area. The pool shall be no closer than five feet from any property line and approval from all utilities is required to insure overhead safety.

Welding (accessory use). Welding shall be permitted only as an incidental or accessory use necessary for the repair of vehicles or equipment permitted in the C-2 zone. Welding for the purpose of assembly is prohibited. Welding uses shall be approved by the fire department and shall be in accord with the provisions found in the Municipal Code.

Wrecker services. In accord with storage of wrecked vehicle provisions in the Municipal Code.

- c. North Mesquite C-2 district special uses. The following uses require approval of the Planning and Zoning Commission. Specific conditions and provisions for each use may be referred to in part D of this section.

Halfway house or quasi-institutional house

Kennel (commercial).

Racetrack

Mobile home park

- D. *Special uses.* A special use is a use that is not permitted by right in a zoning district. A special use requires review and approval by the Planning and Zoning Commission to determine impacts on the surrounding area. The procedures for approval may be found in sections 38-54 A.1—5 of the Municipal Code.

Automobile parking lot (North Mesquite zones: R-2, R-3 and R-4): Parking lots must be within 300 feet of any office, commercial, business, or industrial district. The parking area shall be suitably landscaped, paved and drained, lighted, and maintained free of debris.

Automobile washing establishment (North Mesquite zone C-2).

Bus garage (North Mesquite zone C-2): A traffic plan shall be approved by the city traffic engineer showing the location, size, and width of streets giving access to the garage. Such use shall be located on a designated arterial or collector street.

Flea market (North Mesquite zones: R-3, R-4). Flea markets shall not be approved if there is a protest of 51 percent within the area of property ownership 100 feet from the proposed use.

Cemetery or similar uses (North Mesquite zones: A-2, R-1a, R-1b, R-1c, R-1aM, R-1bM, R-1cM, R-2, R-3, R-4). Any cemetery site shall contain at least five acres and shall be located on a major local or higher designated roadway. A columbarium shall be located on a major local or higher designated roadway with the lot size meeting the zoning district minimum lot size.

Community buildings (North Mesquite zones: R-1, R-2, R-3, R-4).

Drive-in bank (North Mesquite zone: O-1): Stacking lanes shall be provided and designed to insure that no bank and/or ATM traffic backs into the street giving access to the bank. Banks or ATMs shall have access to a major local or higher designated roadway. See [section 38-58](#) for stacking lane requirements.

Golf courses and country club (North Mesquite zones: R-1, R-2, R-3, R-4, O-1, C-1): There shall be screening and buffering on property lines abutting residential areas and no structures shall be within 50 feet of a residential property line.

Gross floor area: Exceeding 3,000 square feet (North Mesquite zone: C-1): The maximum gross area per business may exceed 3,000 square feet in a North Mesquite C-1 district provided it can be shown that the increase in size will not be inconsistent with the purpose of the North Mesquite C-1 district and will not create traffic congestion. Businesses shall not exceed 6,000 square feet of gross floor area.

Halfway house (North Mesquite zones: R-3, R-4, O-1, C-1, C-2).

Hospital and overnight clinic (North Mesquite zones: R-4, C-1).

Institution: Public, educational, religious, and philanthropic (North Mesquite zones: R-4, O-1, C-1).

Kennel—Commercial (North Mesquite zones: C-2, M1/M2): Such uses shall be a minimum of 400 feet from any residential zoning district boundary.

Mobile home park (North Mesquite zones R-2, R-3, R-4).

Mobile home subdivision (North Mesquite zones: R-2, R-3, R-4).

Nursing home/assisted living facility (North Mesquite zones: R-1, R-2). Must be located on a collector or higher designated roadway.

Racetrack (North Mesquite zones: C-2, M1/M2): All parking areas and interior streets shall be surfaced in accordance with requirements of section 9.8, and the building complex shall be located a minimum of 300 feet from any residential zoning district boundary.

School—Public, private, parochial (North Mesquite zones: R-1, R-2, R-3, R-4, O-2, C-2): Elementary, middle or high schools shall be located on a collector or higher designated roadway. Commercial, trade or technical schools, college or university shall be located on a minor arterial or higher designated roadway. All sites shall have a minimum of one acre. Structures or parking located within 25 feet of a residential zoning district shall provide an opaque buffer consisting of landscape and walls or fences. Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.

Swimming pool—Public or commercial (All North Mesquite residential "R" districts and North Mesquite O-1): A protective fence or wall no less than six feet in height shall be provided which completely encloses the pool area, and the pool shall be no closer than 25 feet from any property line. Approval from the electric utility is required to insure safety.

- E. *Parking requirements.* The following exceptions to the parking requirements found in chapter 38 of the Municipal Code shall be used in the North Mesquite Neighborhood district:
1. Buildings within the North Mesquite Neighborhood district constructed prior to 1955 shall not be required to provide off-street parking.
 2. Buildings within the North Mesquite Neighborhood district constructed after 1955 shall be eligible to use the historic district parking requirements found in section 38-58 of the 2001 Zoning Code, as amended.
 3. The city traffic engineer shall determine which streets will be prohibited from use for on-street parking.
- F. *Nonconforming uses, structures, and property.* Many people refer to nonconforming uses as the "Grandfather Clause." If a use, structures, etc., was established legally under the previous code, it is considered a legal nonconforming use. Within the North Mesquite Neighborhood overlay zone district, all existing land uses with a valid business registration are considered as permitted uses at the time of this Code's adoption. As such, there should be limited nonconforming uses in this district. Those uses that do exist should comply with the nonconforming use provisions found in section 38-70 of the Municipal Code with the following exception:
- (a) If a nonconforming use becomes and remains vacant, no time-limit shall be placed on reestablishing the nonconforming use at that location.
- G. *Accessory building/structure.* An accessory building/structure is incidental to and customarily found in connection with the principal dwelling on the same property. Examples: gazebo, greenhouse, toolshed, and detached garage. An accessory building shall not be used for a business or dwelling purposes.

1. *Permanent accessory building/structure.*
 - (a) A maximum height of 15 feet is permitted.
 - (b) An accessory building/structure shall not occupy more than 30 percent percent of the rear yard. Accessory structure shall not be used for living quarters.
 - (c) Accessory use or structure closer than ten feet from the main use or structure shall meet the minimum setback requirements of this zoning district and shall be reviewed and approved by the public safety department before a building permit is issued. Drainage/water run-off contributed by an accessory structure shall be contained on site and be consistent with the city's design standards unless approved by the community development department director or designee. Furthermore, no accessory structure shall be located in the required on-site ponding area. Calculations shall be provided to indicate that all water runoff will be accommodated on site consistent with the city's design standards.
 - (d) Setback requirements:
 - (1) North Mesquite R-1:
 - a. Interior lot. No less than ten feet from main use or structure and three feet from property lines on rear and side yards.
 - b. Lots with more than one street frontage. No less than ten feet from main use or structure, three feet from property line on rear yard (yard without street frontage), and shall meet the required setbacks on all frontages in accordance to the zone.
 - c. Exception: Accessory use or structure less than three feet from property lines and no less than ten feet from main use or structure shall have one hour fire resistant exterior walls and no openings in walls facing the property lines.
 - (2) North Mesquite R-2, R-3, C-1 (residential), and C-2 (residential) zones.
 - a. Interior lot. No less than ten feet from main use or structure and five feet from property lines on the rear and side yards.
 - b. Lots with more than one street frontage. No less than ten feet from main use or structure, five feet from property line on the rear yard (yard without street frontage), and shall meet the required setbacks on all frontage in accordance to the zone.
 - c. Exception: Accessory use or structure less than five feet from property line and no less than ten feet from main use or structure shall have one hour fire resistant exterior walls and no openings in walls facing the property lines.
 - (3) R-4 Zone Residential.
 - a. Interior lot. No less than ten feet from main use or structure and five feet from property lines on the rear and side yards.
 - b.

Lots with more than one street frontage. No less than ten feet from main use or structure, five feet from property line on the rear yard (yard without street frontage), and must meet the required setbacks on all frontages in accordance to the zone.

- c. Exception: Accessory use or structure less than five feet from property lines and no less than ten feet from main use or structure shall have one hour fire resistant exterior walls and no openings in walls facing the property lines.

(4) R-4 (offices), O-1, C-1 (commercial), C-2 (commercial), M1/ M2 zones.

- a. Interior lot. No less than ten feet from main use or structure and shall meet the requirements set forth in the Uniform Building Code for said accessory use or structure.
- b. Lots with more than one street frontage. No less than ten feet from main use or structure, shall meet the required setbacks on all frontages in accordance to the zone, and meet the requirements set forth in the Uniform Building Code for said accessory use or structure.

