

Sec. 38-46 WMIP - West Mesa Industrial Park Overlay Zone District

A. PURPOSE. The purpose of the West Mesa Industrial Park Overlay Zone District is to implement land use and urban design policies as established in the West Mesa Industrial Park Master Plan and Development Strategy. Specifically, the purposes of this Zone are to specify provisions which will guide the development of the West Mesa Industrial Park, promote and encourage a growing economy, protect the natural and existing environment within the Park, provide clean industry and employment for the City of Las Cruces and its residents, and develop, maintain and enhance existing commercial and industrial uses and the aesthetic features of the Park.

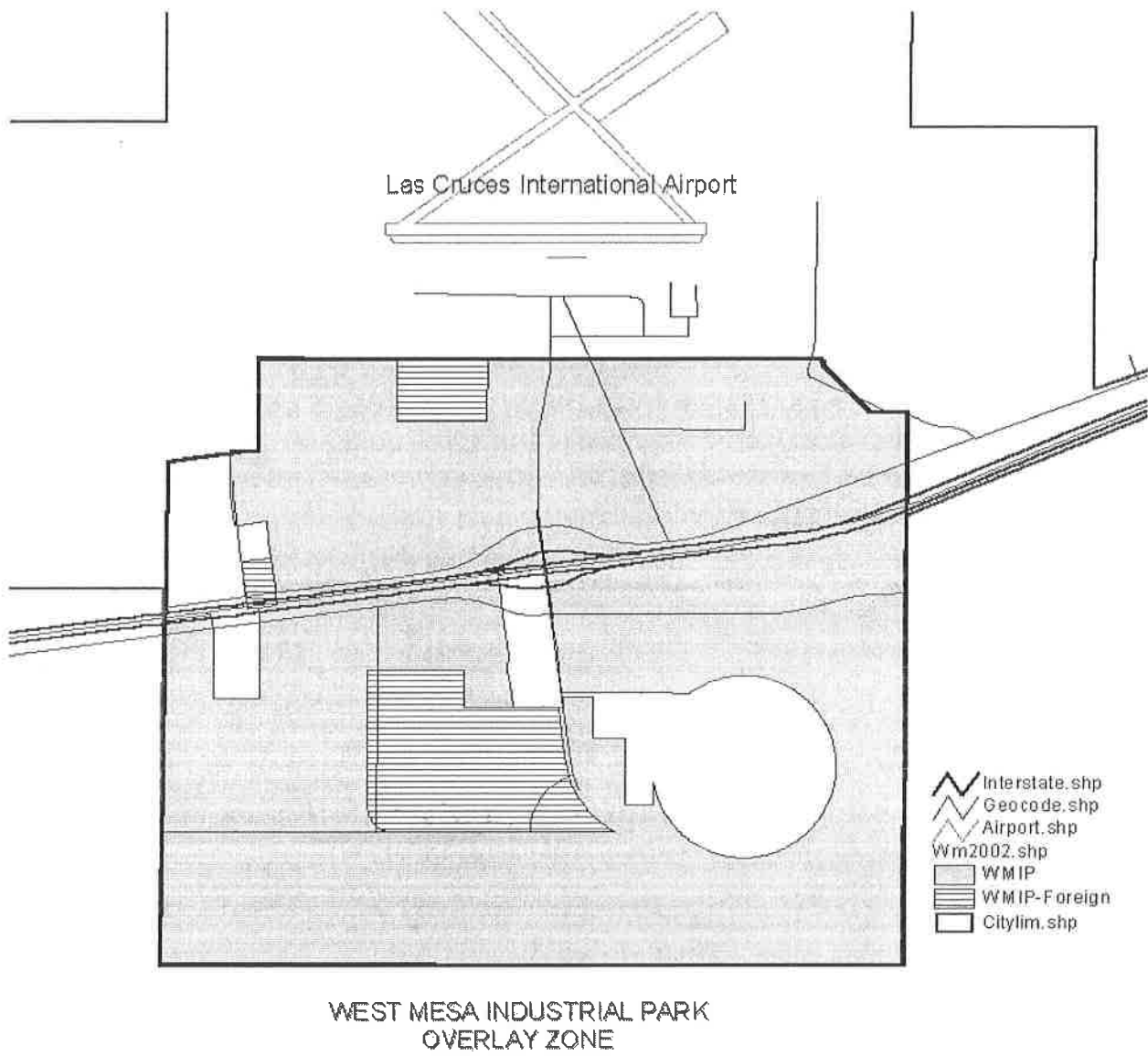
B. DELINEATION OF INDUSTRIAL PARK OVERLAY ZONE DISTRICT BOUNDARIES. The West Mesa Industrial Park Overlay Zone District shall include all properties shown on the following map. A legal description of the Overlay Zone and the Foreign Trade Zones are contained in Section 38-46, F.4.

