



City of Elephant Butte  
Planning & Zoning Commission

City Hall - 103 Water Street, Elephant Butte, NM

**Official Meeting Minutes**  
**Tuesday, April 7, 2015 Regular Meeting**

- I. **Call to Order** - Chairman Chuck Looney called the meeting to order at 9:00 a.m.  
**Roll Call** - City Planner Bradford Dyjak took roll with Chairman Looney, Vice-Chair Cathy Vickers, Commissioners Les Buchanan and Nathan LaFont present.  
Commissioner Sheridan Fuss provided advance notice that he was unable to attend.
- II. **Public Comment** - Chairman Looney stated that "the open meetings act is in effect and there is a five minute limit per speaker on all non-agenda issues" and asked if there was anyone that wanted to comment and there was not.
- III. **Minutes** -  
***Motion:** To approve the March 3<sup>rd</sup> regular meeting and workshop minutes as submitted.*  
***Made:** Commissioner LaFont **Second:** Commissioner Buchanan **Vote:** Carried 3-0-1*  
*With Vice-Chair Vickers abstaining after noting her absence from that meeting.*
- IV. **Public Hearing Action Item** -
  - A. **Comprehensive Signage Plan - Case #CSP-15-01**  
1.559 acres unplatted within Elephant Butte Estates, Unit 7, Block 2;  
900 Highway 181; C-2 zoning      Businesses: Butte General Store & Butte Marine  
Applicant: Mr. Bob Owen      Owner: Ms. Janice Connor

Mr. Dyjak then presented the case report, a copy of which is made as part of the case record and noted that all public notice requirements had been met although no public comments had been received relative to the case.

As part of his report, Mr. Dyjak explained that the applicant submitted a signage plan that includes 3 total signs co-mounted to replace 2 existing co-mounted pole signs in the same location. The 3 new signs will be an illuminated pylon type to be relocated from an adjacent property at 814 Highway 195 and a Comprehensive Signage Plan is required pursuant to §152.05(B) of the City Code since the total aggregate signage of the property exceeds 220 ft<sup>2</sup>. After some questions regarding the size and location of the sign were addressed by Mr. Dyjak, he noted that the requirements of City Code Chapter 152 and the City Sign Review Guidelines had been met and recommended that the Commission approve the application on the condition that the sign not exceed 1.5 times the height of the building and that the new sign is located outside of the right-of-way.

Whereas, the applicant provided advance notice that he would not be in attendance for the hearing, Chairman Looney opened the hearing to public comment and there was

none; in the absence of any testimony from the public, Chairman Looney closed the public hearing and sought a motion on the case.

***Motion:*** *To approve the application for Case #CSP-15-01 with conditions listed within the Case Report based upon the foregoing findings of fact per §155.006(F) and in accordance with §152.05 of the City Code and in accordance with the Resolution No. 11-12-272 of the City Sign Review Guidelines.*

***Made:*** *Vice-Chair Vickers* ***Second:*** *Commissioner LaFont* ***Vote:*** *Carried 4-0*

- V. **New Business** – There was no new business scheduled.
- VI. **Continuing Business** –
  - A. **Residential Keeping of Chickens** – The Commission continued its discussion of chicken keeping on residential or commercial properties within the city and possible regulations. Mr. Dyjak presented additional research and possible regulations, which the Commission reviewed and discussed. It was decided that there had been adequate preliminary research and proposals and that a public input session would be held at the May 5<sup>th</sup> regular meeting to gauge resident sentiments before making a recommendation supporting or opposing the issue to the City Council.
- VII. **City Planner & Zoning Administrator’s Report** – A planning and code enforcement update was provided by Mr. Dyjak, a copy of which is on file with the Planning & Code Enforcement Department. Included in his report were updates on the proposed Bond Ordinance #150 to be considered by the City Council, preparation of the Fiscal Year 2016 budget, summary of recent code citations issued and an invitation to attend the New Mexico League of Zoning Officials Conference in Albuquerque on May 7<sup>th</sup>.
- VIII. **Commissioners Comments** – In response to the upcoming Zoning Officials Conference, Commissioner Buchanan suggested that Municipal League legal counsel Randy Van Vleck be invited to conduct a half-day training session with the Commission, City Council and possibly surrounding jurisdictions. Mr. Dyjak agreed to discuss that suggestion with Mr. Van Vleck during the conference.

Commissioner Buchanan also asked several questions relating to the new brush truck that the Fire Department had purchased with federal grant money. Mr. Dyjak responded that the new truck would replace an unserviceable truck from 1974 and that its anticipated completion date would be around or before Memorial Day.

Commissioner LaFont raised his concerns regarding heavy traffic during the summer season at the intersection of Warm Springs Boulevard and Butte Boulevard. He further observed that there are frequently traffic back-ups at the stop sign on Warm Springs Boulevard that extend for numerous cars – sometimes blocking the Water Street intersection. As there was concerns with safe access to Butte Boulevard, he was interested to see the City Council consider installing a three-way stop by adding stop signs in both directions along Butte Boulevard. Mr. Dyjak suggested that the Commission make an informal recommendation in the form of a motion to the City

Council if it was their desire and that he could present the recommendation at a future Council meeting.

**Motion:** *To recommend that the City Council designate the intersection of Warm Springs Boulevard and Butte Boulevard as a three-way stop.*

**Made:** Commissioner LaFont **Second:** Vice-Chair Vickers **Vote:** Carried 4-0

IX. **Public Comment** – There were no comments from the public.

X. **Executive Session** – **Motion:** *To enter into executive session at 10:32 a.m. for the purpose of discussing the purchase, acquisition or disposal of real property or water rights by the City pursuant to NMSA 1978, Section 10-15-1(H)(8).*

**Made:** Vice-Chair Vickers **Second:** Commissioner LaFont **Vote:** Carried 4-0

**Motion:** *To conclude executive session and reconvene the regular meeting at 10:45 a.m.*

**Made:** Commissioner LaFont **Second:** Vice-Chair Vickers **Vote:** Carried 4-0

Upon reconvening the regular meeting, Vice-Chair Vickers certified that only business pertaining to the topic at-hand was discussed and that no action or decisions were made during executive session.

XI. **Adjournment** – **Motion:** *To adjourn the regular meeting at 10:46 a.m. and convene the scheduled workshop after a brief recess.*

**Made:** Commissioner LaFont **Second:** Commissioner Buchanan **Vote:** Carried 4-0

### Workshop Minutes

I. Chairman Looney called the workshop to order at 10:55 a.m.

II. **Draft C-2 Commercial Zoning District Regulations -**

Upon reviewing the few outstanding proposed code revisions, Mr. Dyjak requested input from the Commission with regard to how residential units should be regulated within commercially-zoned properties. After discussion, there was consensus that residential units should be limited to one per lot with no travel trailers or mobile homes permitted. Additionally, temporary offices for contractors should be allowed and future discussion during the Comprehensive Plan update process would need to occur as to whether apartment or condominium complexes should be permitted as conditional uses within the C-2 zoning district. Public input would be sought on the proposed revisions at the May 5<sup>th</sup> regular meeting.

III. **Comprehensive Plan Update- Information & Discussion -**

Commissioners continued reviewing the Comprehensive Plan and began updating the Land Use Chapter with an emphasis on commercial corridors. This discussion

correlated to the previous topic of revising commercial zoning regulations and considerations for the Comprehensive Plan included potential designations of either overlay zones or corridor design standards.

IV. *The workshop was adjourned by unanimous consent at 11:28 a.m.*

**Minutes Approved:**

May 5, 2015

**Respectfully prepared and submitted:**



Bradford Dyjak,  
City Planner