



CITY OF ELEPHANT BUTTE PLANNING & ZONING COMMISSION  
REGULAR MEETING - OPEN TO THE PUBLIC  
Tuesday, April 6, 2021 - 9:00 am

Due to the current health risks associated with COVID-19 and orders from the New Mexico Governor's Office and the New Mexico Public Health Department, public attendance at this and future meetings of the Planning & Zoning Commission are temporarily suspended. Until the orders are lifted, and in accordance with the guidance from the New Mexico Attorney General, the City will make its meetings open to the public through dialing into WebEx number: (408) 418-9388, 126 791 3791, Password: 87935 or going to [www.cityofelephantbutte.com](http://www.cityofelephantbutte.com) for information about accessing the meeting through your computer.

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## Minutes

### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Nathan LaFont called the meeting to order, and Commissioner Cathy Harmon led the Pledge of Allegiance.

### 2. ROLL CALL

Clerk-Treasurer Rani Bush conducted roll call:

Chair Nathan LaFont - Present  
Vice-Chair Tami Smith - Present  
Commissioner Sheridan Fuss – Absent  
Commissioner Cathy Harmon - Present  
Commissioner Cathy Vickers – Present (Arrived Late)

### 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.*

None

### 4. APPROVAL OF AGENDA

**Vice-Chair Smith motioned to approve the agenda.** Commissioner Harmon seconded. Clerk-Treasurer Bush conducted a roll call vote.

Chair LaFont – Yes  
Vice-Chair Smith – Yes  
Commissioner Harmon - Yes

Motion Carried.

### 5. APPROVAL OF MINUTES

**Vice-Chair Smith motioned to approve the March 2, 2021 minutes.** Commissioner Harmon seconded. Clerk-Treasurer Bush conducted a roll call vote.

Chair LaFont – Yes  
Vice-Chair Smith – Yes  
Commissioner Harmon - Yes

Motion Carried.

## 6. PUBLIC INPUT

None

## 7. COMMISSIONERS' COMMENTS

**Chair LaFont** thanked the Commission for their willingness to hold a public hearing next week for a conditional use application. Notices for it have been posted. He also mentioned that City Council approved Ordinance 191 - Home Occupation Regulations. No substantial changes were made after the joint workshop. Chair LaFont asked Legal to review the use of the term "Land Use Office" in the ordinance since it is not defined in the City's Code. City Manager Vicki Ballinger let the Commission know that the fee for a home occupation permit was set at \$35.

Chair LaFont let the Commission know that Council also approved Ordinance 192 - R-1-C Subdivision Changes. Clerk-Treasurer Bush provide copies of both ordinances to the Commission.

Commissioner Cathy Vickers joined the meeting.

## 8. CITY MANAGER REPORT

**City Manager Vicki Ballinger** updated the Commission about her written report. The City was awarded \$1.1 million from Colonias for Wastewater System Improvements, Phase 4B. Utility billing issues from the last billing cycle are being corrected. The Truth or Consequences Fiesta is being planned and has requested to use the City's stage. Elephant Days is scheduled for mid-October this year.

City Attorney Alan Dahl went over the letter he provided concerning Ordinance 183 – Manufactured Home. He will get with the city manager to revise the ordinance. Commissioner Vickers volunteered to help. Chair LaFont suggested adding the definition of a multi-sectional.

City Manager Ballinger went over the Dwellings handout she included in the packet.

## 9. ZONING/LAND USE REPORT

**Land Use Admin Lindsey Moore** reported that there are currently seven new build residential projects. She is about 2-3 months ahead of where she was last year concerning permits. She updated the Commission on the Turtleback Mountain Resort commercial gate that is being installed.

## 10. REGULAR ITEMS

### a. Discussion/Possible Action: Ordinance 173 – Nuisance

City Attorney Dahl went over the letter he prepared about this ordinance and received input on revising the ordinance.

Commissioner Vickers motioned to table Ordinance 173 until further legal review. Vice-Chair Smith seconded. 4-0. Motion passed.

**b. Discussion: Storage Lots - Permitted Use vs. Conditional Use**

Chair LaFont led a discussion about whether commercial storage lots need to be permitted or conditional use. Issues that came up included landscaping, fencing, off-road access, and entrances. City Manager Ballinger will work on a draft of the ordinance.

**11. ADJOURNMENT**

Commissioner Harmon motioned to adjourn. Vice-Chair Smith seconded. 4-0. Motion Carried.

*Minutes approved and adopted at the Planning and Zoning meeting on May 4, 2021.*



Nathan LaFont  
Planning & Zoning Chair

ATTEST:



Rani Bush  
Clerk-Treasurer