C. DEVELOPMENT STANDARDS, PERMITTED USES, AND PROHIBITED 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 the City Zoning Code from the date of its enactment, and other sections of the City Zoning Code and other City Codes and Ordinances where applicable. Development requirements and permitted uses shall be established for this Overlay Zone District as follows:

1. DEVELOPMENT STANDARDS - ALL AREAS. The following development standards shall apply to all areas within the Industrial Park.

Minimum Lot Area/Size	1 acre
Minimum Lot Width/Frontage	60 feet*
Minimum Lot Depth	70 feet*
Minimum Front Setback	25 feet
Minimum Side Setback	20 feet
Minimum Secondary Street Side Setback	20 feet
Minimum Rear Setback	20 feet
Maximum Building Height	100 feet

* The lot depth must not exceed 3 times the lot width/frontage.



2. PERMITTED USES: The following uses are permitted by right within the West Mesa Industrial Park Overlay Zone. All light industrial uses and manufacturing activities

permitted in the M1/M2 (Industrial Standard) Zoning District are permitted in the Industrial Park, excluding any prohibited uses listed below. Additionally, aviation-related commercial and industrial uses as listed in 14 CFR (Code of Federal Regulations), commonly called the Federal Aviation Regulations are permitted within the Overlay Zone.

- Agri-business production, distribution, packaging, and warehousing, including horticulture, floriculture, vegetable growing, plant propagation, nursery operations, and other agricultural activities;
- Assembly of Electronic or Mechanical Parts and Equipment;
- Brewery and Micro-brewery Facilities;
- Business and Professional Offices and Complexes;
- Business Service Establishments;
- Fabrication Shop;
- Florists;
- Foreign Trade Zone Manufacturing and Commercial Uses;
- Freight House or Truck Terminal;
- Heavy Equipment Manufacturing;
- Institutional Uses (non-residential);
- Manufacturing of Consumer Goods, including appliances, batteries, furniture, garments and similar products;
- Medical Centers and Complexes;
- Metal Work and Machine Shops;
- Military and Law Enforcement Agency uses;
- Newspaper, printing shop and distribution of printed material;
- Packaging of Consumer Goods, including food products, cosmetics, pharmaceutical, toiletries, etc.;
- Processing and manufacture of food products, including bakery goods, candies, beverages, etc;
- Police and Fire Stations;
- Rental Car Agency Services;
- Storage of Products, including merchandise, domestic goods, raw materials;
- Truck Stop;
- Warehouse; and
- Wholesale Distribution Centers.

3. COMMERCIAL USES. Commercial uses allowed in the City of Las Cruces M1/M2 Zoning District are prohibited in the Industrial Park, except for those listed in the paragraph above. However, each approved industrial or manufacturing activity may use up to twenty percent (20%) of the gross floor area of the building for commercial purposes associated with that specific industrial or manufacturing use. These uses could include, but are not limited to, a sales office, factory outlet store, and/or commercial sales of products manufactured, assembled, or housed on the parcel. Stand alone commercial uses, not associated nor attached to an industrial use within the WMIP, shall not exceed a floor to area ratio of fifty percent (50%).

