

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

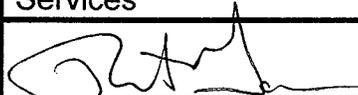
Council Action and Executive Summary

Item # 10Ordinance/Resolution# 14-067For Meeting of _____
(Ordinance First Reading Date)For Meeting of October 7, 2013
(Adoption Date)

Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE**TITLE: A RESOLUTION TO ADOPT THE EAST MESA COMMUNITY BLUEPRINT.****PURPOSE(S) OF ACTION:**

To adopt blueprint.

COUNCIL DISTRICT: 6		
<u>Drafter/Staff Contact:</u> Srijana Basnyat	<u>Department/Section:</u> Community Development/ Planning & Neighborhood Services	<u>Phone:</u> 528-3079
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The East Mesa Community Blueprint (EMCB) was initiated because of the unique rural environment of the East Mesa neighborhood area and keen interest shown by its residents to protect it. The EMCB is based on public input gathered during three neighborhood meetings between October 2012 and March 2013. The draft of the EMCB was posted on the City's website and e-mailed out for public comment on June 18, 2013.

The planning area for the EMCB lies to the east of Davis Road and south of Cortez Drive. The EMCB is intended to act as a brief policy plan for the planning area and as such, it does the following:

- a) Identifies issues (e.g. drainage) and opportunities (e.g. potential for a trail system);
- b) Establishes a vision whereby the residents emphasize their rural lifestyle and desire to balance the needs of all users within their community;
- c) Sets goals for the future of the area (e.g. ensure access to open space);
- d) Recommends actions to guide future planning and development efforts, such as updating the defunct zoning district of urban ranch.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", East Mesa Community Blueprint.
3. Attachment "A", Public comments/e-mails received after June 18, 2013.
4. Attachment "B", Memo on the EMCB background and planning process.

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below	
	No	<input type="checkbox"/>	If No, then check one below:	
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____	
	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)		
			<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue? N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.	
	No	<input type="checkbox"/>	There is no new revenue generated by this action.	

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will adopt the East Mesa Community Blueprint.
2. Vote "No"; this will reject the East Mesa Community Blueprint.
3. Vote to "Amend"; this could allow Council to modify the blueprint as it deems appropriate.
4. Vote to "Table"; this could allow Council to postpone consideration of the Resolution to adopt the East Mesa Community Blueprint and direct staff accordingly.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Resolution No. 11-234

RESOLUTION NO. 14-067**A RESOLUTION TO ADOPT THE EAST MESA COMMUNITY BLUEPRINT.**

The City Council is informed that:

WHEREAS, the purpose of the East Mesa Community Blueprint is to establish a vision statement, goals and actions to guide future planning and development efforts in the area defined by the blueprint; and

WHEREAS, the East Mesa Community Blueprint is in conformance with, and supported by, the goals, objectives and policies of the Land Use, Urban Design, and Community Facilities Elements of the 1999 Comprehensive Plan; and

WHEREAS, the East Mesa Community Blueprint is in conformance with the objective of the Community Planning Blueprint Initiative (Resolution No. 11-234) as it identifies community characteristics that need to be preserved and enhanced and is consistent with Transport 2040; and

WHEREAS, the Complete Streets Policy (Resolution No. 09-301) supports the East Mesa Community Blueprint recommendation on designing streets that complement and support the community character.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the East Mesa Community Blueprint as shown in Exhibit "A", attached hereto and made a part of this Resolution, is hereby adopted.

(II)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

Mayor

ATTEST:

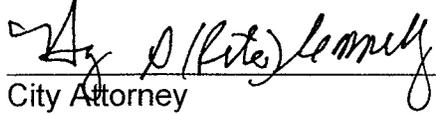
City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



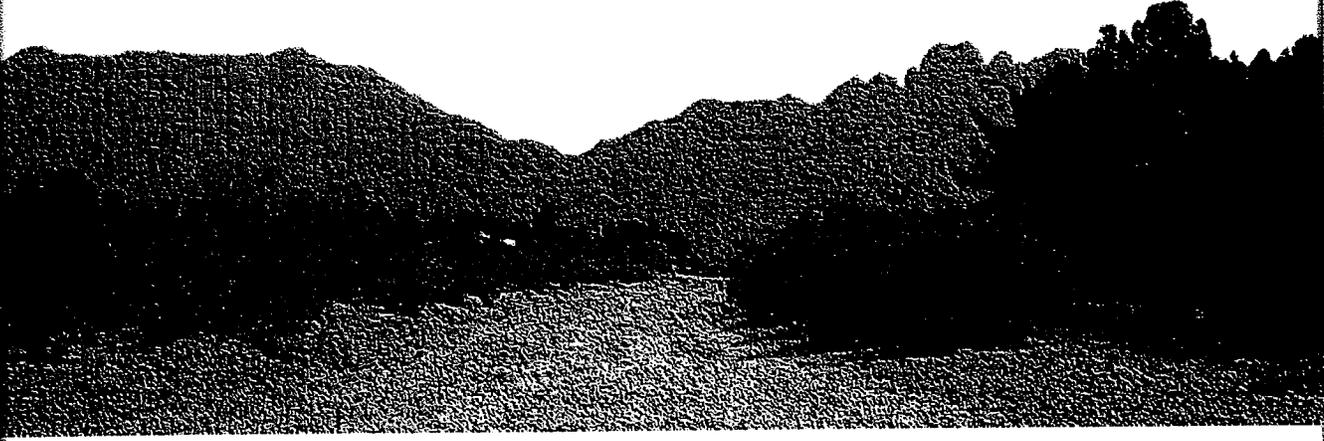
City Attorney

VOTE:

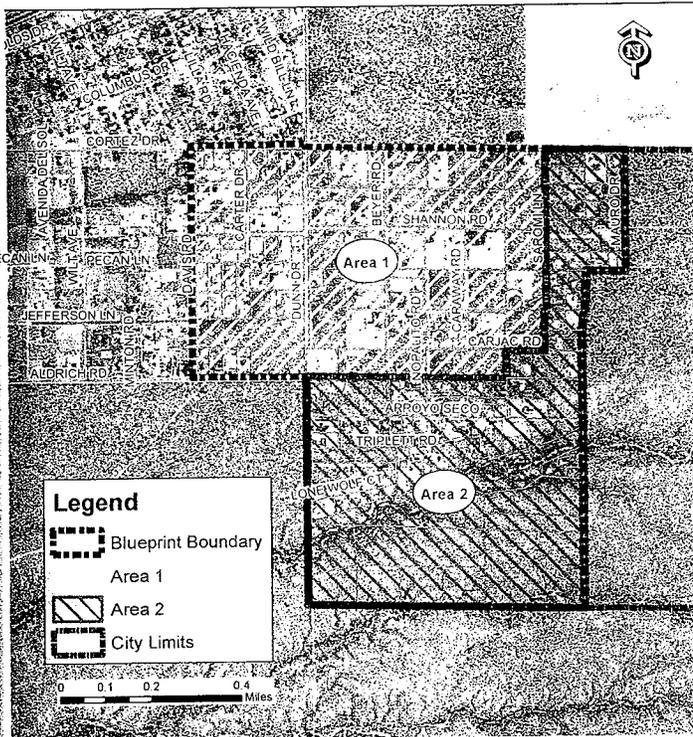
Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____



EAST MESA COMMUNITY BLUEPRINT



EAST MESA COMMUNITY BLUEPRINT



MAP 1: PROPOSED PLAN BOUNDARIES



SINGLE TRACK TRAIL *

Background

The East Mesa Community Planning Blueprint (EMCPB) planning area is located south of US Highway 70 and east of Porter Drive (Map 1). The planning area boundaries include the area inside the city limits (Area 1) as well as outside the city limits (Area 2). The blueprint also extends its influence over areas surrounding its boundaries that impact the overall accessibility and physical characteristics of the East Mesa neighborhood area.