- 2. *Accessory building exceptions: Large lots.* On lots that are one-half acre or more in size, one accessory building may be permitted which exceeds 400 square feet of gross floor area up to 800 square feet, provided it shall have a minimum rear yard setback of 15 feet and a side yard of seven feet, and provided all other requirements of this Code are met.

H. *Home occupation.* Home occupation requirements shall follow the provisions set forth in chapter 38-52 with the following exceptions:

- (a) Residential uses located in the North Mesquite C-2 zone may have direct sale of products off display shelves or racks.
- (b) Residential uses located in the North Mesquite C-2 zone may have a maximum of six vehicles at the dwelling at any one time for the purpose of conducting business. Both on-street and off-street parking may be utilized.

I. *Administration of the overlay zone district.*

- (a) *Land use/zone change requests.* It is possible to request an additional land use not already noted within the permitted use lists on a specific parcel within the North Mesquite overlay district. Each request will be considered on a case-by-case basis. These requests will be processed per Section 38-10 of the Municipal Code. The utilization of the infill development process, Section 38-48, is allowed in the North Mesquite Neighborhood overlay zone district.
- (b) *Subdivision requests.* For submittal and review of subdivisions within the district, refer to Chapter 37 of the Municipal Code.
- (c) Issues not addressed here. Any issue not addressed in this division will revert to the appropriate section(s) of the Municipal Code, as amended.

J.

Enforcement of the north mesquite neighborhood overlay zone district. Provisions to enforce this section shall be consistent with the enforcement provisions the Municipal Code.

(Ord. No. 2354, § I, 1-22-07)

Sec. 38-49.2. - SMO—South Mesquite Overlay District.

- A. *Purpose.* The South Mesquite Overlay District is designed to positively address issues unique to Las Cruces' Original Townsite and surrounding area. This area is addressed in the 2005 adopted Mesquite Neighborhood Plan and the 2007 adopted Mesquite Historic District Neighborhood Design Plan. Specific provisions in this Ordinance deal with issues such as compatible design, parking, setbacks, and land use/zoning designations that are better suited to this older part of the city characterized by smaller lots with multiple dwellings and scarce off-street parking resources. Additionally, neighborhood design guidelines and standards have been created that will help enhance and preserve the unique character of Las Cruces' first neighborhood.
- B. *Delineation of Overlay District Boundaries.* The South Mesquite Overlay (SMO) District shall include all properties located within the boundaries shown on Figure 1.
- C. *Definitions.* Definitions shall rely on those noted in Section 38-20 of the 2001 Zoning Code, as amended unless otherwise noted here:

Accessory Structure: See Section 38-51 of the 2001 Zoning Code, as amended.

Accessory Dwelling Unit (ADU): See Section 38-53 of the 2001 Zoning Code, as amended.

Compatible: Capable of existing together in harmony. Parts of a whole that work well together when pieced together. Compatibility with existing elements does not mean uniformity.

Consistent: That which is similar to, or nearly the same.

Contributing: A resource that is listed as "contributing" on the National Register of Historic Places, the State Register of Cultural Properties, or the 1994-1995 State or National Mesquite Street—Original Townsite Historic District of Las Cruces, New Mexico Inventory. In the law regulating historic districts in the United States, a contributing resource is any building, structure, site, or object which adds to the historical integrity or architectural qualities that make the historic district important. In this document, "contributing" and "significant" may be used interchangeably [see Significant definition below].

District Boundary: The boundaries of the South Mesquite Overlay District are shown in Figure 1. The properties that are included within the Overlay District include all those within the boundary shown on Figure 1.

Demolition: An act that destroys or removes in whole or in part the exterior of a building or structure of a historic property.

Design Standards: Regulations intended to preserve the historic and architectural character within the South Mesquite Overlay District.

Exterior Appearance: The visual character of all outside surfaces of a structure, including facades, fenestration pattern, signage, light fixtures, steps, or character-defining features, such as corbelled posts, exposed vigas, tiles, canales, etc. Fencing or walls surrounding the structure also contribute to the exterior appearance of a property.

Exterior remodeling, exterior renovation, and exterior alteration: Any change or rearrangement in the supporting members of an existing building, such as exterior bearing walls, columns, beams, girders, as well as any substantial change in rooflines, number of doors and/or windows added, removed, replaced, or resized, or any enlargement to or diminution of a building or structure, whether horizontally or vertically or any installation or replacement of fencing viewed from the street. Maintenance or repair shall not be construed as exterior remodeling, renovation, and/or alteration.

Facade: Typically the front of a building; however, any elevation on view is considered a facade.

Historic: In this document, structures that are listed as contributing or significant by the National Register of Historic Places, the New Mexico Register of Cultural Properties, the State or National Mesquite Street-Original Townsite Historic District of Las Cruces, New Mexico.

Historic Districts: The boundaries of the State "Mesquite Street-Original Townsite Historic District of Las Cruces New Mexico" and the National "Mesquite Street-Original Townsite National Historic District of Las Cruces New Mexico" are found in Figure 2.

Historic Integrity: The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance.

Historic Preservation Commission (HPC): The board created by the City Council authorized to direct and assist in the preparation and updating of the City of Las Cruces historic preservation plan; to create and review design guidelines for historic districts and cultural properties; to review and render decisions upon Certificate of Appropriateness applications; and to advise the Historic Preservation Specialist in initiating and implementing relevant preservation planning programs.

Historic Register: In this document, the National Register of Historic Places or the New Mexico Register of Cultural Properties.

LCMC: Most current edition of the Las Cruces Municipal Code.

New Construction: The erection of a new primary structure or accessory structure on a lot or property.

Ordinary Maintenance or Repair: Any change that is not new construction, removal, or alteration. Repair may include patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading historic materials such as masonry, wood and architectural metals according to recognized preservation methods. Repairing also includes the limited replacement in kind, or with compatible substitute material, of extensively deteriorated or missing parts or features when there are surviving examples, such as adobe bricks, brackets, dentils, or portions of slate or tile roofing.

Primary Façade(s): Any and all sides of a building which face a public right-of-way. A building may have more than one primary façade.

Primary Structure(s): In this document, the structure(s) for which the use is the main use of the parcel (not an Accessory Use as defined in Section 38-51 of the 2001 Zoning Code, as amended). Note: It is possible to have more than one primary structure on a parcel, for example two residences, or a retail shop and a residence.

Rehabilitation: Making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. Most projects in the South Mesquite Overlay are expected to be rehabilitation projects.

Relocation: Any relocation of a structure from its originally installed site to another site.

Secondary Residence: A dwelling unit that is subordinate in size and location to the main dwelling on a single property, and may be rented or leased as an independent dwelling unit. A secondary residence is different from a guest dwelling or accessory structure in that it is distinct dwelling unit containing a kitchen. Examples include a traditional guest house, apartment, cottage or converted garage.

Significant: A resource that is listed as "significant" on the National Register of Historic Places, the State Register of Cultural Properties, or the 1994-1995 State or National "Mesquite Street—Original Townsite Historic District Inventory." In the law regulating historic districts in the United States, a significant resource is any building, structure, site or object which adds to the historical integrity or architectural qualities that make the historic district worthy of registration. In older nominations, the terms "significant" and "contributing" were used to "rank" buildings, but in newer nominations, the status of a resource is either contributing or non-contributing. "Significant" is no longer used as a separate term. In this document, "significant" and "contributing" may be used interchangeably.

SMO: South Mesquite Overlay District.

SMDRB: South Mesquite Design Review Board.

Structure: That which is built or constructed, an edifice or building of any kind, or any place of work artificially built up or composed of parts joined together in some definite manner. Note: Although "structure" and "building" have different meanings for many preservationists, in this document the two words are used interchangeably.

Figure 1 South Mesquite Overlay Boundaries

D.3	Lot Depth	50' minimum
D.4	Front Setback	Within the range of existing setbacks and compatible with the surrounding area*
D.5	Side Setback	5' minimum **
D.6	Rear Setback	5' minimum**
D.7	Garage Setback	20' minimum
D.8	Building Height	14' in the Original Townsite and 25' elsewhere.***
D.9	Townhouses	Zero lot lines are permitted for townhouse development provided the structure meets the attachment requirements of <u>Chapter 38-62</u> of the LCMC.
D.10	Accessory Structures	There shall be no limit to the number or square footage of accessory structures per Sec. 38-51.D
D.11	Residential Density	Lot size, setbacks, parking requirements and building heights shall determine residential density per property.

