



CITY OF ELEPHANT BUTTE PLANNING & ZONING COMMISSION
WORKSHOP - OPEN TO THE PUBLIC

Friday, February 21, 2020 - 9:00 am

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Nathan LaFont called the meeting to order and led the pledge. He also asked for a moment of silence to acknowledge all the tragedies that have occurred in the community lately, some very, very close.

2. ROLL CALL

Clerk-Treasurer Rani Bush conducted roll call:

Chairperson Nathan La Font – Present
Vice Chairperson Cathy Vickers – Present
Commissioner Sheridan Fuss - Absent
Commissioner Charles Looney – Present
Commissioner Patsy Barnett – Present
Alternate Commissioner Tami Smith – Present

In the absence of Commissioner Fuss, 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.*

Chairperson LaFont identified one possible conflict of interest with Commissioner Smith regarding Ordinance 191. She can be involved with any of the discussions but would need to recuse herself regarding any actions being taken.

4. APPROVAL OF AGENDA

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

5. PUBLIC INPUT

None

6. COMMISSIONERS' COMMENTS

Chairman LaFont followed up regarding some communication he had with the commission after the last meeting which he felt went a bit wonky. He wanted to convey as chairperson that he expects orderly, respectful meetings and he will be using the gavel more. He will adjourn meetings that don't hold up to these standards. We have all been appointed by the Mayor and are all here to represent our community and their best interest. It can get frustrating but we all need to work together to make the community better in a respectful, conductive manner.

We need to make sure that we do not bring up old cases in our meetings. We must stick to what's on the

agenda. We must also be aware of our interactions with City staff. The only person we report to is the city manager, land use manager if there is one, or the mayor. We can request things from the other staff but we are not here to demand them. We need to remember the intent and direction of our community based on our comprehensive plan and also the direction of the Council. He also reminded the commissioners to silent their phones during the meetings. He then expressed his appreciation for the commissioners and for the opportunity to serve with them.

Commissioner Barnett asked about not having the minutes from the last meeting within the 10-day deadline. Chairperson LaFont explained that he asked Clerk-Treasurer Bush to include them in the packet before the meeting. If commissioners want them before that they can request them from Clerk-Treasurer Bush.

Clerk-Treasurer Bush passed out a packet to each of the commissioners with all the uncodified ordinances.

7. REGULAR ITEMS

a. Discussion/Possible Action: Ordinance 191 - Home-Based Businesses

Chairperson LaFont began the discussion by going through the handouts he included in the packet. First, he explained the sample regulations he included. They included the main decisions the Commission needs to come up with and recommend to Council. Next, he explained that instead of trying to create new classifications for home-based businesses, it would be more prudent to look at what was in the current commercial code and vote on which of the businesses should be allowed to be a residential business.

He also included a page called "Commercial Business" to look at what is currently permitted and what is conditional. Fire Chief Boone reminded him that there are a lot of things addressed in Code that don't need to be repeated under home-based businesses. He researched the websites for about a dozen other communities to see how easy it was to obtain information about home-based businesses. Within all of the communities, it was necessary to go through zoning to get their home-based business approved. He explained that the workshop is a chance to work collaboratively on an issue that is causing problems in our City. The Commission needs to find solutions that the Council will pass and that will work best with our community.

Vice Chairperson Vickers asked about the current conflicts. Chairperson LaFont explained that people have been denied and the Commission has not been consistent with our rulings. She feels that it is something that Elephant Butte constituents will want to participate in. Commissioner Barnett was concerned that she is not hearing from the City that there are any major efforts to get funding for commercial sewer. She feels that effort needs to be put into sewer so that there can be commercial development rather than moving to home-based businesses.

Chairperson LaFont brought the conversation back to discussing the current ordinances that are problematic regarding home-based businesses. The Commission has been tasked with making changes to them. He then went through a series of basic regulations to get the commissioners' input.

Next Chairperson LaFont went through the types of businesses in the current commercial code and/or has received an Elephant Butte business registration and got input from the commissioners on which of these businesses should be allowed to be a residential business. Other topics that were discussed included commercial vehicles in residential areas and notification to neighbors for a new applicant.

Commissioner Barnett raised the issues of procedures for record review by Council when an application

is denied and checking during the yearly renewal for business owners who abuse the Code.

Vice Chairperson made a motion to postpone further discussion of home-based businesses until a future meeting. Commissioner Barnett seconded. 5-0. Motion Carried.

b. Discussion/Possible Action: Rezoning of Espina Park

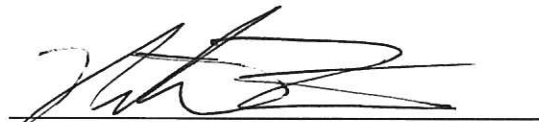
No information was obtained from Code Enforcement Office Devon Jones about Espina Park.

Commissioner Barnett made a motion to postpone the rezoning of Espina Park until a future meeting. Commissioner Looney seconded. 5-0. Motion Carried.

8. ADJOURNMENT

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

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



Nathan LaFont
Planning & Zoning Chairman

ATTEST:



Rani Bush
City Clerk-Treasurer