The East Mesa neighborhood has certain qualities that distinguish it from other neighborhoods in the city: large residential lots; unpaved streets; natural desert landscape; large swaths of public and private undeveloped land surrounding the neighborhood; the natural features of the nearby Alameda Arroyo; horse and other large animal rearing, and relatively unobstructed views of the beautiful Organ mountains.

The East Mesa Community Blueprint is a policy guide for future planning and development efforts in the area. This blueprint was initiated because of the interest shown by area residents to plan for their neighborhood. This proactive community has been engaged throughout the process of developing the vision, goals/policies and actions for this blueprint.

Issues, Challenges & Opportunities

The planning process for the blueprint included three neighborhood workshops/meetings to discern the issues in the area, build consensus around a central vision for the future of the neighborhood and its surroundings, and finally, to develop a set of goals and actions for future planning efforts. At the second neighborhood meeting, residents were asked to rank their top four priorities from a

EAST MESA COMMUNITY BLUEPRINT

Issues, Challenges & Opportunities

set of nine issues that had emerged during the first meeting, with the option to add any other issue to the list. Preserving a rural atmosphere, improving the condition of roads and drainage in the area, rezoning of Urban Ranch property and reducing light pollution emerged as the most important issues for the community. Other issues included reducing dust and weeds in the area, discrepancies with street names and addresses, and sewer access or the lack thereof.

Preservation of Rural Atmosphere

The majority of participants that were polled at the second neighborhood meeting the existing rural character of their neighborhood: the development of smaller lots; more residents; increased traffic; less views of, or access to, open space; and new development that could change the physical appearance of the area. Through several polls, comment cards, an interactive mapping session, image preference dot exercise and discussions throughout the course of the three neighborhood meetings, residents identified community characteristics and ways in which to enhance their community: maintain the existing housing density, develop roads with a rural appearance, ensure access to open space and views of the night sky, and plan for equestrian amenities.

Roadways

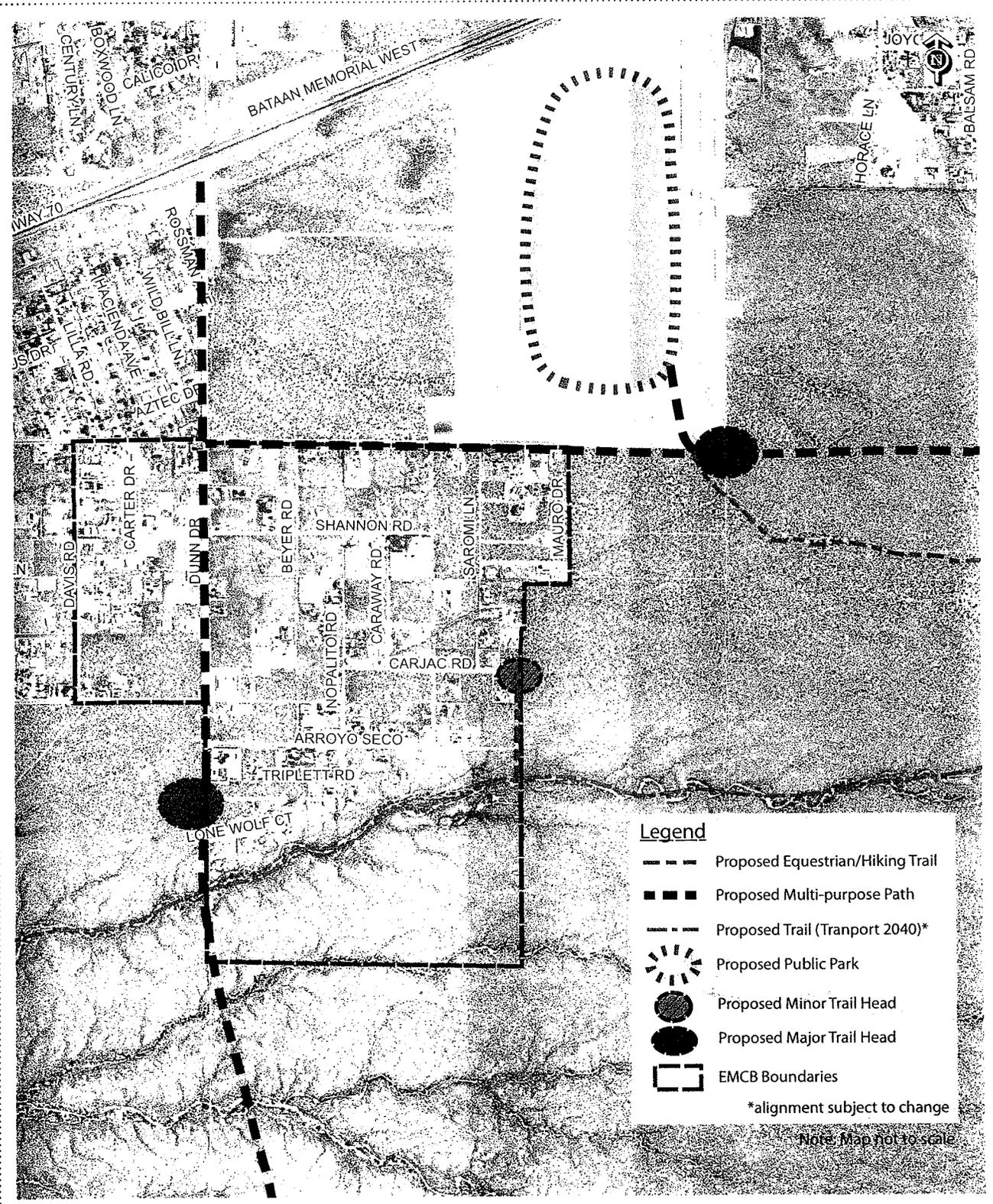
Roadway function and maintenance is a major concern in the area. Many of the roads in the area have not been designed per City standards and do not function well in terms of stormwater conveyance and drainage. Since most of these road surfaces are untreated and/or unpaved, they also contribute to the dusty conditions that concern residents. These issues are related to the fact that most local roads in this area are under private ownership. As a matter of practice, the City accepts maintenance responsibility on streets that have been dedicated to the City, which is contingent upon their being designed and built to City standards. However, current City standards are for general application throughout the city and may not be best suited for the context and/or users in the planning area.