* Surrounding area generally mean all primary structures on the same side of the block. If there aren't at least two primary structures on the same side of the block, both sides of the block shall be used. The Applicant shall work with Community Development Department staff to determine a front setback distance with staff having the final determination.

** Overhangs are not permitted within required setbacks. Canales and viga ends are not deemed overhangs for the purpose of this limitation.

***Any requests for building heights greater than those stated above require an application for a height exception be reviewed and approved by the SMDRB; applications shall meet the design criteria noted in Section 38-49.2. K, Design Guidelines.

The regulations of this Overlay District shall supersede any regulations of the citywide 2001 Zoning Code, as amended. However, when the regulations of this SMO do not address a particular design or development standard or regulation, the applicable City, State, or Federal regulation shall apply. The provisions of Section 38-58 which allow for Flexible Development Standard waivers shall apply within the SMO; however, such requests shall be approved by the SMDRB for recommendation to the Community Development Director.

Diagram 1 Setbacks

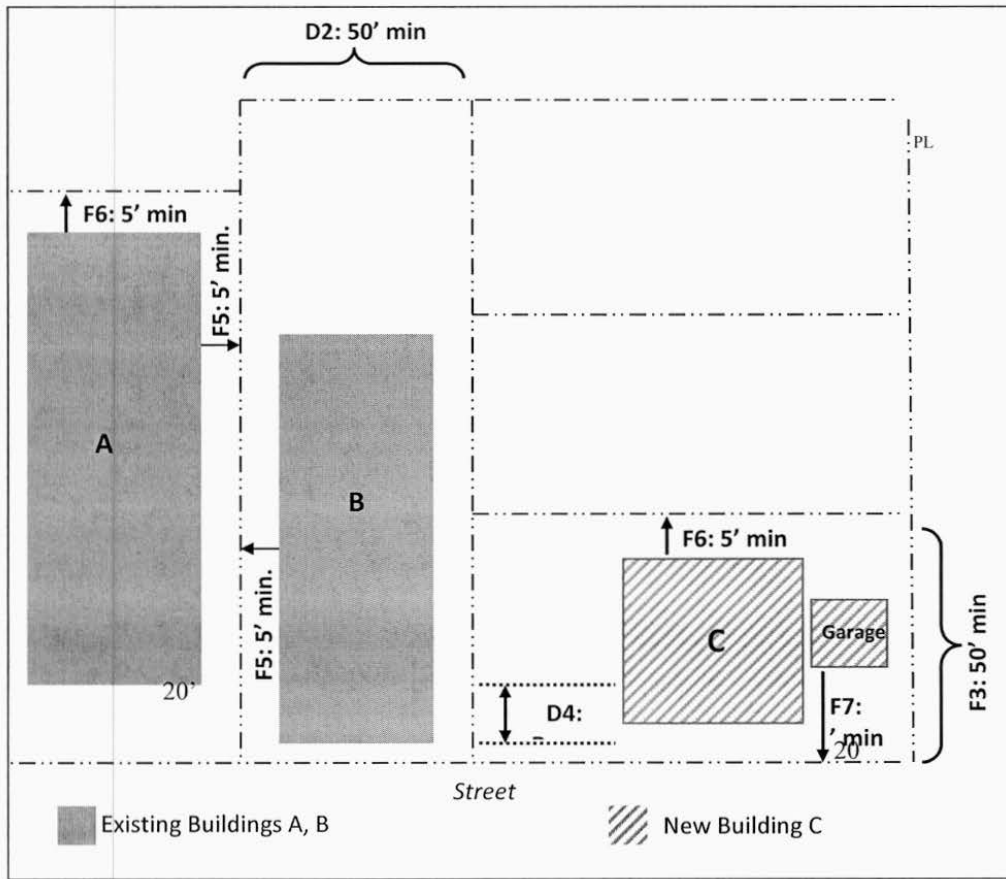
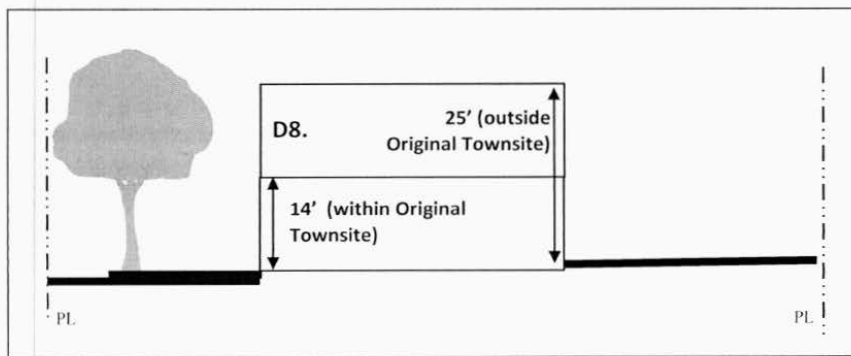


Diagram 2 Maximum Height



E. *Landscape Requirements.* Landscaping shall follow standards set forth in Chapter 32 of the LCMC with the following modifications:

1. Applicability: Landscaping standards apply to all new development in the SMO with the exception of single family dwellings and duplexes, unless noted elsewhere in this section.
2. A variety of landscaping materials shall be employed to create visual interest and to complement other plantings in the neighborhood. Care should be taken when planting too close to adobe structures which can be damaged by plant watering. Plant materials, including shade trees, shall be native and/or draught tolerant, as these are best suited to the Chihuahua Desert. This is not

to say that the landscape plan needs to adhere to Xeriscaping. On the contrary, plants should be chosen that will survive and thrive in the local climate. Appropriate species include, but are not limited to, the following:

TREES	SHRUBS	GROUNDCOVER
Arizona Ash Arizona Cypress Arizona Mesquite Canyon Hackberry Chinese Pistache Desert Willow Italian Cypress Lacebark Elm Palo Verde Pecan Pines Southern Live Oak Texas Honey Mesquite Texas Red Oak Sycamore Western Hackberry	Euonymus Pyracantha Sages (Texas, Desert Chihuahuan, Cherry, Russian, etc.) Silverberry Spanish Broom	Bermuda TIFF, various Vinca Trailing Rosemary Iceplant Creeping Thyme Powis Castle Artemesia Dalea capitata Clover Fern

3. All new development, except single-family dwellings and duplexes, and adaptive reuse of properties (such as a change of use) shall be required to plant trees within parking lots for shade and visual relief (see subsection 5 below).
4. Landscaping gravel, decorative stone or other organic landscaping materials may be used for landscaping, provided such materials blend visually with other landscaping material and planting style standards and meet the City's wind erosion control ordinance).
5. Landscaping for Parking Lots: All new construction, except single family dwellings and duplexes and adaptive reuse of properties, shall require landscaped parking areas. Landscaping in parking areas shall follow Chapter 32 of the LCMC, "Development Standards for Landscaping," with the following modifications:
 - a.

Trees in parking lots shall be located in an island or planter in which the tree trunks shall be protected from motor vehicles. Islands shall be a minimum of six feet wide, have a minimum area of thirty-six (36) square feet and a raised border of at least four (4) inches in height.

- b. One tree shall be planted for every five (5) parking spaces within parking lots as they pertain to the uses listed for each area.
- 6. The HPC shall have the authority to modify or waive landscaping requirements of Chapter 32 of the LCMC or this Section if the HPC determines that such modification would result in a project that better advances the purposes of the SMO and positively addresses its design standards.
- 7. Community Development Department staff shall review landscape plans.
- F. *Permitted Uses.* There shall be no land uses within this Overlay District except as identified in this land use matrix. Zoning districts are as follows:
 - 1. R-1a: Single-family Low Density Residential District
 - 2. R-2: Medium Density Residential District
 - 3. R-3: High Density Residential District
 - 4. R-4: High Density Residential and Limited Office District
 - 5. O-1: Neighborhood Office District
 - 6. O-2: Professional Office with Limited Retail Service
 - 7. C-1: Neighborhood Commercial District
 - 8. C-2: General Commercial District
 - 9. C-3: High Density Commercial. C-3 zoning and land uses are not permitted in the Overlay District with the exception of those uses which existed at the time of SMO adoption, Ordinance 2200, May 24, 2005. Uses that were pre-existing at the time of adoption and are no longer permitted by right shall be considered non-conforming and shall follow the provisions of NON-CONFORMING USES, STRUCTURES, AND PROPERTY below and Sec. 38.70-76.
 - 10. PUD: Planned Unit Developments are allowed as part of a specific rezoning.

Permitted Land Uses in the South Mesquite Neighborhood Overlay Zoning District A= Allowed-by-right; C=Conditional Use with the conditions noted; and S= Special Use Permit with public hearing required.