4. FOREIGN TRADE ZONES. Uses permitted within the Foreign Trade Zones shall be limited to operations related to the importation of foreign goods for processing or assembly, where a certain portion of the goods are not subject to customs duty, per Federal Foreign Trade Zone Regulations. All activities in the Foreign Trade Zones shall have written approval by the appropriate authority.

5. AIRPORT ACCESS. Direct access to the Las Cruces International Airport Aircraft Movement Areas is prohibited unless authorized by, and in conformance with the Federal Aviation Regulations.

6. PERMITTED USES - WITH CONDITIONS. The following uses are permitted in accordance with the stated provisions:
 - a. Automobile Parking Lot and Garage. Such structures are limited to the north side of the Industrial Park.
 - b. Bus Terminal and Garage. Such structures are limited to the north side of the Industrial Park.
 - c. Exterior Storage Areas. Permitted only when all areas are screened with a Type "A" - Opaque Landscaping Screen, as defined within the Landscaping Section of the Las Cruces Design Standards or behind solid fencing (i.e. masonry or rock walls), on any combination of landscaping and solid fencing. Exterior Storage Areas shall be screened from view from any street.
 - d. Microwave Radio Relay Structures and Towers. Such structures are limited to the Northeast Quadrant of the Industrial Park.
 - e. Pool and Billiard Room. Such uses are limited in placement only as part of a restaurant and/or hotel.
 - f. Public Utility Stations, Substations, Installations, and Wells. Permitted only when all areas are screened with a Type "B" - Semi-Opaque Landscaping Screen, as defined within the Landscaping Section of the Las Cruces Design Standards or behind solid fencing (i.e. masonry or rock walls), on any combination of landscaping and solid fencing.
 - g. Sign Construction and Sales. Permitted only when all exterior storage and construction areas are screened with a Type "A" - Opaque Landscaping Screen, as defined within the Landscaping Section of the Las Cruces Design Standards or behind solid fencing (i.e. masonry or rock walls). Exterior Storage Areas shall be screened from view from any street.
 - h. Swimming Pools. Such uses are limited in placement only as part of a hotel and/or motel.

7. PROHIBITED USES. The following uses are prohibited within the Industrial Park.
 - Adult Amusement Establishments
 - Adult Bookstores/Video Stores
 - Amusement Park or Enterprise (temporary or permanent)
 - Automobile, Truck (Pick-up) and Camper Sales, Service and Repair
 - Boat Sales, Service and Repair

- Body Shop
- Fence and Wall Sales and Storage
- Firewood Sales and Storage
- Flea Market
- Funeral Home and Mortuary, including Crematorium and Columbarium
- Golf Course
- Heavy Equipment Sales, Service and Repair
- Household Appliance Sales, Service and Repair
- Kennels
- Lumber Yard
- Miniature Golf Course
- Mobile Home Parks and Subdivisions
- Mobile Home Sales, Service and Repair
- Motorcycle Sales, Service and Repair
- Paint Supplies and Sales
- Recreational Vehicle Parks
- Residences (exclusive of night watchmen, security, and oversight residences)
- Skating Rink
- Stables
- Stadiums (any type)
- Storage of wrecked and/or dismantled vehicles and parts (excluding aviation-related equipment and vehicles)
- Storage Units
- Theater (indoor/outdoor/drive-in)
- Tire Sales, Service and Repair
- Wrecker Services

D. NON-CONFORMING USES. Non-conforming uses within the West Mesa Industrial Park Overlay Zone District shall be subject to Non-Conforming Use Provisions of the City Zoning Code. For any proposed addition or expansion of structures with non-conforming architectural styles existing at the date of adoption of this ordinance, the addition/expansion shall utilize the required architectural styles listed in the following design standards, or an architectural style compatible to the existing structure.

E. URBAN DESIGN STANDARDS. To insure quality property development, expansion, and renovation, the following requirements regulating urban design are established in this Overlay Zone District.