The fact that many of the roads and trails in this area are not completely developed or not yet built, presents the opportunity to establish new rural and equestrian design standards for roadways and trails located here and in similar rural areas in the city. This also provides us with the opportunity to apply the Complete Street principles adopted by the City. Preferred cross-sections and images of trails



PREFERRED TRAILS: NATURAL SURFACE & SINGLE/SEPARATED TRACK *

EAST MESA COMMUNITY BLUEPRINT



MAP 2: FUTURE TRAILS NETWORK

EAST MESA COMMUNITY BLUEPRINT

Issues, Challenges & Opportunities

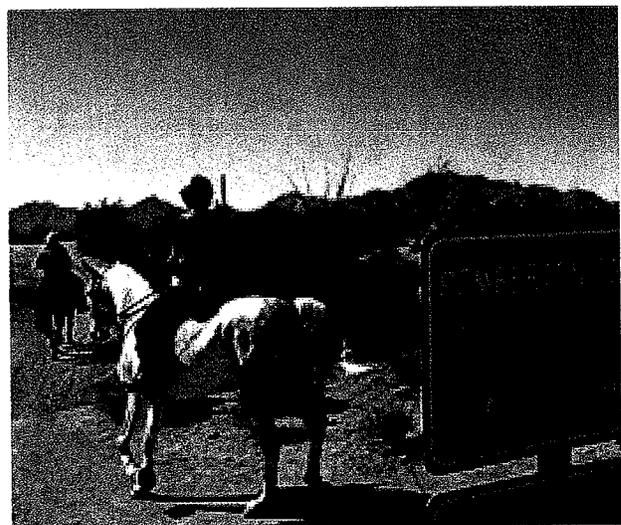
and roads, as indicated by the dot exercise, can serve as a starting point for the development of design standards in rural context zones of the city. The City has already experimented with modified cross sections and alternative paving for roads in this area.

Another opportunity that presents itself in the rural or semi-rural context of the East Mesa planning area is the potential to utilize low impact development and green infrastructure techniques to reduce the impact of development in terms of stormwater management. Such practices address drainage issues without compromising the look and feel of the relatively open desert and natural landscape in this area.

On a broader scale, developing natural desert trail connections and green infrastructure in combination with each other can provide functional, visual and ecological networks that can link to a city-wide or regional network of trails, paths and parks, ultimately leading to preserved areas, such as the Bureau of Land Management's Area of Critical Environmental Concern located further east of the planning area, adjacent to Eason Lane. Map 2 is an illustration of the future trails system for the planning area which is based on public input received during the mapping exercise.



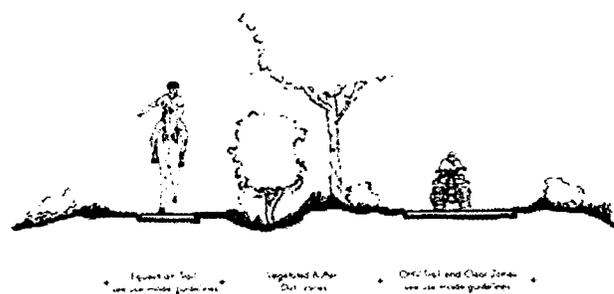
PREFERRED CROSS-SECTION *



MULTI-USER TRAIL *



MULTI-USER TRAIL *



PREFERRED CROSS-SECTION *

EAST MESA COMMUNITY BLUEPRINT

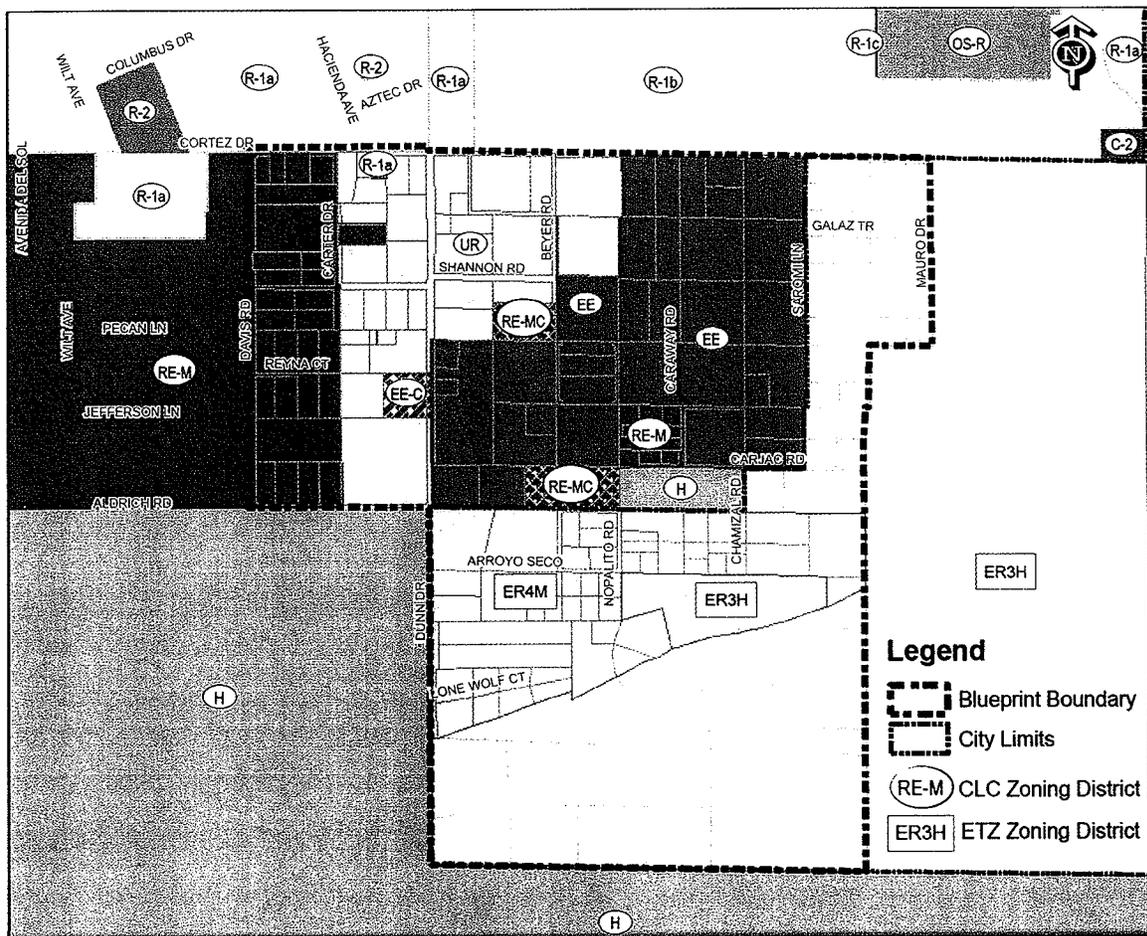
Issues, Challenges & Opportunities

Rezoning of Urban Ranch

Another concern for the planning area is the status of properties previously zoned Urban Ranch (UR). When the City updated its zoning code in 2001, the UR zoning district was removed and it became a non-conforming zoning district. Upon the adoption of the 2001 Zoning Code, the City provided a “grace period” to bring non-conforming zoning districts into compliance through rezoning. Despite public notifications and additional extensions to the grace period, some area residents

have expressed their lack of awareness of the UR rezoning process and its implications at that time. The use of parcels remaining in the non-conforming zoning district is limited to the City’s non-conforming provisions, beyond which they would need to be rezoned to a conforming zone. Participants at the neighborhood meetings were concerned that these non-conforming properties could be rezoned to a higher intensity/density zoning district.