Land Use	R-1a	R-2	R-3	R-4	O-1	O-2	C-1	C-2	Comments
Accessory dwelling units	A	A	A	A	A	A	A	A	

Apartments		A	A	A	A	A	A	A	
Assisted Living, Retirement home		A	A	A	A	A	A	A	
Detached single-family dwelling	A	A	A	C	C	C	C	C	C: residential densities in R-4 and commercial zones limited to a maximum of 40 DU/acre.
Guest dwelling unit	C	C	C	C	C	C	C	C	C: see <u>Sec. 38-51</u> and <u>38-53</u>
Duplex		A	A	A	C	C	C	C	C: residential densities in R-4 and commercial zones limited to a maximum of 40 DU/acre.
Triplex		A	A	A	A	A	A	A	
Quadplex		A	A	A	A	A	A	A	
Home for the Elderly	A	A	A	A	A	A	A	A	
Home for the Disabled	C	C	C	A	A	A	A	A	C: 10 or fewer persons allowed

Hostel				C	C	C	C	C	C: limited to 10 persons per establishment and a maximum stay of 14 continuous days per guest.
Nursing Home	C	C	C	A	A	A	A	A	C: 10 or fewer persons allowed
Halfway house	S	S	S	S	S	S	S	S	See <u>Sec 38-21</u>
Fraternity/sorority house			C	C	C	C	C	C	C: Limited to 10 persons per establishment;
Temporary/homeless shelter	S	S	S	S	S	S	S	S	

Manufactured home	A	A	A	C	C	C	C	C	All manufactured homes shall meet the design standards of the SMO and skirting and exterior wall materials shall be consistent with the architecture of adjacent structures. Residential densities in R-4 and commercial zones are limited to a maximum of 40 DU/acre.
Townhouse [one room attached to the neighboring single-family dwelling]		A	A	A	A	A	A	A	
Patio home [100% built to side property line]	C	C	C	C	C	C	C	C	C: see <u>Sec 38-62</u> , setback exceptions.
Accessory uses and structures	A	A	A	A	A	A	A	A	
Bed & Breakfast Establishment	C	C	C	C	C	C	C	C	C: Number of guest rooms is limited to 8.

Greenhouse, private (non-commercial)	A	A	A	A	A	A	A	A	
Community Gardens (neighborhood based)	A	A	A	A	A	A	A	A	
Home occupations	C	C	C	C	C	C	C	C	C: See <u>Sec. 38-52</u>
Kennel/cattery, private residential	C	C	C	C	C	C	C	C	C: Permitted in accordance with <u>Chapter 7</u> of the LCMC; noise from barking dogs and odors from this activity shall not be discerned off the premises.
Recreational court, tennis, etc., private	S	S	S	S	S	S	S	S	Must mitigate off-site noise and light glare.
Storage of RVs and motor vehicle appurtenances	C	C	C	C	C	C	C	C	C: Maximum 1 per parcel located within any open area between the front setback and the rear setback and shall otherwise meet the standards of Sec. 38-58.D.7.

Swimming pool, private	C	C	C	C	C	C	C	C	C	C: A swimming pool shall be at least 5 feet from property lines; also see <u>Sec. 38-60 Walls and Fences.</u>
Temporary uses	C	C	C	C	C	C	C	C	C	C: See <u>Sec. 38-50.</u>
Produce stands	C	C	C	C	C	C	C	C	C	C: Allowed per State law; may be accessory to community gardens.
Veterinary facility									C	C: Noise from barking dogs shall not be discerned off the premises.
Cemetery/columbarium	S	C	C	C	C	C	C	C	C	C: See <u>Sec. 38-53;</u> S: See <u>Sec. 38-54.</u>
Family child care home (up to 6 children)	A	A	A	A	A	A	A	A	A	See Sec. 38-52.D and <u>38-53.</u>
Group child care home (7 to 12 children)	S	A	A	A	A	A	A	A	A	S: See Sec. 38-52.D and <u>38-53.</u>
Child care center or preschool		S	S	S	S	S	S	S	S	S: See Sec. 38-52.D and <u>38-53.</u>

Community buildings/uses	C	C	C	C	A	A	A	A	C: Shall be located on a major local or higher classification road.
Convention center/exhibition hall					C	C	C	C	C: Must be accessed from an arterial road (Lohman, Amador); size is limited to 5,000 GFA.
Library/museum		A	A	A	A	A	A	A	

Religious institutions	C	C	C	C	C	C	C	C	C: Shall be located on a major local or higher classification road; all sites shall have a minimum 1 acre; structures or parking located within 25 feet of a residential use shall provide an opaque buffer consisting of landscaping and walls or fences. Dumpsters or other garbage collection facilities shall not be located within 25 feet of a residential use.
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School, college, trade school, private or public	S	S	S	S	S	S	S	S	<p>S: On a case-by-case basis, application shall address safe access, off-street parking demand, screening and landscaping, noise and other relevant impacts of the development on adjacent residential uses. Structures or parking located within 25 feet of a dwelling unit shall provide a Type A opaque buffer consisting of landscaping and walls or fences. Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.</p>
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Arcade, game room							A	A	
Batting cage, indoor							A	A	
Billiard, Pool Hall							A	A	
Bowling alley							A	A	
Miniature golf course								A	
Health/exercise club/gymnasium/sports instruction				C	C	C	C	C	C: Noise from this activity shall not be discerned off-premises.
Park	C	C	C	C	C	C	C	C	C: Limited to neighborhood park or private park. See <u>Sec. 38-53</u> . Public parks shall also comply with Chapter 20 of the LCMC.
Mini-race tracks e.g. go carts								C	C: Hours of operation limited to between 10 AM and 10 PM.
Recreation courts, public			S	S	S	S	S	S	S: Must mitigate off-site noise and light glare.
Skating rink, Indoor				A	A	A	A	A	

Swimming pool, commercial or public; indoor only					S	S	S	S	S: See <u>Sec. 38-54</u> .
Botanical garden				A	A	A	A	A	
Personal or business service office uses		C	C	C	A	A	A	A	C: In R districts, non-residential uses are permitted only on the ground floor; no more than 35% of the GFA of the buildings on the parcel, combined, is permitted to be non-residential uses.
Art studio		C	C	C	C	C	C	C	C: Noise from activities shall not be discerned off the premises.
Barber/beauty/hair salon and related personal care services		A	A	A	A	A	A	A	
Medical/dental office; counselor/therapy services		A	A	A	A	A	A	A	

<p>Bank, bonding and financial institution/facility; no drive-through</p>						C	C	C	<p>C: Each business establishment is limited to a sole practitioner and only one such business establishment per parcel.</p>
<p>Business office: consulting; credit reporting & collection; desktop publishing, graphic design; institutional office, public or private; educational office; religious office; philanthropic office; mailing & stenographic services; motion picture production; noncommercial research organization</p>				A	A	A	A	A	
<p>Adult day care services/facility</p>				A	A	A	A	A	
<p>Funeral home; laboratory</p>				A	A	A	A	A	

Pharmacy; no drive-through						C	C	C	C: Permitted only as accessory to a medical, dental or similar office use and strictly for the purpose of serving the patients of the medical office use.
Auto/truck parts store								A	
Auto/truck repair & service								C	C: No salvage yard or related activities shall be permitted. No outside storage of parts, materials, or equipment is permitted. All outdoor storage of non-operable vehicles must be screened with opaque fencing.
Auto/truck self-service/automated or full service wash/wax/detailing								C	C: Limited to a collector or higher classification road.

Bar/pub/tavern (no dancing)								A	
Sale of building material								A	
Café, cafeteria, coffee shop, restaurant, etc. No drive-thru				A	A	A	A	A	
Sale of carpet/window treatments								A	
Cleaning & maid services							A	A	
Clothing store							A	A	
Convenience store (no gas sales)							C	C	C: No drive-through facility.
Delicatessen, produce/meat market; No eating facilities							A	A	
Delicatessen, produce/meat market with eating facilities							C	C	C: No drive-through facility.

Firewood sales								C	C: If displayed outside a building, a semi-opaque screen around the perimeter of the use shall be provided; 20 cord maximum stored on site; see <u>Sec. 38-50</u> .
Furniture store								A	
Sale of garden supplies								A	
Grocery store							A	A	
Hardware store							C	A	C: No outside storage of supplies or materials.
Home furnishings							A	A	
Kennel/cattery, commercial or non-profit								C	C: Use allowed in accordance with <u>Chapter 7</u> of the LCMC; noise from barking dogs shall not be discerned at the nearest dwelling unit.