1. ARCHITECTURAL DESIGN AND BUILDING PLACEMENT. Architectural design standards are established for this District in order to create uniformity of physical design consistent with the overall intent of the District in providing for cohesive characteristics and building design among the individual developments within the Industrial Park.

a. Architectural Design Standards. These standards are established as follows:

Pueblo, Spanish Colonial, Territorial, Mission and other southwest architectural styles shall be strongly encouraged for facades treatments facing a street or a side street. (For information regarding other allowable styles, please refer to *New Mexico Historic Building Inventory Manual, Section VI. Introduction to New Mexico Architectural Styles.*)

- b. Building Facades Facing Crawford Boulevard, the Frontage Roads, and Interstate 10. All building facades facing Crawford Boulevard, the frontage roads, or the Interstate must utilize one of the southwest style architectures outlined above. This shall apply to the front facade and any side facades that are visible from the subject streets. The architecture shall extend the full length of the wall from the ground to the highest point of the wall.
- c. Building Facades - Other Frontages. The fronts of buildings facing all streets, other than Crawford Boulevard, the Frontage Roads, or the Interstate, shall use a facade listed above, or be faced with concrete or brick masonry, stone, stucco, or other material. The facing shall extend the full length of the wall from the ground to the highest point of the wall. The remaining portion of the building shall be finished in as attractive a manner as the street facing facade.
- d. Metal Building Construction. Metal construction material may be used for the entire building provided any applicable facade treatment listed above shall be provided. Any metal side or rear facades, metal roof panels, building panels, building mansards, soffits, and parapet walls shall use multiple (more than one) color treatments and shall be treated to inhibit rust, except in cases of a building exterior material that is designed to oxidize to a natural state.
- e. Architectural Requirements, Exceptions and Modifications.
 - 1) Exclusive of where treated metal walls are permitted, stucco, brick, masonry, stone or other material shall be the material used for all exterior wall surfacing (exclusive of trim details) requiring a facade with an architectural style.
 - 2) The use of single color buildings, regardless of construction material is prohibited.
 - 3) Freestanding walls or fences, if used as a design feature, shall be constructed of adobe, concrete block with stucco veneer, wrought iron, stone, or any combination thereof except that all wall treatments shall be consistent or compatible with the architectural style used for the building(s). Concrete block shall not be used as a finish surface for any facade or freestanding wall.

- 4) Chain link fencing shall not be permitted to front along any street.
- 5) All accessory structures such as storage buildings, work shops, and structures used to enhance indoor/outdoor space (e.g. pergolas or other shade devices within courtyards, etc.) shall be constructed and otherwise detailed in a manner consistent with the architecture of the primary building.
- 6) Temporary and portable buildings shall be permitted for construction purposes only. Use of such buildings shall be limited to six (6) months, with a one time extension of an additional six (6) months. Temporary and portable buildings must be permitted in accordance with the City of Las Cruces Building Code.
- 7) The use of galvanized corrugated sheet metal roofs is prohibited within the Industrial Park.
- 8) The use of metallic or metal material for construction shall be treated to inhibit rust, except in cases where the building exterior material is designed to oxidize to a natural state.
- 9) Addresses shall be properly displayed on all buildings in accordance with adopted City of Las Cruces addressing requirements.

2. LANDSCAPING STANDARDS. Landscaping standards are established for this District to create a more uniformly landscaped District, establish a landscaping theme for the District, and to ensure the use of quality landscaping material to accomplish those goals. Landscaping will also screen or buffer parking lots from the right-of-way and soften their overall impact. The quantities of landscaping materials, such as trees, shrubs and ground cover; the required landscaping of designated parking areas, recommended plant materials, and required maintenance and irrigation system shall adhere to the Landscaping Standards of the City of Las Cruces Design Standards, and to the following:

- a. Landscaping Calculations and Definitions. For all developments within the District, the following formula shall be used to calculate the amount of landscape area is required:

Total Lot Area multiplied by the following percentages, not exclusive of building area:

<u>Lot Size</u>	<u>Percentage Landscaped</u>
1.00 to 2.00 acres	12%
2.01 to 3.00 acres	11%
3.01 to 4.00 acres	10%