Equestrian Estates (EE) is the current zoning district that is most similar to the UR zoning



MAP 3: EXISTING ZONING

EAST MESA COMMUNITY BLUEPRINT

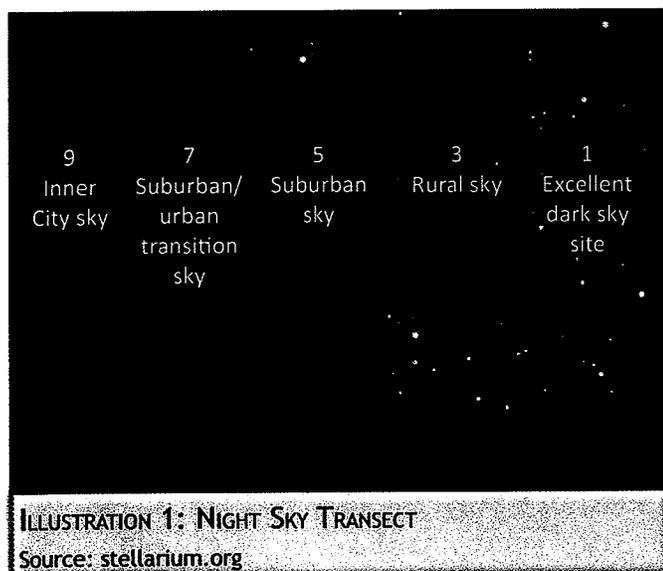
Issues, Challenges & Opportunities

district. Property owners of UR zoned land who attended the meetings indicated that they were willing to bring their property under compliance. A City-initiated rezoning process to convert all UR property in the area to an equivalent conforming zoning designation appeared to be the preferred option.

Night Sky

The concern over light pollution could partially be addressed by the recently adopted Outdoor Lighting Ordinance (Ord. no. 2662) for the city. The ordinance only regulates new development or substantial alterations to existing developments; however, property owners can choose to apply the standards in the ordinance and thereby voluntarily bring their properties into compliance. The ordinance provides a tiered approach for lighting standards, but focuses more on regulating outdoor lighting for commercial properties, whereas meeting participants considered residential lights, street lights and other undefined light sources more problematic in their area.

The rural night sky is a rare feature to find within the



setting of a city. In order to preserve the dark/night sky as an amenity and natural resource, more than one tier of protection or regulations for light may need to be assessed. One way to meet this challenge is to utilize the rural-to-urban transect where different standards apply according to the local context and the community is allowed to develop in a manner that embraces variations in physical settings along the continuum of the Transect (Illustration 1).

Other Issues

Some of the other issues brought up during the public input process are as follows: limited public access due to the lack of public rights-of-way; weeds in the surrounding area; dust in the area; illegal dumping; lack of convenient access to public transit; problems with property addressing and the lack of sewer. The City is already working on correcting addressing discrepancies in the neighboring subdivision and it will add this area's concerns to the effort.

The issue of public access is more complex as it involves agreements between private property owners and the City and/or County as well as determining financing options for acquisition of right-of-way. Challenging as it may be, developing a public network warrants further investigation.

On the issue of weeds, dust and illegal dumping, there are City and County ordinances in place that address these matters but implementation is dependent on enforcement capacity. One way of addressing these issues is to develop a neighborhood watch program. Although current densities may not justify expansion of public transit facilities, public transit planning efforts are guided by the City of Las Cruces Long

EAST MESA COMMUNITY BLUEPRINT

Issues, Challenges & Opportunities

Range Transit Plan which does recommend a high frequency bus route along Porter Rd. and a circulator route in the area. However, funding and timing for these public transit improvements are presently decades away unless circumstances change.

Finally, the issue of sewer access is somewhat contentious in that some residents are in favor of converting from septic to sewer while other residents view sewer service as a precursor to development of the type that is considered incompatible to the area in terms of form and function, ultimately depleting the natural views and destroying the rural character of the community. The City's Water and Wastewater System Master Plan identifies most of Area 1 (Map 1) as a priority area for connection to the City Wastewater Collection System. Property owners interested in connecting to the city's sewer system also have the option of forming an assessment district. Further communication between the property owners and the City's Utilities Department is required to investigate this option.

In order to enhance and support the natural setting and distinct neighborhood character of the East Mesa community, conservation subdivisions and/or clustered development should be encouraged to occur throughout this and the surrounding area. This would help to preserve views without compromising efficiency in infrastructure planning. Care should also be given to plan for convenience and services for residents in the area in a manner that complements the physical form of this semi-rural area. Although residents agreed that the majority of land in the area should be residential and recreational open space, polling indicates interest for nearby restaurant/entertainment options. There is also potential to expand the interests of this planning area to include special economic and

recreation amenity planning that could benefit the city at large. The City should explore the potential for tourism-related economic development that revolves around equestrian facilities and events. There is also benefit to the rest of the city in expanding and diversifying recreational opportunities in the form of a hike-bike-equestrian trail network.

As the area is poised for future development, it becomes imperative to have a set of goals and policies that can ensure any physical "improvements" do not destroy the nature of this community, but actually enhance it. This involves addressing the needs and desires of a rural community within the context of a continuously urbanizing city.

Balancing these seemingly antithetical interests is the greatest challenge faced by this community. On the other hand, this challenge also presents us with the opportunity to embrace innovative practices, expand our planning vocabulary and tools, and create a plan that responds to the needs of our residents while also carrying out goals, policies and objectives stated in the City's Comprehensive Plan.



COMMERCIAL BUILDING FORM *

EAST MESA COMMUNITY BLUEPRINT

Vision

The following is the vision statement for the East Mesa Community Blueprint, developed as part of the public input process:

The East Mesa is a unique community that embraces the rural lifestyle within the city. This is a place that respects its natural surroundings, offers access to open spaces and night skies, and one that balances the needs and activities of pedestrians, cyclists and motorists with those of equestrians and owners of large animals.

This blueprint articulates goals, policies/actions that form a guiding framework for the implementation of this vision.