Laundry/dry cleaning services							A	A	
Newspaper distribution								A	
Pawn shop								A	
Petroleum/propane sales								C	C: Sale of portable propane tanks and similar gas only is allowed as an accessory use to a retail establishment; use of such equipment is allowed as an accessory use when meeting current Fire Code standards. Gas stations are not permitted.
Plant nursery								A	

Private club or lodge	C	C	C	C	C	C	C	C	<p>C: See <u>Sec. 38-53</u>. A private club or lodge shall be located on a major local or higher designated street. Structures or parking located within 25 feet of a dwelling unit shall provide a Type A opaque buffer consisting of landscaping and walls or fences. Dumpsters or other garbage collection facilities shall not be located within 25 feet of property used for residential purposes.</p>
Radio/TV station								A	

<p>Seasonal sales of fireworks, agricultural products (non-temporary), snowcone stand, etc.</p>							C	C	<p>C: All structure locations shall meet setback requirements; if sited on property with other uses, there shall be no obstruction of the driving aisles or parking stalls unless it can be proven that there is an excess of parking areas. If the use does not follow temporary use provisions, the property shall be subject to all applicable development requirements.</p>
<p>Small item repair shop</p>							A	A	
<p>Specialty foods store (bakeries, candies, etc.)</p>							A	A	
<p>Specialty store (books, music, toys, sports equip, stationary, etc.)</p>							A	A	

Telephone communication business (call center)								A	
Temporary Use (non-seasonal)				C	C	C	C	C	C: See <u>Section 38-50</u> .
Theater (non- drive in)								A	
Tire sales/repair								A	
Upholstery shop							A	A	
Variety store							A	A	
Video/DVD rental/sales (non-adult oriented)							A	A	
Cab stand								A	
Distribution centers								A	
Parking facilities, commercial (garages & parking lots)	S	S	S	S	S	S	S	S	
Storage outside of buildings of materials, equipment and supplies not for sale								C	C: All outside storage shall be enclosed with an opaque, Type A screen.

Storage, warehousing accessory to office, retail trade, service or industry businesses								C	C: Maximum of 95% of the total square footage may be used for this storage.
Storage/display of merchandise for sale (except manufactured buildings, manufactured homes, mobile homes & operable cars, trucks, motorcycles and RVs)					C	C	C	C	C: Outdoor display of goods sold on the premises is limited to 25% of the gross floor area devoted to the business use.
Wholesale trade, any product								C	C: No outdoor storage allowed.

Construction yard or buildings, temporary	C	C	C	C	C	C	C	C	C: See <u>Section 38-53</u> : Such yard or building(s), including a mobile home or recreational vehicle for a temporary residence or construction office, or any other facilities or arrangement approved by the Community Development Director or designee shall be removed upon completion of construction and in compliance with the <u>Chapter 30</u> of the Municipal Code. Construction yards and buildings or any other facilities shall be maintained in a neat and orderly fashion. Open
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									yards shall be enclosed by a fence at least five (5) feet in height.
Contractor's Yard								C	C: All outdoor storage shall be enclosed with an opaque Type A screen

<p>Cottage Industry with retail sales or service (manufacture or processing of goods such as beer or food products for sale on the premises)</p>							C	C	<p>C: Allowed only when such use occurs within a totally enclosed building where the primary use (retail/service) is conducted. The processing of goods shall be clearly secondary to the primary use, shall be sold on site only, and shall not pose any significant adverse impact to adjacent properties due to noise, odor, dust, or vibration. A maximum of 49% of the total business floor area, not to exceed 3,000 square feet, may be used in the conduct of the cottage industry manufacturing or processing.</p>
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Crematorium								C	C: See Sections <u>38-53</u> and <u>38-54</u> .
Antennas, towers, communication structures and other utility vertical structures							S	S	See <u>Section 38-59</u> and <u>Section 38-54</u> .
Facial mounted antennae (attached to the primary use)							C	C	C: Facial mounts must be placed or erected to the primary use/structure in a manner which conceals, to the extent possible, the antenna or face mount. No more than ten (10) additional feet in height to the maximum building height shall be allowed as a result of application or erection of the antenna or face mount. See also <u>Section 38-59</u> .

Private/public utility (e.g. substations, water wells, transformers, regulators, lift stations, telecommunications site)	S	S	S	S	S	S	S	S	See <u>Section 38-53</u> . A solid wall or fence shall surround the installation. Landscaping as per Subsection E above shall be provided to screen and/or buffer the installation as necessary to allow the use to blend with the surrounding properties and minimize noise and visual pollution.
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<p>Recycling collection centers (neighborhood scale only)</p>				S	S	S	S	S	<p>Hours of operation may be limited to mitigate noise to adjacent residences; equipment rooms and outdoor storage of materials shall be screened with opaque fencing; trash shall be contained and properly disposed of; the DRB and Planning and Zoning Commission may impose conditions to insure that noise, fumes, odors and congestion is avoided.</p>
<p>Private "Ham" radio telecommunication antennae</p>	C	C	C	C	C	C	C	C	<p>C: Antennae shall not exceed the building height limit.</p>

G.

Non-Conforming Uses, Structures, and Property. Many people refer to non-conforming uses as the "Grandfather Clause." If a use, structure, etc., was established legally under the previous code, it is considered a legal non-conforming use or non-conforming or non-complying structure. Except for the following, requirements stated in Sections 38.70-76 of the 2001 Zoning Code, as amended, shall apply.

1. If a legal non-conforming use becomes and remains vacant, a two (2) year time limit shall be placed on reestablishing the non-conforming use at that location.

H. *Parking Requirements.* The following exceptions to the parking requirements found in Sections 38-33 (land use matrix) and 38-58 of the 2001 Zoning Code, as amended, shall be used in the SMO:

1. Buildings within the SMO constructed prior to 1955 shall not be required to provide off-street parking.
2. Buildings within the SMO constructed after 1955 shall be required to provide off-street parking pursuant to the requirements of Sections 38-33 (land use matrix) and Section 38-58 of the Zoning Code, as amended. These buildings and properties shall be eligible to use:
 - a. The historic district parking exceptions found in Section 38-58.G.2. of the 2001 Zoning Code, as amended, whether the development is commercial or residential; and/or
 - b. The on-street parking allowance found in Chapter 38-58.G.3, for new development, subject to any restrictions placed by Traffic Engineering for applicable roadways; and
 - c. Surface materials for parking areas for residential or non-residential developments may be pervious materials such as stone or brick pavers or compacted crushed stone (gravel). If gravel is used, single-family and duplex parking areas may use compacted crusher fine or "pea" gravel, but multi-family and non-residential development parking areas shall be limited to using a minimum one-inch diameter size, compacted gravel. Concrete parking pads are not permitted to be installed abutting adobe walls to avoid damage due to "wicking" (transfer of moisture trapped beneath the concrete to the adobe wall).
3. Parking areas for new development of non-residential and multi-family uses, including garages and carports, are not permitted in the required front setback of the subject property.
4. The HPC shall have the authority to modify or waive requirements of the off-street parking Section 38-58 of the Zoning Code or of this Section, with the concurrence of the City's Traffic Engineer, if the HPC determines that such modification would result in a project that better advances the purposes of the SMO and positively addresses its design standards.

I. *Signage.* All signage shall be of materials and design that are compatible with the architecture of the structure and the residential character of the neighborhood. Electronic moving/digital signs are not permitted in the SMO. Sign permit applications shall be submitted for approval to the Community Development Department in accordance with Chapter 36 of the LCMC with the following modifications:

1. *Off-Premises Signs:* No off-premises signs shall be allowed in the SMO except for the following:

