



**CITY OF ELEPHANT BUTTE PLANNING & ZONING COMMISSION
REGULAR MEETING - OPEN TO THE PUBLIC**

Tuesday, January 14, 2020 - 9:00 am

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Nathan LaFont called the meeting to order and led the pledge.

2. ROLL CALL

Clerk-Treasurer Rani Bush conducted roll call:

Chairman Nathan La Font – Present

Vice Chairperson Cathy Vickers – Present

Commissioner Sheridan Fuss - Present

Commissioner Charles Looney – Absent

Commissioner Patsy Barnett – Present

Alternate Commissioner Tami Smith – Present

In the absence of Commissioner Looney, Alternate Commissioner Smith served as a voting member at this meeting. Clerk-Treasurer Bush declared a quorum was present.

3. DECLARATION OF CONFLICT OF INTEREST & STATEMENT OF OPEN MEETINGS ACT

**The Open Meetings Act is in effect and there is a three-minute limit per speaker on all non-agenda items.*

4. APPROVAL OF AGENDA

Commissioner Fuss made a motion to approve the agenda. Vice Chairperson Vickers seconded. 5-0. Motion Carried.

5. APPROVAL OF MINUTES

Approval of Regular Meeting Minutes November 5, 2019 & December 3, 2019

Vice Chairperson Vickers made a motion to approve the minutes for November 5, 2019. Commissioner Fuss seconded. 5-0. Motion Carried.

Commissioner Barnett commented that minutes need to meet the deadline of 10 days after of the meeting.

Commissioner Fuss made a motion to approve the minutes for December 3, 2019. Vice Chairperson Vickers seconded. 5-0. Motion Carried.

6. PUBLIC INPUT

None

7. COMMISSIONERS' COMMENTS

Chairman LaFont welcomed Tami Smith to the Commission.

Commissioner Barnett asked if the Steve Bell permit was available. At the prior meeting, the

commissioners had asked to review it. Chairman LaFont asked for it to be put on next month's agenda.

8. CITY REPORT

City Manager Vicki Ballinger reported that she met with Sierra County Manager Bruce Swingle over lunch. Representative Rebecca Dow and TorC Fire Chief Paul Tooley also joined. She is beginning to have regular meeting with the different managers in the area. TorC Morris Madrid was unable to be at this meeting. Commissioner Fuss was also there.

She and Mayor Trager will be going to Colonias Day at the upcoming Legislative session on February 13. She is also looking forward the Comprehensive Plan Workshop taking place tomorrow.

9. CODE ENFORCEMENT REPORT

Fire Chief Toby Boone introduced **Devon Jones**, the City's new code enforcement officer. Mr. Jones will be training with him for the next couple of weeks. Fire Chief Boone then passed out a report with all of the written complaints from 2019.

Mr. Jones introduced himself. He is 22 and has lived in TorC for the past 5 years. He's originally from Ohio. He's excited to be working for the City of Elephant Butte. He'll be working part-time for now.

10. ZONING PERMIT UPDATE

Fire Chief Boone reported that there was one residential so far for this year.

11. REGULAR ITEMS

a. Election of Officers

Vice Chairperson Vickers nominated Nathan LaFont as P&Z Chairman. Commissioner Barnett seconded. 5-0. Nomination carried.

Commissioner Fuss nominated Cathy Vickers as Vice Chairperson. Commissioner Barnett seconded. 5-0. Nomination carried.

b. Discussion/Possible Action: Resolution 19-20-110 – Open Meetings Act

Vice Chair Vickers made a motion to approve Resolution 19-20-110 as printed. Commissioner Fuss seconded. 5-0. Motion Carried.

c. Discussion/Possible Action: Alternate Summary Procedure - Turtleback Mountain Partners

Chairman LaFont explained that Turtleback Mountain Partners is looking to redo their Phase 5 section. He has been in contact with Gary Levine, Susan Hahn, and the potential purchasers on this process. The alternate summary can either be done administratively or it can be brought before the whole commission. Since there is no financial gain for Commissioner Fuss or City Manager Ballinger, there is no conflict of interest regardless of either's association with Turtleback or its HOA.

Phase 5 was never submitted; therefore they could do a full platt or an alternate platt. They only want to divide it into 2, so it falls under an alternate platt. That is what is being submitted at this time. City Manager Ballinger reported that they have received everything needed. Although the process is in Code, a form/checklist will need to be created.

Vice Chairperson Vickers made a motion to approve the alternate summary procedure for Turtleback Mountain Partners as presented. Commissioner Smith seconded. 5-0. Motion Carried.

Chairman LaFont asked that it be relayed to Mr. Levine that P&Z be given a current Phase 5 property map with all the developed properties once this is finished so the City does have a record.

A discussion was had about ownership of Sunset Ridge Road. Code Enforcement Officer Jones will research the issue. City Manager Ballinger will also follow up about the ownership and P&Z will address it at a future date.

d. Discussion/Possible Action: Ordinance 183 – Manufactured Home Standards (Age)

Ordinance 183 was tabled at the July 2 meeting. A discussion was held to refresh everyone's memories about the intent of the ordinance.

Vice Chairperson Vickers made a motion to ask Legal to rewrite Ordinance 183 establishing a 20 year age requirement for new manufactured homes in all zoning districts. Commissioner Barnett seconded. 5-0. Motion Carried.

Fire Chief Boone added that the best way to amend the Code would be to change the definition in Chapter 155 to include age. This suggestion will be presented to Legal.

e. Discussion: Strategies & Priorities for 2020

Chairman LaFont led a discussion of the following priorities:

- **Codify all the Codes**
Clerk-Treasurer Bush reported that the next supplement has been turned in to American Legal. The cost is approximately \$4,000 to \$5,000 because of the number of ordinances.
- **City Fire Code**
Fire Chief Boone reported that it was passed last year.
- **Zoning Districts R-1-P and R-1-D**
There are no utilities so there is nothing to rezone at this time. Therefore it can come off of the list. City Manager Ballinger will reach out to the owner of the majority of the lots about ways to approach the situation.
- **Comprehensive Plan**
The goal for P&Z was to have it passed. There is a workshop on it tomorrow with P&Z and the Council to get the process back on track.
- **Home Based Businesses**
Commissioner Barnett suggested to have this topic on every agenda until resolved. Clarification is still needed about the definition and process for both regular business licenses and home based business ones. Mayor Trager brought up the issue of short term rentals and how this impacts home based businesses. The City attorney is currently drafting an ordinance on short term rental based on one from Las Cruces. Chairman LaFont declared that they will add short term rental to the list of priorities.
- **Commercial**
This involves residential use in a commercial zone, mixed use development and apartment building development and will be left on the list for 2020.
- **Parking**

This includes parking along easements specifically along Butte Blvd, people parking vehicles and for sale items in easements instead of their lots and requiring commercial property to have boat and trailer parking.

- **RV Connected to Sewer at Residents**
Currently it not allowed. Should that be changed?

Chairman Lafont will present this list to Council at the next meeting.

12. ADJOURNMENT

Vice Chairperson Vickers made a motion to adjourn. Commissioner Fuss seconded. 5-0. Motion Carried.

Minutes approved and adopted at the Planning and Zoning meeting on February 4, 2020.


Nathan LaFont, Planning & Zoning Chairman

ATTEST:


Rani Bush
City Clerk-Treasurer