CROSSINGS *

Goals

In order to address the Vision for the East Mesa community and the issues noted above, the following goals have emerged as the main points in evaluating new development or redevelopment options and improvements in the East Mesa planning area:

1. Maintain the existing rural community character by protecting the aesthetic and environmental quality of the planning area, its surroundings and its views.
2. Ensure future infrastructure design and development take into consideration the surroundings and the community's desires as identified by this blueprint.
3. Expand upon recreational opportunities, both at the neighborhood and regional scales, to ensure access to and promote functional linkages with the surrounding open space.
4. Provide public facilities and services that support residents and visitors of diverse backgrounds and needs without compromising the vision of this blueprint.

Actions

The following set of policies/strategies is intended to support the Vision and Goals for the East Mesa blueprint area and provide guidance in their implementation.

1. Convert the defunct zoning designation of Urban Ranch to a comparable current zoning district.
2. Develop appropriate design and roadway standards that enhance and protect the rural environment of the area.

EAST MESA COMMUNITY BLUEPRINT

Actions

3. Encourage the design of a multi-modal trail/pathway network within and around the planning area to enhance and facilitate non-vehicular access to the proposed public park off Cortez Road, as well as access to the Alameda Arroyo and surrounding open area.
4. Support the adoption of a conservation easement agreement among the City, NM State Land Office and private property owners, as recommended by the proposed trail network map in this blueprint.
5. Investigate the economic potential for utilizing equestrian-oriented site programming in and around the planning area.
6. Have residents work with the City Police Department to consider a neighborhood watch program to bolster police patrols and help aid in enforcement of illegal dumping.
7. Encourage Doña Ana County to recognize this blueprint during development review for properties within the Extra-territorial Zone (ETZ) that are included in the blueprint boundaries.

Notes

1. Current density in the planning area is 1 dwelling unit per 2.9 acres. However, the existing zoning permits 1 dwelling unit per acre in the city limits and 2 dwelling units per acre in the county.
2. Shannon Road utilizes a recycled asphalt millings surface. Jefferson Road, just outside the planning area has a modified cross-section.
- * Preferred images from dot exercise.

Related Plans & Policies

1. City of Las Cruces Long Range Transit Plan, 2012. Resolution No. 12-127.
2. Complete Streets Guiding Principles, 2009. Resolution No. 09-301.
3. Transport 2040: 2010 Metropolitan Transportation Plan. MPO Resolution No. 10-08.
4. Water and Wastewater System Master Plan Update, 2008, LCU Resolution No. 08-09-041.



EQUESTRIAN AND PUBLIC FACILITIES/AMENITIES *

EAST MESA COMMUNITY BLUEPRINT

Glossary

Complete Street: a street that is designed and operated to enable safe and convenient access for all users (pedestrians, bicyclists, motorists and transit riders of all ages and abilities).

For further information:

Transport 2040, Mesilla Valley MPO;
Complete Streets resolution, City of Las Cruces;
The National Complete Streets Coalition
<http://www.completestreets.org/>

Green Infrastructure: stormwater management techniques that conserve water. It focuses on control techniques that slow, capture, treat, infiltrate and/or store runoff at its source. It can be applied at the site (e.g., vegetated roofs, porous pavement, and cisterns), neighborhood (e.g., narrow street widths, vegetated retention areas, porous pavement, and street trees), or regional scale (e.g., management of tree populations in urban settings and open space preservation).

For further information:

United States Environmental Protection Agency
<http://water.epa.gov/infrastructure/greeninfrastructure/index.cfm>

Low impact development (LID): an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs techniques such as minimizing land disturbance, preserving and recreating natural landscape features, decentralizing stormwater management and minimizing impervious surfaces to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product.

For further information:

One Valley, One Vision 2040, Regional Plan adopted by the City of Las Cruces and Doña Ana County;
United States Environmental Protection Agency
<http://water.epa.gov/polwaste/green/index.cfm>

Transect: A transect is a cut or path through part of the environment showing a range of different habitats. To systemize the analysis and coding of traditional patterns, a prototypical American rural-to-urban transect has been divided into six Transect Zones, or T-zones. The T-zones vary by the ratio and level of intensity of their natural, built, and social components. The Transect is intended to be calibrated to local conditions.

For further information:

Center for Applied Transect Studies
<http://www.transect.org/transect.html>

Zoning Districts referenced in this blueprint:

City of Las Cruces

EE: Single-Family Equestrian Estate & Agriculture

RE: Single-Family Residential Estate

REM: Single-Family Residential Estate Mobile

REM-C: Single-Family Residential Estate Mobile with Condition(s)

R-1c: Single-Family Low Density

R-1a: Single-Family Medium Density

R-1b: Single-Family High Density

R-2: Multi-Dwelling Low Density

C-2: Commercial Medium Intensity

H: Holding

OS-R: Open Space-Recreational

Extraterritorial Zone

ER3H: Extra-territorial Zoning - Residential, 1-acre minimum lot size, horses allowed.

ER4M: Extra-territorial Zoning - Residential, ½-acre minimum lot size, mobile homes allowed.

For further information:

City of Las Cruces Zoning Code

<http://www.las-cruces.org>

ETZ Zoning Ordinance

<http://donaanacounty.org/development/regulations/>

EAST MESA COMMUNITY BLUEPRINT

Acknowledgements

CITY COUNCIL

Ken Miyagishima, *Mayor*
 Sharon Thomas, *Mayor Pro-Tem, District 6*
 Miguel Silva, *District 1*
 Greg Smith, *District 2*
 Olga Pedroza, *District 3*
 Nathan Small, *District 4*
 Gill Sorg, *District 5*

PLANNING & ZONING COMMISSION

Godfrey Crane, *Chair*
 William Stowe, *Vice Chair*
 Charles Beard, *Secretary*
 Charles B. Scholz
 Joanne Ferrary
 Ray Shipley

CITY MANAGER

Robert Garza, P.E.

ASSISTANT CITY MANAGERS

Brian Denmark, AICP, *ACM/COO*
 Mark Winson, P.E., *ACM/CAO*

Project Staff

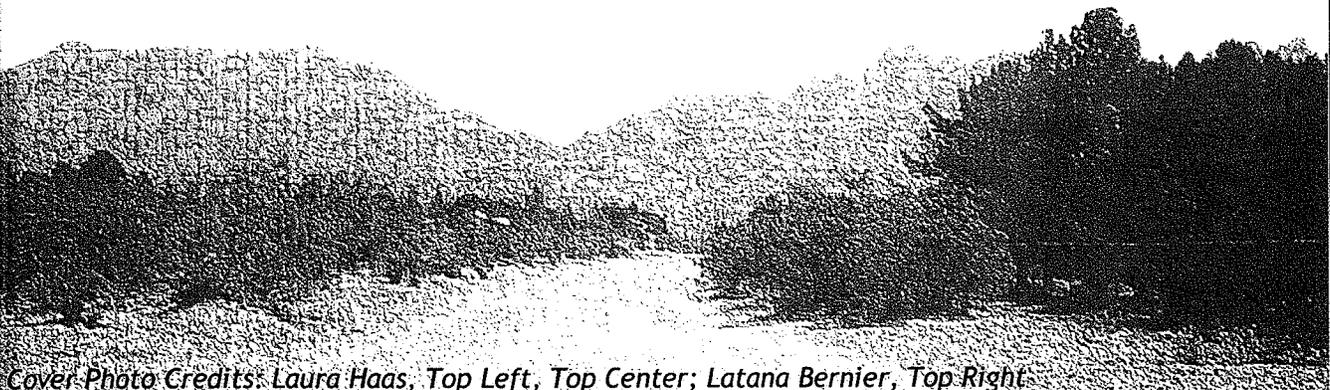
David Weir, AICP, *Community Development Director*
 Vincent Banegas, AICP, *Deputy Director*
 Paul Michaud, AICP, *Senior Planner*
 Srijana Basnyat, CNU-A, *Planner*
 Carol McCall, AICP, *Planner*

