



Madam Chair Lucero suggested amending MTC to include how many times can the same business apply within a time frame.

Commissioner Walkinshaw stated MTC 15.05.10 under business definition, business does not include leasing of residential property. Due to our current state of reviewing short-term rental ordinance, this section needs to be looked at and amended if necessary.

CDC Salazar continued reviewing this section and gave a brief outline of application process. Preliminary meeting is held first to discuss requirements of code and submission process to include all supplemental documents.

Packets are sent out to PZHAC 3 to 5 days before meeting. Any questions or concerns about the application/minutes need to contact CDC before meeting in efforts to address issue before the meeting and give applicant due process. Postponing cases due to lack of information or documentation should be avoided if possible.

Applications being reviewed during meeting need to meet all MTC. A condition to approve can be placed in lieu of denying request due to missing information at that particular time. Conditions to approve should not be happening often.

Importance to read and understand the MTC. It is everyone's responsibility to include CDC to understand and make decisions based on code requirements and not personal opinions. Mr. Salazar is not an expert on code interpretation, it is simply his view and commission should take it into consideration but make their own decisions. Always more helpful to reference the exact section of MTC when giving support or opposing requests from the public.

Any communication between CDC and commission will be via your Town of Mesilla (TOM) email address.

Business fees are \$35 and \$10 late fee for being late. There is no time frame on how late a business can be from renewing and still pay only \$10. Late fee should be \$20-\$25/month up to a year. Any business not renewing license a year after expiration, should have business license voided.

Once permit is approved, permit/license is available for pickup at town hall. New Mexico Construction Industries Division should not approve any building permits within TOM without Mesilla approval first.

Madam Chair Lucero asked if there was a resolution that defines CDC administration approval authority. CDC Salazar answered no, not at this time. If there is no resolution by BOT defining administrative approvals, then no administrative approvals should be given until then. Specifically concerned with the historical district. Any permits need to come before the commission, there is a process. CDC will be discussing concerns with Mayor Hernandez.

CDC Salazar reviewed 3 types of permits: A, B & C. Administrative permit, Historic District permit & Non-Historic permits.

- A. Administrative approvals for renovations and minor repairs.
- B. Historic District – changes in exterior of structure(s) to be reviewed by PZHAC & BOT.
- C. Non-Historic – to be reviewed only by PZHAC for heated living space additions and new residential structures.

Required documents for approval along with application. Engineer stamps not required for plans unless it is a property plat with a proposed structure being within 5 feet of the allowable setback for the particular zone. It is CID requirements to have stamps on plans.

Madam Chair Lucero talked about historic preservation and historic district. It's important to follow MTC 18.33 and historic registry. Training in this subject is necessary.

Thomas Maese CID Inspector stated engineer plans required for commercial property and not so much on residential property. When TOM lost building department, CID took over responsibility for inspections. Whenever the code talks about building department, it is referring now to CID as we have taken over.

Emergency situations have been brought up. Those things happen and we need to be able to take consideration of the situation and do what we can to help the applicant with the emergency. State of NM wants to be on the same page as TOM.

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**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION  
(PZHAC) SPECIAL MEETING AT THE MESILLA TOWN HALL,  
2231 AVENIDA DE MESILLA.  
MONDAY- JULY 8, 2024, AT 2:00 PM**

- 1. PLEDGE OF ALLEGIANCE**
- 2. INTRODUCTION OF NEW COMMISSIONER(S)**  
Lori Miller – new commissioner  
Martha Mulvihill – alternate commissioner
- 3. ROLL CALL AND DETERMINATION OF A QUORUM**

Madam Chair Lucero – present  
Commissioner Miller – present  
Commissioner Walkinshaw – present  
Commissioner Gallegos – absent  
Commissioner Salas – absent  
Commissioner (alternate) – present

**4. CHANGES / APPROVAL OF AGENDA**

Madam Chair Lucero – remove PZHAC # 061823 and PZHAC Business Lic Case #1229 from agenda.  
Needs to be first obtain a Historical Appropriateness Permit as stated on MTC 18.33.080.

1<sup>st</sup> motion by Commissioner Walkinshaw  
2<sup>nd</sup> motion by Commissioner Miller

Commissioner Miller – yes  
Madam Chair – yes  
Commissioner Walkinshaw – yes

Approved 3 to 0.