4.01 to 5.00 acres	9%
5.01 to 6.00 acres	8%
6.01 to 7.00 acres	7%
7.01 to 8.00 acres	6.5%
8.01 to 9.00 acres	6%
9.01 to 10.00 acres	5.5%
>= 10.01 acres	5%

- b. Landscaping Location Criteria. All areas within the front and any other street-side setbacks of the property shall be landscaped. Any required landscaped area and material that does not fit within these setbacks shall be placed within the rear and side setbacks, or used in common areas or as screens. All landscaping materials used to provide required buffer strips or screening may be counted toward the required landscaped area and material.
 - c. Requirement to Use Ground Cover Materials. Ground cover material consisting of bark, pecan shells, decorative stone, or river rock shall be used on any ground surface which have been disturbed. Excessively large expanses (greater than 500 square feet) of rock, unless vegetation is incorporated, shall be prohibited.
 - d. Prohibited Landscaping Materials. The use of black lava rock as a ground cover, or Mulberry trees as landscaping plant material, is prohibited.
3. SCREENING AND BUFFERING REQUIREMENTS. Screens are required to block or buffer those items that might be considered unsightly or detract from the overall look of the building, site, or structure. Plant material, berms, walls, or combinations thereof shall be used to visually screen parking lots, loading docks or bays, and outside plumbing and electrical equipment for all buildings.

- a. Screen Materials and Forms. Walls, berms, hedges, or other landscape features are suitable for use as screens and buffers.
- b. Built to Prevent Erosion. Berms and other screen/buffering material shall be built so to not create water run-off or other erosion problems.
- c. Sight Triangle to Remain Clear. Screening and/or buffering shall not violate or encroach on the required clear sight triangle for street intersections, or at the entrances and exits of parking lots.
- d. General Rule on Placement. Walls used for buffering/screening purposes shall be located closer to the area or structure they are intended to buffer than the street.
- e. Parking Lot Buffer Strip.
 - 1) A minimum fifteen (15) foot wide landscape buffer strip shall be required between parking lots and the property line for the entire width of the property along the street that provides primary access to the property.
 - 2) All buffer material shall be at least four (4) feet tall, measured from the top of the curb to the top of the buffer. If plant material is used, the plant material used should attain a height of at least 4' in three (3) growing seasons.
- f. Loading Docks/Bays and Service Areas Screens.
 - 1) Screens for service areas shall be at least 6' tall and block the view of all service areas from all streets, the Interstate, and the Frontage Roads. If plant material is used, the plant material used should attain a height of at least 4' in three (3) growing seasons.
 - 2) Walls used for screening shall be made to look like or be a part of the chosen architectural style for each lot or building.
 - 3) Bay doors must be color coordinated with the building color.
- g. Exterior Mechanical/Plumbing and Electrical Equipment Screens.
 - 1) All outside mechanical/plumbing and electrical equipment shall be made a part of, to the extent possible, the building architecture and shall be located on the sides and/or rear walls of buildings, and more specifically shall not face front or side streets, the Interstate, the

Frontage Roads, or Crawford Boulevard.

- 2) All outside mechanical/plumbing and electrical equipment shall be painted to compliment or match the primary color used for the building, or shall be screened with garden walls, parapet walls, berms, hedges, or other landscape features. The height of the screen will be at least as tall as the equipment it is intended to screen.
- 3) Outside mechanical/plumbing and electrical equipment that must be elevated above the ground on tall supports shall be prohibited, unless required by an adopted Plumbing, Mechanical or Building Code, or required for building efficiency for Industrial Uses of the Industrial Park. Elevated equipment in these instances must either be screened or painted to compliment or match the building, and placed along the rear or sides of the building, not facing a street. Elevated equipment must be shown on all building plans.
- 4) All roof mounted mechanical/plumbing and electrical equipment must either be screened by a parapet wall, building mansard, roof panels, or building panels, or shall be painted to compliment or match the primary color used for the building, and should be placed, to the extent possible, to the rear and sides of the building and not any street front.