Contributing Staff

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 Adrienne Widmer, *Regulatory Environmental Services Administrator*
 Robert Kyle, AICP, *Building & Development Services Administrator*
 Rocio Dominguez, P.E., *Chief Development Engineer*
 Katherine Harrison-Rogers, *Senior Planner*
 Tom Murphy, AICP, *Mesilla Valley MPO Officer*
 Todd Taylor, *Associate Planner (through April 2013)*
 Steve Meadows, *Doña Ana County Planner*

Adoption

Resolution No.
 Month, Day, 2013



Cover Photo Credits: Laura Haas, Top Left, Top Center; Latana Bernier, Top Right

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Public comments/e-mails received after June 18, 2013**Correspondence from Brian Breitag**

From: brian breitag [mailto:carolbreitag@aol.com]
Sent: Friday, July 12, 2013 11:21 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint for P&Z

excuse me, the zoning I was referring to is EE, I don't mean to be rude, but, didn't you read my previous e-mails to you regarding this issue.? I will state this again, due to the city's actions that eliminated the UR zone, I lost a chance to sell my property, again, I was never notified of this change and am furious at the city's attitude towards this. I am not alone with these feelings, please pass my comments on to the council, thankyou

From: Srijana Basnyat <sbasnyat@las-cruces.org>
To: brian breitag <carolbreitag@aol.com>
Sent: Fri, Jul 12, 2013 5:24 pm
Subject: RE: East Mesa Blueprint for P&Z

Brian,

I would encourage you to attend the public hearing and present your viewpoint on record. If you are comfortable with someone else (a neighbor or friend/spouse) representing you at the hearing, that would be fine too. If that is not an option for you, I would be happy to relay your opinion on the UR matter at the P&Z public hearing. Just a matter of clarification: when you say "the zoning that all land owners had agreed to earlier," which zoning and which time are you referring to? Are you referring to the discussion at the neighborhood meetings for the blueprint or some other earlier time?

You also have the option of writing a letter to the Chair of the Planning and Zoning Commission, Mr. Godfrey Crane, and I can hand it to him at the hearing.

Please let me know what you decide.

Have a good weekend,

Srijana Basnyat

From: brian breitag [mailto:carolbreitag@aol.com]
Sent: Friday, July 12, 2013 3:40 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint for P&Z

Thankyou for the heads up, Unfortunately, I will not be able to attend, as I have stated before: I officially request that these UR zoned properties be reclassified to the zoning that all land owners had agreed to earlier, and that this rezoning be done at no cost to the land owners. If there is anyone on the board that I need to officially make this request to, please advise asap.

From: brian breitag [mailto:carolbreitag@aol.com]
Sent: Thursday, June 20, 2013 12:35 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint Draft

thankyou, I know processes take time, it is my sincere wish that this can be resolved as soon as possible

From: Srijana Basnyat <sbasnyat@las-cruces.org>
To: brian breitag <carolbreitag@aol.com>; Katherine H. Rogers <krogers@las-cruces.org>
Cc: Paul Michaud <pmichaud@las-cruces.org>
Sent: Thu, Jun 20, 2013 9:30 am
Subject: RE: East Mesa Blueprint Draft

Brian:

I was out sick yesterday so couldn't get to your question earlier.

The UR issue has been discussed throughout the Blueprint process, including comparable zoning districts (EE, REM, etc.) and you can find this information on the City's website at www.las-cruces.org/eastmesablueprint. Based on those discussions, it is very likely that the rezoning process will be City-initiated and that the updated zoning district will be EE. When the rezoning process starts, staff from the Building & Development Services section will contact the property owners in the Blueprint area zoned UR and ask them to participate in the rezoning.

The plan for now is to have the blueprint adopted by Council, which will formalize its recommendation to "update UR to a comparable existing zoning". Then decisions on the how and when of the zoning process can follow - we are probably looking at Fall, at the earliest. I am forwarding your email to Katherine Harrison-Rogers, Senior Planner in the B & Development Services section so that any further questions you may have on zoning can be addressed more thoroughly.

Sincerely,

Srijana Basnyat
Planner
Community Development Department
City of Las Cruces
(575) 528-3079

From: brian breitag [mailto:carolbreitag@aol.com]
Sent: Tuesday, June 18, 2013 8:58 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint Draft

Ok, I believe that you may have, is there any plan to grandfather us remaining UR owners to the new EE zone?

From: Srijana Basnyat <sbasnyat@las-cruces.org>
To: Brian Breitag <carolbreitag@aol.com>
Sent: Tue, Jun 18, 2013 3:07 pm
Subject: Re: East Mesa Blueprint Draft

Brian,

We mailed out a notice on November 26, 2012 to the address we had on file:

Brian & Carol Breitag
6794 Calico Dr
Las Cruces, NM 88012

Our address and parcel data source is the DAC Assessor's office. Since we did not receive a returned envelope from the above address, we assumed you had received it. Please let me know if we should be mailing you at a different address.

FYI, the entire blueprint process, including meeting announcements, has been made available on the City's website as well; but I understand that if you were completely unaware, you may not have known where to look. The East Mesa Neighborhood Association has also been posting all meeting announcements on their website.

Srijana Basnyat

From: brian breitag [<mailto:carolbreitag@aol.com>]
Sent: Tuesday, June 18, 2013 2:12 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint Draft

I am sorry also, I did not receive an invitation to the Dec 11 meeting, I only found out about this so called zone change because a potential buyer of some of my property contacted Katherine Rogers and was told of this, he then informed me that it was too much hassle and price to proceed with the sale. Thanks a lot.

From: Srijana Basnyat <sbasnyat@las-cruces.org>
To: brian breitag <carolbreitag@aol.com>
Cc: Katherine H. Rogers <krogers@las-cruces.org>
Sent: Tue, Jun 18, 2013 11:23 am
Subject: RE: East Mesa Blueprint Draft

Mr. Breitag,

I am sorry you feel that you were not properly informed or provided with advice that you do not agree with. That being said, I do assure you that your conclusion on what should be done to rectify the UR

issue seems consistent with our discussions at the previous neighborhood meetings for the East Mesa blueprint.