**5. PUBLIC INPUT**

*The public is invited to address the commission regarding items listed on the agenda as allowed by the chair. You can also email your comments to [clerktreasurer@mesillanm.gov](mailto:clerktreasurer@mesillanm.gov) at least seventy-two (72) hours prior to the meeting.*

Catherine Walkinshaw – asked item 7(e) not be voted on and forwarded to BOT in its current form for final approval. Met with Mayor Hernandez last week and he agreed to form a Ad Hoc Committee and review

before it is brought to commission and governing board for approval. (emailed public comment to be recorded)

Rafael Geck – oppose Case #061823 & Business Case #1229. Historic District disappearing due to new construction in the historic zone. If they want to operate a short-term rental, should be with an existing building. An old wine cellar has disappeared on that property. It has been covered up. This individual doesn't live in Mesilla.

This individual requesting approval has a daughter on the BOT that should recuse herself from voting.

Mary Helen Ratje – enjoys Ralph Geck to come to meeting and speak. Read something and asked her brother Michael Taylor, a historic preservation specialist, the basement should be filled in. Historically, that is his recommendation. I read them on a board of trustee minutes in the past when this issue was brought up.

Agrees and echoes Catherine Walkinshaw comments to the short-term rental item on agenda. Should allow an ad hoc committee to be formed to discuss the new proposed ordinance so we can look at this and do it right.

Madam Chair asked to define what an ad hoc committee is.

Mary Helen Ratje – it is not an official committee proposed by the mayor to form in efforts to involve the community participation and discuss the subject at hand. Committee is dissolved as soon as the subject matter is addressed. (emailed public comment recorded)

Susie Y. has lived in Mesilla for 30 years and has had a short-term rental for about 6 years. Doesn't seem to fit Mesilla. Asking to work with the ad hoc committee and make this ordinance fit Mesilla. So it is fair and can live with it.

Melanie Goodman owner of a short-term rental. Echoing what Catherine Walkinshaw and Mary H Ratje regarding short-rental ordinance. Include public and form a diverse group to form an ad hoc committee. Als, respectfully requested to hold meetings in the evening so working people can attend. (emailed public comments to be recorded)

Nathan Smith in support of forming an ad hoc committee. Shares a house here in Mesilla as a short-term rental. Currently travel back and forth to New York and Mesilla. I live sharing my house with others.

## 6. APPROVAL OF CONSENT AGENDA

*\*Note: Items on the Consent Agenda, indicated by an asterisk (\*), will be voted on with one motion unless a commissioner requests that a specific item be removed for discussion.*

- a. **PZHAC MINUTES:** \*JUNE 18, 2024, Regular Meeting Minutes
- b. **PZHAC SIGN #061845** – 2355 Calle de Guadalupe, submitted by Mi Corazon Encantado. Requesting approval to install a wall sign by the front door of her business. ZONE: Historical Commercial (HC).
- c. **PZHAC SIGN #061853** – 2030 Calle de Parian, submitted by Maia L Baca. Requesting approval to install a hanging sign in the front entrance of her business. ZONE: Historical Commercial (HC).
- d. **PZHAC BUSINESS #1245** – 2030 Calle de Parian, submitted by Maia L Baca. Requesting approval to operate a retail business, Flippin' Vintage. Relocating from Truth of Consequences, NM. ZONE: Historical Commercial (HC).

Commissioner Walkinshaw – #061853 requested be removed from consent agenda and be moved and reviewed as an action item on the agenda.

Commissioner Miller – second the motion not to include 6/18/24 draft minutes as she was not present.

1<sup>st</sup> motion by Commissioner Walkinshaw

2<sup>nd</sup> motion by Commissioner Miller

Commissioner Miller – yes

Madam Chair – yes

Commissioner Walkinshaw – yes

Approved 3 to 0. Draft minutes to be removed from approval and #061853 moved as an action item.

## 7. ACTION AND CONSIDERATION

- a. **PZHAC BUSINESS #1229** – 2450 Calle de Principal, submitted by Armijo Felix. Requesting approval to operate a short-term rental business if approved to build 30x36 ft building. ZONE: Historical Commercial (HC). (removed from agenda)
- b. **PZHAC CASE #061823** – 2450 Calle de Principal, submitted by Felix Armijo. Requesting approval to build a 30 x 36 ft structure for the purpose of operating short-term rental business. ZONE: Historical Commercial (HC). (removed to agenda)
- c. **PZHAC SIGN #061853** – 2030 Calle de Parian, submitted by Maia L Baca. Requesting approval to install a hanging sign in the front entrance of her business. ZONE: Historical Commercial (HC). (moved from consent agenda)

Community Development Coordinator (CDC) Salazar included with case last minute update on her proposed sign.