4. SIGN REQUIREMENTS. These regulations are established to govern the aesthetics, height, overall size and type of signs and exterior lighting, consistent with City goals for Industrial Park Development. All signs shall comply with the City's Sign Code except as outlined below.

1) Freestanding Signs.

- a. Freestanding signs for each lot shall be limited to one (1) ground sign per street frontage with the following requirements. This provision shall also apply to multiple businesses occupying one lot. Signs shall be in scale with the building height and length; however, no ground sign shall exceed 12' in height anywhere within the Industrial Park.

2) Attached Signs. The number and size of attached signs shall be in scale with the building height and length.

3) Sign design.

- a. Landscaping shall be placed around all freestanding signs and may be used in meeting the landscaping requirements.

- b. Ground signs shall match the architectural style, color, materials and ornamentation of the main building(s). Attached signs may be of contrasting color(s), but must blend with the architectural style, color, materials and ornamentation of the main building(s).
- c. For all lots with more than one ground sign or more than one attached sign, all ground signs shall be of uniform design and materials; and all attached signs shall be of uniform design and materials, whenever possible.

4) Other Approved Signs.

- a. Temporary construction signs shall be permitted in accordance with the Las Cruces Sign Code, except for the following:
 - 1. For properties less than 10.0 acres, one sign is permitted not to exceed 64 square feet in sign area and 8 feet in height.
 - 2. For properties in excess of 10.0 acres, one sign is permitted not to exceed 96 square feet in sign area and 8 feet in height.
 - 3. Contractor identification signs on temporary construction trailers are permitted subject to the following conditions:
 - (a) Construction trailers cannot be located at the construction site property prior to a building permit issuance, and must be removed from the property on or before of the date for the issuance of a Building Final Certificate of Occupancy.
 - (b) Contractors shall place construction trailers in locations which are both efficient for construction operations but also less visible from Interstate Highway 10 and/or collector streets in the Industrial Park.

5) Prohibited Signs.

- a. Banners.
- b. Portable Signs.
- c. All billboards.
- d. Development Identification Signs.
- e. All temporary signs except for those permitted in Section 4) above.
- f. Window signs.
- g. Product decal signs, except approved Company logo replication on property signs.

6) Lighting Standards For Signs.

- a. Illumination for both freestanding and attached signage shall include exterior illumination only.
 - b. Signs that are illuminated shall have concealed lighting fixtures. This provision applies also to neon tubing and fluorescent fixtures.
- 5. LIGHTING REQUIREMENTS. Lighting shall adhere to City of Las Cruces Municipal Code (Chapter 39) standards for all exterior lighting.
- 6. PARKING REQUIREMENTS. The required number, size, construction, maintenance standards, and wheel stop requirements for all parking stalls and driving/back-up aisles for an individual business shall be calculated in accordance with the Las Cruces Zoning Code 2001, as amended. Parking Exception. No parking stalls shall be permitted within 15' of the front property line of any lot within the Park, and said 15' shall be appropriately screened in accordance with Screening Requirements listed in Section 5.8,E.3.e. above.
- F. ADMINISTRATION OF OVERLAY ZONE DISTRICT. All new development shall require City approval. To ensure that the development standards of the West Mesa Industrial Park Overlay Zone District are met, a process for submittal and review of applications for development is hereby established.
 - 1. WEST MESA STRATEGIC PLANNING COMMITTEE. The West Mesa Strategic Planning Committee has been established by the City Council of the City of Las Cruces. This Committee operates in accordance with the enacting Resolution and Article V, Boards and Commissions, of the Las Cruces Municipal Code.
 - 2. SUBMITTAL AND REVIEW REQUIREMENTS. Submittal and review requirements are established for all new development to protect persons and property in the District, as directed by the West Mesa Industrial Park Master Plan and Development Strategy.
 - a. Subdivisions. Submittal, review, and approval of subdivisions, including replats of previously platted lots, where allowed by the Subdivision Code, within the District will follow the Alternate Summary Subdivision Procedure of Chapter 37, the City of Las Cruces Municipal Code.
 - b. Buildings and Signs. Building plans and sign permit applications will be submitted for approval to the Community Development Department in accordance with the respective Code (Building Code, 1995, as amended, or the Sign Code, 1991, as amended).
 - c. Variances. The West Mesa Strategic Planning Committee is authorized to grant variances in accordance with the criteria established for the Planning and Zoning Commission to grant variances as outlined within Section 38.10.I

of this Code, as amended.