In particular, at the December 11th meeting (of which you were notified as with every other neighborhood meeting for the blueprint), city staff discussed the UR issue with the attending property owners. Although it would have been nice to have had a larger representation of UR property owners, those who consistently attended the blueprint meetings expressed their desire for the City to rezone the defunct UR designation to a comparable existing zoning district, preferably at no cost to the property owner.

You will notice that the blueprint draft specifically recommends the rezoning of UR as an action item. If City Council decides to adopt the blueprint as written, it will become a policy that will guide such actions. The procedure for rezoning property and notification follows official City procedures and is outside the purview of the blueprint. You can address questions regarding rezoning to Katherine Harrison-Rogers, who is our Senior Planner in charge of zoning.

If you are concerned with the UR zoning action in the blueprint or unsatisfied with the way it is worded, do let me know and I can include your preference in the presentation for Planning & Zoning Commission next week. If you have any other questions related to the blueprint, please feel free to contact me.

Sincerely,

Srijana Basnyat
Planner
Community Development Department
City of Las Cruces
(575) 528-3079

From: brian breitag [<mailto:carolbreitag@aol.com>]
Sent: Tuesday, June 18, 2013 9:36 AM
To: Srijana Basnyat; desertozes@gmail.com; abthomiggs@yahoo.com; cjboeker@msn.com; rvtoddcoffelt@yahoo.com; semperfi@zianet.com; donbrown@steinborn.com; elizaluns@yahoo.com; garosile@zianet.com; Jean@zianet.com; sw_41@hotmail.com; jon.p.haas@gmail.com; jose.e.gomez@hotmail.com; johnsonstott@aol.com; lauralowellhaas@gmail.com; pbwneedham@q.com; randyl@zianet.com; tredogday@gmail.com; rethomps@nmsu.edu; tomusna66@aol.com; wdhancock@gmail.com
Cc: Adrienne Widmer; Louis Grijalva; Rocio Dominguez; Jamey Rickman; Paul Michaud; Carol McCall
Subject: Re: East Mesa Blueprint Draft

Hello, my name is Brian Breitag, I own property that is currently zoned UR or whatever. I was never notified that this zoning had been changed in 2001, I was never notified that there was a grace period either. I have talked to numerous people that also are still zoned this way, all were surprised that they would have to pay for a zoning that they never wanted or they could not add additions to their property or sell to anyone that would want to build without the added expense of the zoning change. I have been told the your department never informed the land owners of these propertys that this change was going to happen, only statements in the local news, this is not acceptable and I am disgusted that I am told by the city that it "you don't have to rezone to sell it". Is the city telling me that I should not inform potential buyers of this? Why not charge

landowners a small fee to change to EE or better yet, just grandfather us in to the new Zone since it was the city that decided to change this zoning in the first place.

Correspondence from Jean McElmurry

From: Jean McElmurry [mailto:jean@zianet.com]
Sent: Monday, July 15, 2013 7:24 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint for P&Z

Not many people think the sun news is worthy reading so do not take it

Jean McElmurry

Sent from my iPad

Correspondence from Pamela Needham

From: pbwneedham@q.com [mailto:pbwneedham@q.com]
Sent: Saturday, July 13, 2013 4:45 PM
To: Srijana Basnyat
Subject: Re: East Mesa Blueprint for P&Z

Thanks to you, and all of the others involved, for keeping us informed. I appreciate the work you have put into this.

Thank You,

Pamela S. Needham

Correspondence from Rose Thompson

From: Roseann Thompson [mailto:rethomps@ad.nmsu.edu]
Sent: Thursday, July 18, 2013 4:46 PM
To: Srijana Basnyat
Cc: Laura & John Haas; Jon Haas; Jean; Ralph McElmurry
Subject: Re: East Mesa Blueprint for P&Z

I think that is awesome - thank you!

Sent from my iPad

On Jul 18, 2013, at 3:02 PM, "Srijana Basnyat" <sbasnyat@las-cruces.org> wrote:

Rose,

Thank you for your suggestion. Because of formatting and some accuracy issues (which I can elaborate if you need me to), I suggest:

1. Delete the sentence, "this grace period was extended several times and ended on September 3, 2005" from the blueprint; and
2. Incorporate your suggestion in the following combined but more concise statement:

"Despite public notifications and additional extensions to the grace period, some area residents have expressed their lack of awareness of the UR rezoning process and its implications at that time."

If this will do, then I can make the suggestion to Commission and if accepted, we can make the change before it goes to Council.

Srijana Basnyat
Planner
Community Development Department
City of Las Cruces
(575) 528-3079

From: Roseann Thompson [<mailto:rethomps@ad.nmsu.edu>]
Sent: Wednesday, July 17, 2013 6:21 PM
To: Srijana Basnyat
Cc: Laura & John Haas; Jon Haas; Ralph McElmurry
Subject: Re: East Mesa Blueprint for P&Z

Hi Srijana -

Would 1 sentence after the information about the history of the zoning change be ok? something along the lines of "Although the city did use the accepted forms of public information at the time of the zoning change, many residents in the area were not aware of the impact that losing UR zoning would have or that action was required on their part to bring their properties forward to the commission for a zoning change." Would something along these lines be ok?

Thanks, Rose

Sent from my iPhone

On Jul 15, 2013, at 6:30 PM, Srijana Basnyat <sbasnyat@las-cruces.org> wrote:

Rose,

The UR zoning change was done as part of a city-wide repeal of the 1981 Zoning Code, commonly referred to as the 2001 Zoning Code update adopted in August 2001 by Ordinance Number 1884. All of

the notification regarding the 2001 zoning code, extensions, and subsequent modifications was done via public means, not individual notice to individual property owners. This type of notification for a major rewrite of a zoning code is typical. Newspaper ads were the primary notification as required by New Mexico State Statute. I have looked at the staff report that was recorded as part of the ordinance for the 2001 Zoning Code update which mentions meetings with stakeholder groups and several Planning & Zoning/Council work sessions. The staff report also provides the Council hearing newspaper ads in the Las Cruces Sun News of July 8, 2001 and Aug 12, 2001. The noticing for the Council hearing and staff report states folks had two years to use the existing 1981 zoning uses and intensity. Another ordinance* states that a four year timeline was provided to bring non-conforming properties into compliance. There was at least one other instance of an extension period mentioned in Ord. No. 1999 that extended the grace period another year. I have placed a request with the City Clerk to see if she might have any additional information on notification procedures for the 2001 Zoning code update. However, it is very likely that records that old may no longer exist. If they do, you can place a public information request with the City Clerk.

That being said, I do understand your (and your neighbors') frustration if you somehow were not aware of any of the notices at the time. If approved by City Council, the blueprint action to "Convert the defunct zoning designation of Urban Ranch to a comparable current zoning district" will provide direction to staff to move ahead with a process to rezone properties zoned UR in the Blueprint boundaries. The rezoning process itself is a separate process from the blueprint. It will follow Section 38-10 of the City Zoning Code, which includes noticing provisions related to the public hearing for action on the rezoning. This presently includes posting the public hearing meeting agenda six calendar days prior to the meeting, notifying by mail property owners within 200 feet of the subject parcels, and 15 calendar day advance notice of the public hearing in a newspaper of general circulation. The Council is reviewing changes in notification procedures which will likely result in increased required notification as early as the end of this summer.