- a. Political signs, which shall follow regulations stated in Chapter 36 of the LCMC
 - b. Yard/Garage sales, etc., and displays regarding community events or holidays, which shall follow regulations stated in Chapter 36 of the LCMC
 - c. Existing legally permitted off-premise signs such as billboards shall be considered legally non-conforming and shall be regulated in accordance with Chapter 38-70 through 76 of the LCMC.
2. *On-Premises Freestanding Signs:*
- a. Ground signs shall be the only freestanding sign allowed within the SMO, except on Lohman and Amador Avenues, and shall be no greater than five feet in height. Only one ground sign per commercial property shall be permitted. Ground signs must be set back at least five feet from any property line and must be at least five feet away from the wall of the building.
 - b. Ground signs shall be no greater than two square feet in overall size.
 - c. Ground signs may be illuminated and shall follow regulations stated in Chapter 39 of the LCMC (Outdoor Lighting).
 - d. Properties developed as business centers shall conform to the following:
 - i. One ground sign identifying the name of the center and individual businesses is permitted if desired.
 - ii. A property containing a business center sign may not have additional freestanding signs, except for Temporary signage, which shall follow Chapter 36 of the LCMC.
 - e. All ground signs shall comply with Clear Sight Triangle requirements.
 - f. On-premises pole signs on Lohman and Amador Avenues are allowed and shall follow the standards of Chapter 36 of the LCMC.
3. *On-Premises Attached Signs.* Attached signs shall follow size and placement regulations for attached signage in Chapter 36 of the LCMC.
4. *Portable A-frame signs.* An A-frame sign means a self-supporting, portable sign with one or two faces that are adjoined at the top and displayed at an angle, which is designed to be placed where pedestrians walk or gather and ADA accessibility is assured. The sign shall not be permanently anchored or secured and shall be removed at the end of the establishment's business hours. Sign language is limited to advertising the business name, location, and goods or services provided.
- a. All agents, employees or representatives displaying an A-frame sign on public property in the CBD shall comply with the following provisions:
 - i. One A-frame sign per business may be displayed during regular business hours;
 - ii. A-frame signs shall be no greater than 6 square feet on one side, no more than 12 square feet total, and shall be no greater than 3 1/2 feet in height;
 - iii. An A-frame sign shall be installed and removed by the business or property owner;

- iv. No A-frame sign shall be erected in such a manner so as to obstruct ADA access or vehicular traffic;
 - v. A-frame signs shall only be displayed immediately in front of the business;
 - vi. No A-frame sign may be located on public property such as sidewalks or parkways;
 - vii. No business or property owner shall display any sign advertising another business or a business no longer open to the public;
 - viii. The business or property owner shall be responsible for any damage caused to public property by the sign;
 - ix. The business or property owner assumes all risks with setting up an A-frame sign and shall not hold the City responsible for any accidents or loss in the installation, removal, or operation of the sign.
5. *Inflatable Signs or Pennants.* Temporary inflatable pennants, streamers and other fluttering devices shall be permitted for a special event lasting up to 14 days per event and only four such events shall be allowed per parcel per calendar year.
6. *Prohibited Signs.* The following signs are prohibited:
- a. Variable electronic message display boards, whether temporary or permanent.
 - b. Permanent banners.
 - c. Pennants, streamers, and other fluttering devices exceeding the time limits of temporary uses noted above.
 - d. Real estate, construction, contractor and "coming soon" signs over 12 square feet in area or over five feet tall.
 - e. All other signs as prohibited in Chapter 36 of the LCMC.
7. Existing legally permitted signs shall be considered legally non-conforming and shall be regulated in accordance with Chapter 38-70 through 76 of the LCMC.
- J. *Transfer of Duties to the Historic Preservation Commission (HPC).* To ensure quality property development and renovation and to protect the historic character of the neighborhood, the design review duties previously assigned to the South Mesquite Design Review Board shall be transferred to the Historic Preservation Commission. In accordance with LCMC Chapter 40 Historic Preservation, Section 40-07, the HPC shall evaluate and determine the exterior design appropriateness of proposals for new construction, additions, exterior alterations, and rehabilitation of properties within the South Mesquite Overlay.
- 1. The Historic Preservation Commission is established in Chapter 40 Historic Preservation, Section 40-06, Historic Preservation Commission.
 - 2. Duties of the HPC relevant to the South Mesquite Overlay (SMO).
 - a. The HPC shall review the following permit applications for properties lying within the SMO and shall have final authority on these permits relative to exterior design criteria for:

- i. Any new primary structure(s);
 - ii. Manufactured homes for compliance to SMO design standards, with limitations pursuant to State statute;
 - iii. Any new accessory structure in excess of 120 square feet;
 - iv. The conversion of an accessory structure to a primary structure such as a garage or shed to a casita;
 - v. Additions to an existing primary structure that was constructed 50 years prior to the current building permit application, whether or not it is listed as Contributing on the State or National Mesquite Street-Original Townsite Historic District Inventory. The Applicant shall provide evidence of the year built;
 - vi. Additions to accessory structures in excess of 120 square feet (one time or cumulative);
 - vii. Window or door replacement on street-facing facades;
 - viii. Any alterations to the street facade of the primary structure or any alternations to an accessory structure over 120 square feet in size; and
 - ix. Any alterations, replacement, or changes to the roof resulting in an alteration of the style of roof of a primary structure or accessory structure over 120 square feet in size.
- b. The HPC shall establish criteria for issuance of Certificates of Appropriateness (CoA) which shall reflect the purposes of the design guidelines, standards, and criteria of this Section. These criteria shall be attached to the permit application for Applicants to review prior to submittal.
- c. The HPC shall review and make recommendations to the Community Development Director for the following:
- i. Flexible Development Standard Waivers. The HPC shall be the recommending body to the Community Development Director for Tier 1 and Tier 2 FLEX waivers.
- d. The HPC shall review and make recommendations to the Planning and Zoning Commission for the following:
- i. Planned Unit Development (PUD).
 - ii. Variances. Except when this Section authorized the HPC to make the final decision on waivers, exceptions, or variances, the HPC shall be the recommending body to the Planning and Zoning Commission.
 - iii. Special Use Permits.
 - iv. Land Use/Zone Changes. It is possible to request an additional land use for a specific parcel that is not already noted within the permitted use list within the SMO. Each request will be considered on a case-by-case basis and shall be deemed compatible with neighboring land uses and shall satisfy the purposes of the SMO. These requests will be processed per the rezoning process noted in Section 38-10 of the 2001 Zoning Code, as

amended and this section. The HPC shall be a recommending body to the Planning and Zoning Commission. Final action on this additional land use request shall be made by the Planning and Zoning Commission unless appealed to the City Council.

- e. Cases not listed above shall go before the HPC if design issues related to the historic integrity of the neighborhood are involved or at the discretion of the Department Director or designee.
 - f. Infill Development District Projects. The Infill Development Overlay District provisions of Section 38-48 of the 2001 Zoning Code, as amended, shall not apply to development projects within the SMO. The SMO lies entirely within the Infill Development Overlay District and development proposals subject to the SMO regulations shall be reviewed by the HPC for recommendation to the legislative body, Community Development Director, Subdivision Administrator, Building Official, or other applicable person or body, as appropriate.
 - g. State- or Nationally-funded projects requiring review by the State Historic Preservation Officer (SHPO) are exempt from review by the HPC. In New Mexico, "State-funded" includes funding by municipalities.
3. Decisions of the HPC.
- a. Members of the HPC shall state the factual basis and the findings of their vote. Findings shall be based on Design Standards found herein, information from staff reports and staff presentations, public comment, and one or more of the following:
 - i. References to the Zoning Code or other applicable codes;
 - ii. Design Guidelines for the South Mesquite District;
 - iii. The Secretary of Interior Standards for Rehabilitation;
 - iv. *The New Mexico Historic Cultural Properties Inventory Manual*; and
 - v. Projects other than those requiring approval by the HPC shall be reviewed for compliance to design standards by Community Development staff and are required to meet all other applicable City Codes.
 - b. Decision of Approval. If the HPC approves an application, it shall articulate the conditions (if any) to the approval and instruct staff to issue a Certificate of Appropriateness (i.e., action form). A copy of the Certificate shall be placed in the case file and a copy shall be provided to the Applicant and to the permitting and inspections sections.
 - c. Decision of Denial. If the HPC denies an application, the Notice of Decision shall identify the design standards or other requirements of this Section 38-49.2 that the proposed work conflicts with and shall also explain the Applicant's right to appeal the denial to City Council (as per Subsection P of this Section 38-49.2). A copy of the Notice of Decision shall be placed in the case file and a copy shall be provided to the Applicant.

4.

Issuance of Certificates of Occupancy or Completion. Staff having prepared the Certificate of Appropriateness (CoA) shall review the final completion of the project for consistency with CoA prior to the issuance of the Certificate of Occupancy or Completion for the project.