3. APPEALS. Appeal procedures are established for any person that is affected by a decision of an administrative official, commission, committee, or board in the enforcement of the West Mesa Industrial Park Master Plan and Development Strategy and this Section.
 - a. In the event that an application for any development is denied by the City Staff or the West Mesa Strategic Planning Committee, based on interpretation of the West Mesa Industrial Park Master Plan and Development Strategy and this Ordinance, and an agreement of interpretation cannot be reached, or any aggrieved person that is affected by a decision of City Staff or the Committee, and all other procedures established by this Section have been exhausted, the applicant or aggrieved person may file an appeal, in writing, to the City Council through the Community Development Department within fifteen (15) days of the decision.
 - b. Such appeal shall be filed in accordance with Section 38-13 of this Code.
 - c. The appeal will be processed by the City to be considered at the next available Public Hearing in accordance with notice requirements of Section 38-13 of this Zoning Code.
 - d. Any person aggrieved by a determination of the City Council may appeal to the District Court within thirty (30) days after the determination made by City Council, in accordance with Section 38-14 of this Zoning Code.

4. LEGAL DESCRIPTION. Legal Descriptions of the Overlay Zone and Foreign Trade Zones are below. Information in the preparation of this description derives from plats provided by the City of Las Cruces, Interstate right-of-way maps and Warranty Deeds of record. "NOTE: THIS DESCRIPTION IS TO BE USED FOR ZONING PURPOSES ONLY AND IS SUBJECT TO FIELD VERIFICATION."

A parcel of land situate within the corporate limits of the City of Las Cruces, Dona Ana County, New Mexico, and being comprised of the following three tracts:

That portion of Sections 26, 34 and 35, T.23S., R.1W., NMPM of the USGLO Surveys that lies south of the right of way boundary of Interstate Highway 10, containing 1285 acres of land, more or less.

SAVE AND EXCEPTING the following described tracts:

15 acres of land described in a special warranty deed filed September 11, 1996, in Clerks Record 64, page 1040-1055 of the Dona Ana County Record.

7.024 acres of land described in a warranty deed filed November 17, 1989, in Deed Record 336, page 413-427 of the Dona Ana County Record.

Parcels 1, 2, 3, and 4 of West Mesa Industrial Park, Plat No. 4 as filed on March 31, 1995, in Plat Record 18, page 232-233 of the Dona Ana County Record.

Parcel A and B of West Mesa Industrial Park Plat No. 5 as filed on May 19, 1995, in Plat Record 18, page 251-252 of the Dona Ana County Record.

That portion of Section 26, T.23S., R.1W., NMPM of the USGLO Surveys that lies north of the right of way boundary of Interstate Highway 10, and is bounded on the north and west by the Las Cruces International Airport containing 200 acres of land, more or less.

That portion of Section 27, T.23S., R.1W., NMPM of the USGLO Surveys that lies north of the right of way boundary of Interstate Highway 10, and is bounded on the north and east by the Las Cruces International Airport containing 280 acres of land, more or less.

SAVE AND EXCEPTING the following described tracts:

2.3875 acres of land described in a warranty deed filed May 14, 1990, in Deed Record 339, page 651-664 of the Dona Ana County Record.

5.971 acres of land described in a special warranty deed filed August 11, 1989, in Deed Record 334, page 103-120 of the Dona Ana County Record.

43 acres of land described in a quit claim deed filed November 221, 1990, in Deed Record 345, page 782 of the Dona Ana County Record.

Foreign Trade Zones.