To your question of whether we can include past UR information in the blueprint, I would suggest not because the blueprint is supposed to be a short policy document with only the most pertinent information required to build future plans or implement future development in the planning area. The sentiment of UR property owners is documented as part of the public input and I will relay Brian's opinion on the matter at the hearing.

* I can send you the ordinance # tomorrow when I get back to work. I tried locating it online but was unsuccessful.

Sorry for the overly long email, but I hope this helps address your concern. If you would still like to state something regarding the UR issue, you are more than welcome to do so at the P&Z hearing. See you there – and this time we will definitely have time for public comment!

Sincerely,

Srijana Basnyat
Planner
Community Development Department
City of Las Cruces
(575) 528-3079

From: Roseann Thompson [mailto:rethomps@ad.nmsu.edu]
Sent: Friday, July 12, 2013 7:59 PM
To: Srijana Basnyat
Cc: Laura & John Haas; Jon Haas; Jean; Ralph McElmurry
Subject: Re: East Mesa Blueprint for P&Z

Hi Srijana - I should be at the meeting on the 23rd.

I have one suggestion about the UR zoning. In the document you say that there were several extensions on offering re-zoning until 2005. I'm pretty active in the area and had no idea that this would have been allowed. I never received any notifications of it and I don't believe any of the current owners with UR zoning knew about it either as I am sure several would have acted on it - in particular the Browns (I don't have their email but would have cc'd them to see if they had received some sort of notification) and the guy that sent you an email just before the planning commission meeting (Brian?). Is there some way to find out how if/how they were notified and include that information in the document?

Thanks, Rose

Sent from my iPad

On Jul 12, 2013, at 1:59 PM, "Srijana Basnyat" <sbasnyat@las-cruces.org> wrote:

Good afternoon,

This is to inform you that the East Mesa Community Blueprint is on the agenda for the Planning & Zoning Commission public hearing:

Date- July 23, 2013
Time- 6:00 p.m. (first item on the regular agenda)
Place- City Council Chambers, City Hall, 1st Floor, 700 N. Main St

There were no changes requested at the P&Z work session last month, so the draft content remains the same. The blueprint has been reformatted into a booklet, which you can view on the project webpage at www.las-cruces.org/eastmesablueprint. I hope you like it and continue to support it at the public hearing. The P&Z will make a recommendation to City Council on whether they should adopt the blueprint and make it an official policy document (by resolution).

Please let me know if you have any questions or comments.

Regards,

Srijana Basnyat
Planner
Community Development Department
City of Las Cruces
(575) 528-3079

**City of Las Cruces****Community Development
Memorandum**

To: Robert Garza, City Manager

From: Srijana Basnyat, Planner

Subject: East Mesa Community Blueprint Background and Planning Process

Date: August 26, 2013 File No.: M-13-216

The East Mesa Community Blueprint (EMCB) is a policy document created to identify and address issues and opportunities in the planning area. Some of the topics that concern area residents are: road maintenance, drainage and the potential for conventional development to diminish the rural characteristics of the area. The EMCB also establishes the long-range vision for the area whereby neighborhood residents emphasize their rural lifestyle and desire to balance the needs of all users within their community. Further, the EMCB defines goals and recommends actions to help realize the community's vision and guide future planning and development efforts in the planning area.

The East Mesa Community Blueprint is based on public input gathered during three neighborhood meetings between October 2012 and March 2013. Results and compilation of input received at the meetings have been regularly posted to, and are available for viewing on the City's website at www.las-cruces.org/eastmesablueprint. The draft of the EMCB was e-mailed out to past meeting participants and stakeholders on June 18, 2013. The draft is also posted on the City's website.

The Blueprint reflects and advances the goals and policies from the 1999 Comprehensive Plan, as noted below:

Land Use Element, Goal 1, Objective 3, Policy 2

Rural and urban residential land uses may be distinguished via differing characteristics. A rural residential area may not possess all City services/infrastructure and may lack nearby commercial nodes and centers. A rural area may also be characterized by farming (as may be seen in the Valley), large-sized lots or by a ranching lifestyle (as may be seen in the East Mesa).

The Blueprint distinguishes the rural character and needs of the East Mesa neighborhood from other city neighborhoods which are more urban or suburban in character.

Urban Design Element, Goal 1, Objective 3, Policy 1

Encourage districts and/or neighborhoods (commercial or residential) throughout the community to establish themes for their respective neighborhood or district. Themes and styles should be called out in a neighborhood/district plan, in accordance with the Land Use Element.

The Blueprint identifies the preservation of a rural atmosphere as a central theme and presents goals and actions along with a set of preferred images in order to capture and enhance that theme.

Urban Design Element, Goal 2, Objective 5, Policy 1

Advocate an appropriate balance between physical development and open space that will provide a desirable environment and quality of life in the urban area as well as perpetuating the unique natural and rural environments of the region.

The Blueprint calls for a balanced, context sensitive approach for roadway design and identifies the area as a unique environment appropriate for green infrastructure and clustered development.

Community Facilities Element, Goal 1, Objective 2, Policy 6

The City should encourage a comprehensive recreational trail system which provides linkage between parks, recreational facilities, and other activity centers. Trails should be multi-purpose thus allowing a myriad of people to use them and should be easily accessible and well maintained.

The trails map in the Blueprint illustrates the approximate locations and functionality of a trail system that can connect to a larger network.

The Community Planning Blueprint Initiative (Resolution No. 11-234) states the following objectives:

- *Identify characteristics, features, or conditions that need to be replicated, preserved or enhanced throughout the community.*
- *Ensure consistency with the Las Cruces Metropolitan Planning Organization's Metropolitan Transportation Plan currently titled Transport 2040 Plan and provide information for future updates to this transportation plan.*

The Blueprint defines the community characteristics such as access to open space and views that should be protected. The Blueprint also informs and influences the transportation plan in terms of users, trail network and context for roadway design.

Transport 2040 also supports the Blueprint with the following policies:

- *Utilize complete street designs - provide for all modes of transportation - when building or reconstructing streets.*

- *All transportation planning and projects should improve safety for all users, with particular focus on the most vulnerable users.*

The City's Complete Streets policy (Resolution No. 09-301) states:

Streets should be designed to complement and support the adjoining land uses, buildings and community character such that the resulting street environment is attractive and of appropriate scale.

The Blueprint recommends future roadway design be sensitive to the rural context. Context-sensitive solutions take community character, adjoining land uses and buildings into account to create human-scaled, aesthetically pleasing and user-appropriate designs.

On July 23, 2013, the Planning and Zoning Commission voted (4-0-0) to recommend to the City Council the adoption of the East Mesa Community Blueprint.

cc: Brian Denmark, Assistant City Manager/COO
David Weir, Community Development Director
Vincent Banegas, Community Development Deputy Director
Paul Michaud, Senior Planner