



CITY OF ELEPHANT BUTTE PLANNING & ZONING COMMISSION
REGULAR MEETING - OPEN TO THE PUBLIC
Tuesday, May 4, 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 for information about accessing the meeting through your computer.

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Nathan LaFont called the meeting to order and Vice-Chair Tami Smith 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 – Present
Commissioner Cathy Harmon - Present
Commissioner Cathy Vickers – Absent

Clerk-Treasurer Bush declared a quorum.

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

Commissioner Fuss motioned to approve the agenda with the amendment of switching Regular Item 11c with 11d. Vice-Chair Smith seconded. 4-0. Motion Carried.

5. APPROVAL OF MINUTES

Vice-Chair Smith motioned to approve the April 6, 2021 minutes. Commissioner Harmon seconded. 4-0. Motion Carried.

Commissioner Fuss motioned to approve the April 13, 2021 minutes. Commissioner Harmon seconded. 4-0. Motion Carried.

6. PUBLIC INPUT

None

7. COMMISSIONERS' COMMENTS

None

8. CITY MANAGER REPORT

City Manager Vicki Ballinger updated the Commission on current projects, the FY22 budget and GIS/911 data. The Comprehensive Plan Survey was closed with almost 200 responses. The new code enforcement officer resigned yesterday. She also went over the legal opinion about a confederate flag on private property. City Attorney Alan Dahl will review Code Chapter 152.07(c) Prohibited Signs to see if changes are needed with the Code.

9. ZONING/LAND USE REPORT

Land Use Admin Lindsey Moore reported that seventeen permits were issued in April, bringing the total to fifty for the year. She updated the Commission on the Turtleback Mountain Resort commercial gate installation. She is in regular communication with the County Assessor, Mike Huston. They are currently reviewing vacation of lot lines. Her office will be moved to City Hall instead of the Annex this July.

10. CODE ENFORCEMENT REPORT

Land Use Admin Moore went over the report the Commission received in their packet.

11. REGULAR ITEMS

a. Discussion/Possible Action: Ordinance 173 – Nuisance

City Attorney Alan Dahl explained his draft ordinance. Suggestions were made, including 1) adding blockages to any clear-sight traffic triangles, 2) adding definitions from Chapters 95 and 135, and 3) adding the definition of abandoned vehicles beyond cars.

Commissioner Harmon motioned to table Ordinance 173 until the next meeting. Vice-Chair Smith seconded. 4-0. Motion passed.

b. Discussion/Possible Action: Ordinance 183 – Manufactured Homes

Attorney Dahl explained his draft ordinance. The issue of mobile home skirting was discussed. Chair LaFont also raised the issue of multi-sectional vs. single sectional units. Clarification is needed about what Elephant Butte can enforce vs. State statute. Attorney Dahl will research this and revised the ordinance accordingly.

Commissioner Fuss motioned to table Ordinance 183 for a future meeting. Vice-Chair Smith seconded. 4-0. Motion passed.

d. Discussion: Business Renewals and Applications

Clerk-Treasurer Bush explained that business registration renewals are due June 30. Letters are being prepared, and she wanted input from the Commission because of recent changes to Code, especially around home-based businesses. Chair LaFont explained that the only circumstances that might need review by the Commission would be when there is a change to their scope of work that isn't a permitted use. All new or modified home occupation permits need to have a public hearing before the Commission for approval.

c. Discussion: Commercial Zoning District - Storage Lots Permitted vs. Conditional

Commissioner Harmon motioned to table Ordinance 183 until the next meeting. Vice-Chair Smith seconded. 4-0. Motion passed.

12. ADJOURNMENT

Commissioner Harmon motioned to adjourn. Commissioner Fuss seconded. 4-0. Motion Carried.

Minutes approved and adopted at the Planning and Zoning meeting on June 1, 2021.



Nathan LaFont
Planning & Zoning Chair

ATTEST:



Rani Bush
Clerk-Treasurer