- K. *Design Guidelines:* Specific design guidelines, standards, and criteria shall be used by staff and the HPC to determine the appropriateness of construction and rehabilitation projects, and to determine whether the request is consistent or inconsistent with existing development.
1. Applicable development must ultimately utilize architectural styles, methods, and materials that are visually compatible with the original structure, surrounding structures (especially where new construction is proposed), and the overall character of the historic district. This should not be interpreted as a requirement to mimic existing styles or construction materials, but as a means for these types of projects to result in a visually compatible transition between old and new structures within the general neighborhood and/or on a single parcel of land.
 2. When evaluating proposals for new development, additions, or rehabilitation in the SMO, the structure's contribution to the neighborhood comes in to play. Most of the SMO historic structures are located within the Original Townsite. These historic structures deserve the most protection and, therefore, the design standards for these are stricter than for newer buildings. There are also many structures listed as contributing on the historic register outside of the Original Townsite; these, too, follow the same design standards as those in the Original Townsite.
 3. In addition to the standards stated herein, staff and the HPC shall review projects based upon *The Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings*, and *The New Mexico Historic Building Inventory Manual* (1980). These resources are available for public review in the Community Development Department or on the City's website.
 4. Ordinary maintenance and repair of any exterior architectural feature in or on a contributing building may be undertaken without a Certificate of Appropriateness provided this work is in keeping with the architecture or character of the building and does not cause a loss of its historic integrity. If such work requires a permit, Community Development staff shall evaluate these permits for consistency with the Design Standards of this Section.
 5. Criteria for Requesting and Granting Building Height Exceptions. Pursuant to Section D.8 of the SMO, the building heights within the SMO are limited to 14 feet and one story. Through a variance procedure to the HPC, a property owner may request a variance from this maximum building height or number of stories limitation provided that the HPC finds that the proposed building satisfies the following criteria:
 - a. For new construction: (a) The building is similar in height to another building or buildings within the same block; (b) the second story is set back from the first story by a minimum of 15 feet; (c) second story windows facing the street shall be small or clerestory; (d) second

story windows facing adjacent residential properties shall be frosted to insure neighbors' privacy; and (e) the design of the building shall satisfy the design standards and guidelines of the SMO.

- b. For additions: (a) the addition is limited to 20 percent of the total footprint of the primary building; (b) the addition must be setback or stepped back from the street-facing facade; (c) for additions to buildings deemed Contributory to the Historic District, materials and colors of the addition shall distinguish the addition from the original structure; (d) second story windows facing the street shall be small or clerestory; (e) second story windows facing adjacent residential properties shall be frosted to insure neighbors' privacy; and (f) the design of the building shall satisfy the design standards and guidelines of the SMO.
 - c. The maximum building height allowed with a variance procedure shall be 25 feet. The maximum number of building stories allowed with a variance shall be two stories
- L. *Design Standards.* Additional components that must be given specific attention include the following criteria:
- 1. *Design Standards for All Properties in the SMO:*
 - a. New construction shall reflect a style consistent with those found in *The New Mexico Historic Building Inventory Manual* (1980) and shall be consistent with the styles of Design Guidelines or Manual established by the HPC for the SMO and with other historic structures found on the same street segment.
 - b. New construction shall maintain a visual balance and rhythm of the walls, doors and windows along any given street segment.
 - c. Manufactured homes shall meet design criteria for new construction to the greatest extent possible without altering the structural integrity of the home. This shall include the style and type of materials forming the exterior facade as well as the type and material of skirting that shall be is compatible in type and materials with adjacent and nearby historic structures.
 - d. Additions and remodeling projects shall utilize materials that are consistent with the character and architecture of the existing structure. The same materials must be used on all sides of a structure.
 - e. Changes in materials on a single structure, such as stucco to wood siding or visa-verse, may be made if the different material is also in keeping with the architecture or character of the structure and does not diminish the historic integrity of the structure to any great extent. Changes in materials must also be consistent with other materials used in the neighborhood.
 - f. Fences/walls shall be of a material that is compatible with the structure or compatible with other fences/walls in the neighborhood.
 - i.

Chain link or square wire fencing is prohibited except if used in a small area within the interior of a lot, such as for a dog run or surrounding a private swimming pool, and cannot be viewed from a public street.

- ii. Existing chain link or square wire fencing may be temporarily removed if necessary, but the same fencing must be replaced exactly as it was.
 - iii. An old chain link or square wire fence may not be replaced with new chain link or square wire fencing; if replaced, the new fence must come into compliance with this Section.
 - iv. If a chain link or square wire fence is damaged through no fault of the property owner, the fence may be replaced exactly as it was.
 - v. The HPC has the authority to modify or waive the above wire fence restrictions on a case-by-case basis with a Certificate of Appropriateness.
- g. Construction fencing must be removed from site within three (3) days of issuance of a Certificate of Occupancy or a Certificate of Completion.
- h. Dumpsters for commercial or multi-family developments are required to be screened from any streetside facade.
 - i. Second story elements and single-story structures built to the side or rear property lines shall incorporate window types (e.g. clerestory, frosted) and placement in such a way as to protect the privacy of adjacent neighbors.
 - j. Outdoor lighting shall meet the City's Outdoor Lighting Ordinance (Chapter 39 of the LCMC) and light fixtures shall be consistent with the architectural character of the structure and neighborhood. Fluorescent tube lighting fixtures are prohibited.
2. *Design Standards for Structures Listed as Contributing on the State or National Mesquite Street-Original Townsite Historic District Inventory.*
 - a. Additions are not permitted to primary façades, it must be set back from the front façade.
 - b. Additions and remodeling projects shall have architectural treatments and styles, features, and details as the existing structure, but shall not duplicate those of the existing structure in a manner that will make the addition indistinguishable from the existing structure.

Distinguishing characteristics could include, but are not limited to:

 - i. Setting back the addition from the original structure a distance to be determined by the proposed addition's relation to the scale and form of the original structure;
 - ii. Varying trim, finish texture, facade height, color, etc. to some slight degree;
 - iii. Separating the addition from the original structure by a connector;
 - iv. Varying the window or brick pattern from the original.
 - c. If applicable, to the extent architecturally practicable, new additions should be attached to any existing noncontributing portion of the structure instead of attaching them to the contributing portion.
 - d.

The owner shall make every attempt to repair or restore historic windows. Historic windows that cannot be repaired or restored shall be duplicated in size, style, and material of the original to the greatest extent possible. No opening shall be widened or narrowed except as required to comply with building code standards, unless historic documentation supports its prior existence. Vinyl-clad or aluminum windows may be used if they resemble the original windows in size and style. Thermal double pane glass may be used.

- e. Original doors shall be retained, and repaired or restored to the greatest extent possible. If existing doors are beyond repair, new ones shall match the original material and should also be similar in design. Flat surfaced and contemporary doors with small decorative windows shall be avoided. No door opening shall be widened or narrowed except as required to comply with Building Code standards, unless historic documentation supports its prior existence.
 - f. Existing porches or portals shall not be enclosed, unless historic documentation supports its prior existence.
 - g. No new opening shall be made where one presently does not exist unless historic documentation supports its prior existence. An exception may be made to comply with Building Code standards for egress.
 - h. No existing opening shall be enclosed unless historic documentation shows that the existing opening is not original to the structure.
 - i. Existing roof styles and materials shall be maintained or replaced in kind. The addition of parapets, canals, or other roof features should only be considered if they are in keeping with the architectural style of the structure.
 - j. Specific colors of structure and trim shall not be criteria in evaluating the proposal.
- M. *Installation of Solar Panels or Other Alternative Energy Equipment.* Enhancing the energy efficiency of a historic building is important. To that end, it is often possible to install features such as solar panels and photovoltaic cells provided they are installed in a sensitive manner. However, for some historic buildings, it may not be possible to incorporate solar panels and meet the Secretary of the Interior's Standards for Rehabilitation. The following standards for installation of these systems shall apply:
1. Installation of panels must be reversible and not damage the historic integrity of the building and district.
 2. Solar panels should be installed on rear slopes or other locations not highly visible from the public right of way whenever possible. Panels should be installed flat and not alter the slope of the roof.
 3. Flat roof structures should have solar panels set back from the roof edge to minimize visibility. Pitch and elevation should be adjusted to reduce visibility from the public right-of-way.
 - 4.

Use solar panels and mounting systems that are compatible in color to established roof materials. Mechanical equipment associated with the solar panel system should be treated to be as unobtrusive as possible.

5. Use of solar systems in windows or on walls, siding, awnings or shutters should be installed with limited visibility from the public right-of-way.
6. In circumstances where solar collectors are not placed on rooftops, they should only be positioned in limited or no-visibility locations in secondary areas of the property. Use vegetation or a compatible screen if necessary to further reduce the visual impact of these features on a historic property.

N. *Submittal and Review Process.* The following submittal and review procedures are established to protect persons and property in the South Mesquite Overlay District. Applications shall be obtained from the Community Development Department, Building Permit Section.

