PLANNING & ZONING COMMISSION  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
WORK SESSION  

Action Minutes  
Tuesday, July 03, 2012  

Work Session- Zoning Ordinance to Limit Height of Objects and Certain Uses Around the Truth or Consequences Municipal Airport:  

City Manager Juan Fuentes stated, at the last Planning & Zoning meeting the Commission was provided with a draft copy of the Proposed New Ordinance for the Airport Overlay Zone.  

Joey Perry asked that the Airport Advisory Board members be introduced.  

Robert Middleton, Airport Advisory Board Chairman, George Wright, Airport Advisory Board Member, Bill Howell, Planning & Zoning Chairman, Joey Perry, Planning & Zoning Vice-Chairman, James Jacobs, Planning & Zoning Commission Member, and January Roberts, Planning & Zoning Commission Member introduced themselves.  

Mark Huntzinger, from WH Pacific stated he is a consultant the City has hired for work out at the Airport, and one of the tasks City Manager Fuentes has asked him to do is develop an ordinance to replace the existing ordinance for height zoning, and zoning around the Airport. Mr. Huntzinger stated in the packet provided to the Board is the FAA Advisory circular which is the basis for the ordinance that he developed.  

Mr. Huntzinger reviewed the proposed ordinance with the Planning & Zoning Commission and the Airport Advisory Board.  

(Complete copy attached hereto and made a part hereof).  

Joey Perry had questions regarding the length of the runway, and the inner and outer width of the runway.  

Mark Huntzinger stated the RPZ is 1000 ft. long, the inner width closest to the runway is 250 ft. wide, and ends at 450 ft. They are similar to the runway protection zones in the existing ordinance.  

January Roberts asked Mr. Huntzinger what is the size of the largest airplane that has ever landed at the Airport.  

Mr. Huntzinger stated currently the Airport is designed for what we know as an Airport reference category B2. The paved runway is currently 75ft., and the design standard is 100ft. of pavement.  

James Jacobs stated there is a tower approximately 2-3 miles of the Airport, and does not know what that tower is used for. He asked if it falls into any current or future zoning’s.
Mr. Huntzinger stated he cannot tell Mr. Jacobs what zone it falls into because he does not know exactly where the tower is located. If it is within 10,000 ft. from the end of paved runway it falls underneath the horizontal zone in a proposed ordinance. He cannot tell him what zone it falls into without knowing the location, and applying the overlays.

Mr. Huntzinger noted when they designed the runway extension several years ago he was concerned that the tower on the Southside, by the mobile home park leading into Elephant Butte would penetrate the new end of the runway, but he has found out that the runway will not be affected.

Joey Perry asked if development on City property is subject to State inspection, or State permitting requirements. Ms. Perry stated we cannot do our own building permits on City property. She suggests that under Section VIII: Permits, it should reference that State permits may be required.

Juan Fuentes, City Manager noted, all City projects are permitted by the Construction Industry Division.

Mark Huntzinger stated when he put in the paragraph he was thinking in terms of a Zoning Ordinance. An Airport goes through the same process as an off Airport developer, and he was not thinking in terms of the inspection which he does not know is addressed in the current Zoning Ordinance or the General Zoning Ordinance for the City. He would have to determine whether or not it is appropriate for adding in the ordinance.

Joey Perry was concerned that the new proposed ordinance does not address noise issues.

Mark Huntzinger noted that a noise limitation portion can be added to the Proposed Ordinance.

Further Discussion ensued regarding several issues the Planning & Zoning Commission had regarding the New Proposed Ordinance, such as height limits, density around the Airport, density on ruling in City Limits, assembly of population, and liability the City and Airport may have incase of an accident.

With there being no further business in the work session the board moved onto the regular meeting.
PLANNING & ZONING COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
REGULAR MEETING

Action Minutes

Tuesday, July 03, 2012

TIME & PLACE: The Planning & Zoning Commission of the City of Truth or Consequences, New Mexico, met in Regular Session in full conformity with the law and ordinances of said Commission, at the Commission Chambers of said City on Tuesday, the 3rd day of July, 2012.

PRESIDING OFFICER: The meeting was called to order by Bill Howell, Chairman. Angela A. Torres acted as Secretary.

ATTENDANCE: Upon calling the roll the following members were reported present:

Bill Howell, Chairman
Joey Perry, Vice Chairman
James Jacobs, Member
January Roberts, Member

Also Present:

Robert Middleton, Airport Advisory Board Chairman
George Wright, Airport Advisory Board Member
Gerald LaFont, Airport Advisory Board Member
Juan Fuentes, City Manager
Angela A. Torres, Deputy City Clerk

QUORUM: There being a quorum present the Commission proceeded with the business at hand.

COMMENTS FROM THE PUBLIC:

Debra Toomey approached the podium with comments regarding freedom of speech.

Ron Fenn approached the podium with questions regarding Chairman, Bill Howell's term expiration.

APPROVAL OF AGENDA:

Bill Howell, Chairman called for approval of the Agenda.

"James Jacobs moved approval of the Agenda as submitted."

Seconded by January Roberts.
Motion carried unanimously.
Bill Howell, Chairman called for review and approval of minutes of the Regular meeting held Tuesday, June 5, 2012.

Joey Perry found an error on page 2, last sentence where it states “would prohibit any liable development near the Airport.” It should read viable instead of liable, and on the last page under “Comments from the public,” It states that The Planning & Zoning Commission asked that “Comments from the Public” be placed 1st on the Agenda.

Ms. Perry stated she recalls the Commission agreed on “Comments from the public” be placed as it once was, not first on the agenda.

“Joey Perry moved to approve the minutes of the Regular meeting held Tuesday, June 5, 2012 with the two identified corrections.”

Seconded by James Jacobs.
Motion carried unanimously.

James Jacobs stated Section VIII: Permits, on the new proposed ordinance needs to be addressed.

RE: Section VIII: Permits, Joey Perry stated if it is a building permit it does not have to be in the zoning regulations; her concern is that the way she reads the section is that you don’t have to get permits from anyone, and she thinks it should say no additional permits or variances are required, but that doesn’t mean that in other ordinances it wouldn’t be required for other regulations.

January Roberts asked if they have a board of adjustments, or is that something that is going to be created.

Mark Huntzinger replied by stating, the Planning & Zoning Commission and Airport Advisory Board act together when needed. It takes it outside City staff, and puts it to a Board that is familiar with the zoning issues, and adds the aviation component from the Airport Advisory Board. That can be adjusted in anyway it makes sense to the Planning & Zoning Commission, and the City.

January Roberts asked if the Board of Adjustments is a necessary component.

Mark Huntzinger stated he believes in basic Planning & Zoning, you have to have either a Board of Appeals or Board of Adjustments. Mr. Huntzinger stated the Board of Adjustment is intended for the purpose of if someone wants to propose something that the ordinance does not allow.

The Planning & Zoning Commission agreed that they do not need another Board.

Joey Perry stated she is concerned about the noise and density issues and they need to see a drafted version of the ordinance that includes the improvements that were discussed.
Joey Perry stated she believes the title needs to be changed to a Zoning Overlay Ordinance, rather than a Zoning Ordinance.

"January Roberts moved that they table the discussion on the Zoning Ordinance to Limit Height of Objects and Certain Uses Around the Truth or Consequences Municipal Airport."

Seconded by James Jacobs.
Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Commission, Bill Howell, Chairman called the meeting adjourned.

APPROVAL: PASSED AND APPROVED this 7th day of August, 2012, on motion duly made by Joey Perry, and seconded by January Roberts, and carried.

Bill Howell, Chairman