



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

Tuesday, October 5, 2021 - 9:00 am

103 Water Street, Elephant Butte, NM 87935

The City will also make the meeting open to the public through WebEx number: (415) 655-0001, Access Code: 126 791 3791, Password: 87935, or see www.cityofelephantbutte.com for more information.

MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Nathan LaFont called the meeting to order and 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 Orlando Saavedra - Present
Commissioner Cathy Vickers – Present

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 Saavedra motioned to approve the agenda. Vice-Chair Smith seconded. 5-0. **Motion Carried.**

5. APPROVAL OF MINUTES

- a. Commissioner Fuss motioned to approve the September 14, 2021, minutes. Commissioner Saavedra seconded. 5-0. **Motion Carried.**

6. PUBLIC INPUT

None

7. COMMISSIONERS' COMMENTS

Commissioner Vickers thanked the Maintenance Crew for keeping the City clean.

8. ZONING/LAND USE REPORT

Land Use Admin Lindsey Moore reviewed her reports with the Commission. She is reviewing the Code to find the discrepancies regarding permitted or conditional use, especially with commercial.

9. CITY MANAGER REPORT

City Manager Vicki Ballinger updated the Commission on OHV park funding and federal funds for drainage and erosion.

10. PUBLIC HEARING

a. Approve/Disapprove: KAR Trucking LLC - Special Use Application

Clerk-Treasurer Bush conducted roll call:

Chair LaFont - Present
Vice-Chair Smith – Present
Commissioner Fuss – Present
Commissioner Saavedra - Present
Commissioner Vickers – Present

No commissioner had ex parte communication with the applicant. No commissioner had any conflicts of interest.

Land Use Admin Moore and Adam Powell (applicant) were sworn in.

Land Use Admin Moore presented the case to the Commission. She corrected the application to state that no alcohol would be served. She also commented that Mr. Powell asked for a term longer than one year for the permit unless there is a major change. Then Mr. Powell explained his business, asked for a longer time frame for his permit, and answered questions.

Commissioner Fuss motioned to approve the KAR Trucking LLC Special Use Application (Case #21-0093). Commissioner Vickers seconded. Chair LaFont commented that resolving this type of one-year permit is a matter that the City should work on. Clerk-Treasurer Bush conducted a roll call vote.

Chair LaFont – Yes
Vice-Chair Smith – Yes
Commissioner Fuss – Yes
Commissioner Saavedra - Yes
Commissioner Vickers - Yes

Motion Carried.

b. Approve/Disapprove: Freedom Storage LLC - Conditional Use Application

Clerk-Treasurer Bush conducted roll call:

Chair LaFont - Present
Vice-Chair Smith – Present
Commissioner Fuss – Present
Commissioner Saavedra - Present

Commissioner Vickers – Present

No commissioner had ex parte communication with the applicant. No commissioner had any conflicts of interest.

Land Use Admin Moore, and John and Shonna Masce (applicants) were sworn in.

Land Use Admin Moore presented the case to the Commission. She corrected the application to state that no alcohol would be served. She answered Commissioner Vickers' question about drainage at the business and Chair LaFont's question about the RV dump on the property. Then the Masces explained their business and followed up regarding the two prior commissioners' questions.

Commissioner Vickers motioned to approve the Freedom Storage LLC Conditional Use Application (Case #21-0092) with the amendment of adding the landscaping requirements and drainage control as presented in the application. Commissioner Fuss seconded. Clerk-Treasurer Bush conducted a roll call vote.

Chair LaFont – Yes

Vice-Chair Smith – Yes

Commissioner Fuss – Yes

Commissioner Saavedra - Yes

Commissioner Vickers - Yes

Motion Carried.

11. REGULAR ITEMS

a. Discussion/Possible Action: Ordinance XXX - Short Term Rentals

The Commission reviewed the short-term rental application Land Use Admin Moore revised.

Commissioner Vickers left the meeting.

Next, the Commission discussed the following about the draft ordinance: separate addresses, inspections, home-based business permits vs. short-term rental permits, procedures, hearings, appeals, length of rental, and renewals.

Vice-Chair Smith motioned to table Ordinance XXX - Short Term Rentals for a future meeting. Commissioner Saavedra seconded. 4-0. **Motion Carried.**

b. Discussion/Possible Action: Sign Guidelines & Sign Ordinance Amendments

Commissioner Fuss motioned to table Sign Guidelines & Sign Ordinance Amendments and RV Parking Utilities Definition for a future meeting. Commissioner Saavedra seconded. 4-0. **Motion Carried.**

c. Discussion: RV Parking Utilities Definition

Tabled for a future meeting.

12. ADJOURNMENT

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

Minutes approved and adopted at the Planning and Zoning meeting on November 2, 2021.



Nathan LaFont
Chair

ATTEST:



Rani Bush
Clerk-Treasurer