1<sup>st</sup> motion by Commissioner Walkinshaw

2<sup>nd</sup> motion by Commissioner Miller

Commissioner Miller – yes

Madam Chair – yes

Commissioner Walkinshaw – yes

Approved 3 to 0. Condition sign be a wall sign and not a projecting sign. Needs a minimum 7 ft above sidewalk and 2/3 center of building. Also, 4ft from the wall and sturdy to support sign. It needs to be a wall sign due to a ductwork type on the building. It will impede being able to put a projecting sign at the height required. Having it above the duct work would be too high on the building.

CDC Salazar spoke with applicant regarding this possible issue. There is space above the “duct work”. Not sure if commission would consider it being placed above it.

Commissioner Walkinshaw felt sign would be too high.

Approved 3 – 0 with condition it be a wall sign and not a projecting sign.

- d. **PZHAC CASE #061850** – 2550 Calle de San Albino, submitted by Irma Chavez-May. Requesting approval to install 6 ft coyote fence. ZONE” Historical Residential (HR).

1<sup>st</sup> motion by Commissioner Walkinshaw

2<sup>nd</sup> motion by Commissioner Miller

Commissioner Miller – yes  
Madam Chair – yes  
Commissioner Walkinshaw – yes

Approved 3 – 0 with the condition the gate/door be no higher than 6 ft as the rest of the proposed coyote fence.

**e. Mesilla Town Code; Historic Preservation 18.33.030 Authority.**

*The designation of the town's historic zones is made pursuant to the Historic Districts and Landmarks Act, Section 3-22-1 through 3-22-5 NMSA 1978. [Ord. 2011-03; Ord. 2008-02 § 1].*

Propose to adopt the entirety of the section 3-22-1 through 3-22-6. Allows municipalities to have jurisdiction over state agencies in efforts to preserve our historic zones.

1<sup>st</sup> motion by Commissioner Walkinshaw

2nd motion by Commissioner Miller

Commissioner Miller – yes  
Madam Chair – yes  
Commissioner Walkinshaw – yes

Approved 3 - 0

**f. SHORT-TERM RENTAL PROPOSED ORDINANCE – town attorney has reviewed STR ordinance after 2<sup>nd</sup> workshop held by PZHAC. Any last changes to proposed ordinance need to be made before forwarding it to BOT.**

1<sup>st</sup> motion by Commissioner Walkinshaw to table case and form a ad hoc committee.

2nd motion by Commissioner Miller

Commissioner Miller – yes  
Madam Chair – yes  
Commissioner Walkinshaw – yes

Approved 3 – 0

**8. COMMISSIONERS / STAFF COMMENTS**

CDC Salazar welcomed and thank new commissioner and alternate commissioner. Looking forward to working with public in forming ad hoc committee regarding short-term rental ordinance.

Madam Chair also welcomed new commissioners. Encouraged new commissioners to read ordinance and ask questions. Attend training sessions when available and looking forward to work sessions.

Commissioner Walkinshaw asked if the alternate commissioner be replaced and new opening. CDC to follow up with mayor.

**9. ADJOURNMENT**

1<sup>st</sup> motion by Commissioner Walkinshaw

2nd motion by Commissioner Miller

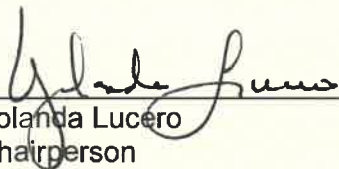
Commissioner Miller – yes  
Madam Chair – yes  
Commissioner Walkinshaw – yes

Approved 3 – 0.

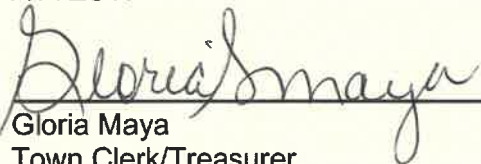
**NOTICE**

If you need any accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us on 524-3262 at least 48 hours prior to the meeting.

Posted on 7/1/2024 at the following locations: Town Hall - 2231 Avenida de Mesilla; Public Safety Building - 2670 Calle de Parian; Mesilla Community Center - 2251 Calle de Santiago; Shorty's Food Mart - 2290 Avenida de Mesilla; and the U.S. Post Office - 2253 Calle de Parian.

  
Yolanda Lucero  
Chairperson

ATTEST:

  
Gloria Maya  
Town Clerk/Treasurer

