



**CITY OF ELEPHANT BUTTE ZONING COMMISSION
NOTICE OF REGULAR MEETING
Tuesday, August 5, 2025 – 10:00am
103 Water Street, Elephant Butte, NM 87935**

Minutes*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Commissioner Lee Morris called the meeting to order, and **Commissioner Masce** led the pledge of allegiance.

2. ROLL CALL/IDENTIFICATION OF VOTING MEMBERS

- **Chairman Lee Morris** – Present
 - **Vice-Chair Christine Logan** – Present
 - **Commissioner John Masce** – Present
 - **Alternate Commissioner Matt Casas** – Absent
 - **Alternate Commissioner Mike Finlay** - Absent
- City Clerk Cobleigh** conducted a roll call and declared a quorum.

3. APPROVAL OF AGENDA - Declaration of conflict of interest

Vice Chair Logan made a motion to approve the agenda as submitted. **Commissioner Masce** seconded the motion. 3-0. Motion Carried.

4. PUBLIC COMMENT

- a. *The Open Meetings Act is in effect and there is a 3-minute limit per speaker on all non-agenda items.

Nancy Evans, 909 Hawthorne Drive. Nancy Evans spoke on an issue regarding an abandoned sailboat that she has on her storage facility lot. Evans stated that she has been through court, and the sailboat was declared abandoned. Evans requested up to date information on City of Elephant Butte abandonment codes.

Janet Porter-Carrejo, City Manager stated that if she has the abandonment letter she can move forward with the removal or sale of the sailboat.

5. CONSENT ITEMS

- a. Regular Meeting Minutes from July 1, 2025

Vice Chair Logan made a motion to approve the regular meeting minutes from July 1st, 2025, as submitted. **Commissioner Masce** seconded the motion. 3-0. Motion Carried.

6. REGULAR ITEMS

- a. **Discussion/Possible Action:** Zoning Commission v. Planning and Zoning Commission
Rachel Black, Land Use Administrator introduced this regular item to the commission. Black stated that it was her understanding that the current zoning commission wished to

remain as a zoning commission only and not a planning and zoning commission. Janet Porter-Carrejo, City Manager stated she had an answer from the city attorney regarding this matter. Porter-Carrejo read aloud a question she had submitted to the city attorney, "Can we ask the council to increase the size of this board, or do we have to dismantle this one and begin a whole new board called planning and zoning?" City Attorney response, "Either can be done, but each would require council involvement. If the zoning board currently recommending that it should go back to being a true P&Z board then I would recommend an ordinance change to re-establish that board, which requires the 5-members. That, I believe, would require creating a new board again, although the current members could be directly appointed to it. If they are requesting an increase in size for the zoning commission only then they can recommend an ordinance amendment to the existing ordinance to increase the number of members. Then the council would just have to approve it."

Porter-Carrejo stated that it is up to the board on which route they would like to take, increasing the size of the Zoning Commission or re-establishing the P&Z Commission.

Chairman Morris stated that it was his opinion that this board not go after the Planning and Zoning Commission portion until after the election. Chairman Morris stated that with this election there is one mayor and two councilor seats open. Chairman Morris stated that the city will have a new mayor and maybe even three new councilors. Porter-Carrejo agreed to this statement. Chairman Morris stated it would be in the best interest of the board to increase it from a 3-member board to a 5-member board for the time being.

Vice Chair Logan questioned the wording on the Zoning Resolution 25-26-100 that says it was the majority opinion of the board rather than stating it was a unanimous opinion of the board. Porter-Carrejo stated that this statement was due to no formal vote being held on the matter prior to the drafting of the resolution.

- b. **Discussion/Possible Action:** Zoning Resolution 25-26-100 Increase Zoning Board
Rachel Black, Land Use Administrator provided the board with a drafted resolution of the Zoning Commission to request an increase from three members to five members.

Vice Chair Logan made a motion to approve Zoning Resolution 25-26-100 Increase Zoning Board. Commissioner Masce seconded the motion. 3-0.

Roll Call Vote

Chairman Morris – Yes

Vice Chair Logan – Yes

Commissioner Masce – Yes

Motion Carried

- c. **Discussion/Possible Action:** Chapter 154 Drainage & Erosion

Rachel Black, Land Use Administrator reviewed the conversation from the previous zoning commission meeting. Black began the discussion of Chapter 154. Black stated that this Chapter is convoluted on what the city will provide and what the property owner will provide. Black reiterated her statement and recommendation from last month that each zone includes a drainage and erosion control section of code. Black stated that it is not feasible to have a blanket drainage plan for the entire city that would work for both R-1-A and R-1-D. The lots are drastically different sizes. Black stated that within the current code it refers to the city engineer numerous times. That all clearing and grading plans are to

be approved by the city engineer. Without an in-house engineer who would be qualified to make decisions on whether or not someone is allowed to clear and grade their property? Black asked the commission for guidance on how to tackle this code issue and where to start with an amendment.

Chairman Morris is in favor of going zone by zone with the drainage and erosion codes.

Vice Chair Logan stated that on top of the zone-by-zone codes there needs to be a list of certain things that are applicable to all lots within the City of Elephant Butte, i.e. whether or not driveways need culverts, maintaining water, maintaining natural water flow. Vice Chair Logan stated that it was her impression that this was discussed at the last meeting and Rachel Black was going to look further into this with surrounding communities.

Chairman Morris suggested to the commission that they pick one zone for Rachel Black to begin working on the drainage amendment on. Chairman Morris stated the most difficult will be the commercial code. Vice Chair Logan and Chairman Morris stated R-1-A would be the best place to start.

Rachel Black asked for clarification from the commission regarding new construction and pre-existing development. Black asked how to address the difference of these types of development. Black introduced, Sandy Jones, that has been reviewing drainage concerns with her.

Sandy Jones spoke on this matter. Jones stated that New Mexico state law is clear on this matter regarding water shed from your property to neighboring properties. Jones stated that any storm water must be retained on your property for 24 hours. Jones states that this should apply to existing developed lots or newly constructed lots. Jones recommended that the city speak with their on-call engineering firm, Bohannon Huston regarding this subject.

Chairman Morris suggested that the city find verbiage from similar cities that we could utilize in our code that both the engineer and attorney approve of. Chairman Morris instructed Rachel Black to begin this review and amendments with large residential first.

Vice Chair Logan wanted to state that the requirements should be reflecting when there is new development not when ownership changes. Wants all codes to be legally enforceable.

7. STAFF REPORTS/COMMENTS

Janet Porter-Carrejo, City Manager spoke on previous adopted subdivisions that were not completed, and conditions were not upheld. Some of these subdivisions were not even completed with roadways.

8. COMMISSIONER COMMENTS & REPORTS

Vice Chair Logan – No Report

Commissioner Masce – No Report

Chairman Morris why were the appointments not on the agenda last month for re-appointment. Rachel Black stated that it was an oversight, and she would address this at the next meeting. Clerk Cobleigh stated this was not and oversight it was a request of the city manager.

9. ADJOURNMENT

Chairman Morris adjourned the meeting.

Minutes approved and adopted at the Zoning meeting on October 7, 2025.



Lee Morris, Chairman

ATTEST:



Lindsey Cobleigh, City Clerk