1. Buildings/Structures. Prior to the filing of an application for development and/or signs, a pre-application conference to meet with Community Development Department Staff to review the proposal is required.
2. Following the pre-application meeting, the Applicant shall submit one copy of all application materials for the development to the Community Development Department for review. Upon submittal, staff shall review the submittal for completeness. If all the required items have been submitted, the Community Development Department shall deem the application complete and shall begin its review process.
3. The minimum submittal requirements for development proposals shall include the following information that is relevant to the proposal:
 - a. A Development Application, with appropriate materials required for the SMO, as determined by Community Development staff at the pre-application meeting. The submittal shall include a scaled site plan that includes the following, as applicable:
 - i. Property boundaries.
 - ii. Location of all structures.
 - iii. Age of structures.
 - iv. Setbacks of all structures, existing and proposed.
 - v. Parking layout, if applicable.
 - vi. Ingress/egress access points.
 - vii. Areas proposed for landscaping.
 - viii. Surfacing material for impervious surfaces, if applicable.
 - ix. Storm water ponding areas.
 - x. Dumpster location(s).
 - xi. Location of service and loading area(s).

- xii. Freestanding and attached sign locations where applicable.
 - xiii. North arrow.
 - xiv. Any other information which conveys how the proposal will meet development requirements.
- b. A statement of objectives to be achieved by the development, inclusive of a description of the character and anticipated use of the proposed development.
 - c. If the structure is listed as contributing on the State or National Mesquite Street—Original Townsite Historic District inventory, a description of the known history of the structure shall be included. Photos are encouraged to support the purpose of the application.
 - d. Scaled elevations or renderings which are detailed enough so that a realistic picture is given of the proposed project to a close approximation of the finished project. It should be apparent from the submission that the design criteria herein have been met to the greatest extent possible. Color architectural/artistic renderings shall:
 - i. Reflect all aspects/views of the exterior of the structure
 - ii. Demonstrate the use of building materials through the drawings or with a legend or an attached list.
 - iii. Detail the fenestrations, other building openings, rooflines, ornamentation, woodwork, and other features of the structure.
 - e. If required, the Applicants shall present their proposal to the HPC at a public hearing. At that time, a formal decision by the HPC regarding the proposed project will be made and a Certificate of Appropriateness or Letter of Denial will be issued by staff within five days. This record of the HPC shall be entered into the Case File for reference by building inspectors, plan examiners, and other relevant City staff. Public hearing procedures and notice requirements will follow that of the Planning and Zoning Commission found in Section 28-10.D.3.
 - f. Those projects not required to be reviewed by the HPC shall be reviewed by Community Development staff using the same criteria and procedures found herein.
 - g. A scaled landscaping plan shall include:
 - i. Location, size, and common name of all landscaping
 - ii. A complete irrigation plan shall be included, clearly identifying how the landscape will be sustained.
 - h. Community Development staff shall ensure that the Applicant satisfies any conditions of approval stated in the Certificate of Appropriateness (CoA); if the Applicant proposes any changes to the project involving architectural or structural elements, location, or materials that alters the CoA approval conditions, the Applicant shall submit revised plans for review by the HPC. If the Community Development staff, upon inspection prior to issuance of a

Certificate of Occupancy or Completion, notices that the Applicant changed a design element that is inconsistent with the CoA, the Applicant shall submit a revised plan showing the changed element and the HPC shall review the change to see if it meets the SMO design guidelines, standards, and criteria. The HPC shall have the authority to recommend to the City's Building Official that the substituted element be removed and replaced with one that is approved by the HPC.

4. Variances. A variance shall be defined as a variation in the numerical requirements of the 2001 Zoning Code, as amended, or the Sign Code. Numerical variances to the clear-sight-triangle requirements shall be considered, reviewed, denied, or approved by the Public Works Director or designee. Height exceptions may be granted by the HPC pursuant to the provisions and design guidelines of subsections D and K.5. The Flexible Development Standard provisions of Section 38-56 of the 2001 Zoning Code, as amended, are applicable to the SMO provided that the Applicant for the waiver or exception submit the request to the HPC for a recommendation to the Director of the Community Development Department.
- O. *Demolition.* To preserve the character of the State and National Mesquite Street-Original Townsite Historic Districts and surroundings, this ordinance creates a sixty (60) day demolition permit application review process that will allow time for interested parties to explore alternatives to the demolition of historic structures.
1. Property owners intending to demolish any structure located within the SMO must adhere to the following 60-calendar day process. The Applicant may withdraw the permit application at any time with a written notice to the Director of the Community Development Department.
 2. Demolition permit applications shall be submitted to the Community Development Department prior to any demolition activity taking place. During the 60-day review, Community Development Department staff will review the application for compliance with the Las Cruces Building Code (Chapter 30 of the LCMC).
 3. A proposal for redevelopment of the property, with elevations, must accompany the permit application; this proposal shall describe a potential or proposed development proposal for the property, and whether it is proposed for the near or distant future.
 4. Prior to the demolition of a structure designated as Contributing within the State or National Historic District, the Applicant shall be responsible for fully documenting the structure, both interior and exterior, to provide a permanent record, in accordance with documentation procedures as follows. The demolition permit will not be approved without submittal and approval of this documentation by Community Development staff:
 - a. Completion of the New Mexico Historic Cultural Properties Inventory (HCPI)-Form, available in the Community Development office and online.
 - b. Photographing the property: Take several photos (front, rear, sides, close-up views, details, setting, etc.) of the historic structure proposed for demolition (primary structure and/or each historic accessory structure, such as a garage, sheds, etc.) Buildings that are not listed on the

historic register need not be included. For more information on documentation, please refer to the National Register Photo Policy Fact Sheet available in the Community Development Department and on-line.

- c. If known, a short history of the property should be included, in order to document how that property fits within the historic district or community.
 5. Posting: At the beginning of the 60-day review process, the Community Development Department will prepare a public notice sign that is to be posted by the Applicant in a conspicuous place on the property. The Applicant is responsible for ensuring that it is in place for the entire 60-day period. The Department will publish a legal notice describing the proposed demolition and contact information for the Applicant. A fee shall be charged to the Applicant for the cost of the public notice.
 6. At the beginning of the 60-day review process, the Community Development Department will inform the HPC, neighborhood associations, the New Mexico State Historic Preservation Office (SHPO), and other pertinent organizations or interested parties that a demolition permit has been applied for.
 7. A demolition permit shall be issued upon the completion of the following items:
 - a. The completion of the 60-day period;
 - b. Documentation of the structure as described above; and
 - c. The application meets all City Code requirements and has been approved by the Community Development Department Staff. (Code compliance comments regarding the proposed demolition may be resolved within the 60-day time period).
 8. Compliance with the procedure set out in this Section may be waived by the City Manager or designee if it is determined that immediate demolition of a historic structure is necessary to remove a hazard to the health, safety, and welfare of the public. In such a case, the Community Development Department shall immediately notify the HPC, neighborhood associations, SHPO, and other pertinent organizations and interested parties that demolition of the structure is imminent.
- P. *Appeals.* In the South Mesquite Overlay District, any applications for development must be approved by the City in order for a use permit, building permit, or sign permit to be issued. If required by this Section, review and approval by the HPC must precede issuance of a permit.
1. A decision made by staff may be appealed by any aggrieved person to the HPC. Such appeal must be made in writing within 15 calendar days of the staff decision. The appeal will be presented to the HPC at their next regularly scheduled meeting.
 2. A decision made by the HPC may be appealed by any aggrieved person to the Planning and Zoning Commission after all other procedures established by this Code have been exhausted. Such appeal must be made in writing within 15 calendar days of the HPC's decision in accordance with Chapter 38-13 of the LCMC.

3. A decision made by the Planning and Zoning Commission may be appealed by any aggrieved person to the City Council after all other procedures established by this Code have been exhausted. Such appeal must be made in writing within fifteen (15) calendar days of the Commission's decision in accordance with Chapter 38-13 of the LCMC.
4. Any person aggrieved by a determination of the City Council may appeal to the District Court within 30 days after the determination made by City Council, in accordance with Section 38-14 of the LCMC.
5. A request that is denied by the HPC and/or City Council shall not be resubmitted or reconsidered for a period of one year. However, after meeting with Community Development Department staff, a different request on the same property may be submitted no less than six months after such denial decision.

Q. *Enforcement of Overlay Zone District.* Provisions to enforce this Section shall be consistent with the Enforcement Provisions of Section 38-16 of the 2001 Zoning Code, as amended.

(Ord. No. 2354, § I, 1-22-07; Ord. No. 2681, § I(Exh. A), 5-6-13; Ord. No. 2765, § I(Exh. A), 10-19-15; Ord. No. 2938, § I(Exh. A), 8-17-21)