DESCRIPTION OF A 27.529 ACRE TRACT

A tract of land situate within the City of Las Cruces, Dona Ana County, New Mexico, being part of Section 27, T.23S., R. 1W., N.M.P.M. of the U.S.G.L.O. Surveys and being more particularly described as follows, to wit: Beginning at a point for the Northwest corner of the tract herein described; whence the Section corner common to Sections 27, 28, 33 and 34, T.23S., R. 1W., N.M.P.M. bears S.45E03'38"W., 4671.61 feet; Thence from the point of beginning, N.89E57'45"E., 1310.88 feet to a point for the Northeast corner of this tract; Thence S.00E03'05"E., 919.85 feet to a point for the Southeast corner of this tract; Thence N.89E35'06"W., 1311.20 feet to a point for the Southwest corner of this tract; Thence N.00E02'02"W., 909.49 feet to the point of beginning, containing 27.529 acres of land, more or less.

DESCRIPTION OF A 4.489 ACRE TRACT

A tract of land situated within the City of Las Cruces, Dona Ana County, New Mexico, being part of Sections 27 and 34, T.23 S., R. 1W., N.M.P.M. of the U.S.G.L.O. Surveys and being more particularly described as follows, to wit: Beginning at a point on the North line of Interstate Highway 10 for the Southeast corner of the tract herein described; whence the Section corner common to Sections 27, 28, 33 and 34, T.23S., R. 1W, N.M.P.M. bears S.88E5 1'59"W., 1596.35 feet; Thence from the point of beginning and along the North line of Interstate Highway 10, S.82E18'00"W., 485.01 feet to a point for the Southwest corner of this tract and point of curvature;

Thence around the arc of a curve to the left, having a radius of 25.00 feet, through a central angle of 89E58'58", with an arc length of 39.26 feet and whose long chord bears N.37E19'00"E., 35.35 feet to a point of tangency; Thence N.07E40'00"W., 391.37 feet to a point for the Northwest corner of this tract; Thence N.73E40'36"E., 60.69 feet to a point for an angle point of this tract; Thence N.82E20'00"E., 400.0 feet to a point for the Northeast corner of this tract; Thence S.07E40'00"E., 425.22 feet to the point of beginning, containing 4.489 acres of land, more or less.

DESCRIPTION OF A 129.002 ACRE TRACT

A tract of land situate in the City of Las Cruces, Dona Ana County, New Mexico, being part of Section 34 and 35, T.23S., R.1W., N.M.P.M. of the U.S.G.L.O. Surveys and being more particularly described as follows, to wit: Beginning at a point for the Northeast corner of this tract herein described being identical to the Southeast corner of Parcel 4, West Mesa Industrial Park Plat No. 4, filed March 1995, in Plat Book 18, Pages 282-283, Dona Ana County records; Thence from the point of beginning, S.07E39'28"E., 442.00 feet to a point of curvature; Thence around the arc of a curve to the left, having a radius of 1300.00 feet, with a central angle of 54E56'12", with an arc length of 1246.47 feet and whose long chord bears S.35E07'34"E., 1 199.27 feet to a point for the Southeast corner of this tract; Thence S.89E58'38"W., 3182.36 feet to a point of curvature for the Southeast corner of this tract; Thence around the arc of a curve to the right, having a radius of 350.00 feet, through a central angle of 89E59'56", with an arc length of 549.77 feet, and whose long chord bears N.45E01'22"W., 494.97 feet to a point of tangency; Thence N.00E01'22"W., 1919.62 feet to a point for the Northwest corner of this tract; Thence N.89E58'38"E., 1373.26 feet to a point for a corner of this tract; Thence S.00E01'22"E., 523.32 feet to a point for a corner of this tract; Thence N.89E58'38"E., 700.98 feet to a point for a corner of this tract; Thence S.07E39'28"E., 330.00 feet to a point for a corner of this tract; Thence N.89E58'38"E., 665.90 feet to the point of beginning, containing 129.002 acres of land, more or less.

- G. ENFORCEMENT OF OVERLAY ZONE DISTRICT. Provisions to enforce this Section shall be consistent with the Enforcement Provisions of Section 2.7 of this Code.

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