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

Wednesday, September 20, 2006

TIME & PLACE: The Planning & Zoning Commission of the City of Truth or Consequences, New Mexico, held a Workshop in the Red Room at the Civic Center, on Wednesday September 20, 2006, at 5:30 P.M.

PRESIDING OFFICER: Adam Polley Chairman opened the Workshop with reading the Legal Notices as follows:

NOTICE is hereby given that the Planning & Zoning Commission will hold a Workshop on Wednesday September 20, 2006 at 5:30 P.M. in the Red Room at the Civic Center 400 W. Fourth, Truth or Consequences, New Mexico to receive input regarding the following:

1. Proposed Sign Ordinance

Adam Polley Chairman: With that, I would like to say that in the spirit of cooperation I think that we can come up with a document that we could all live with, and with that said, I am going to turn the meeting over to Jaime Aguilera City Manager.

Jaime Aguilera: I have two changes to introduce. One is a result of a meeting I had with Don Gustin. That’s on page 12 under C number 2 subsection C the last sentence says each phase shall not advertise more than one message. I am proposing that we take that sentence out.

On page 9 on the bottom of the page the last item, projection sign. It says a projection sign may not extend beyond the property line of the building upon which it is attached. I am proposing that we change it to say a projection sign may not extend beyond the property line of the building upon which it is attached with out an encroachment permit.

Discussion ensued

Jaime Aguilera: I am proposing those only two changes. Now it is a matter of how to proceed and I think at this point it doesn’t make any sense to go through the ordinance we’ve gone through it over and over again. At this point I think it’s just a matter of the P & Z Commission hearing specific issues that you have.

Steve Green: Page 12 off-premises signs. I understand this, but let’s say for example that a business from E.B. wants to put a sign on the side of someone’s building. Can they legally come into T or C and put up a sign?

Jaime: No

Steve Green: The way it’s proposed here it seems not only grossly unfair to businesses that might we at the out stretch of our city limits like Morgan Marine their out on Hwy 51 and they get a lot of Butte and Lake traffic so a lot of people come in there but if there is a ½ mile leeway businesses out there and businesses all the way touching Williamsburg’s are going to miss the potential of driving people into our downtown district and I think that if your talking about a ½ mile from the host building its almost like trying to build a house out of pickup sticks. It just does not seem to make any sense why restrict it to a ½ mile if were going to restrict it to only within the city limits. I don’t
think it should be restricted that’s my position but at least lets talk about what’s fair to all. I think this should read at it’s worst it would be available for any business to take a percentage of its allotted signage and put that percentage on any other building that would want it to happen within the city limits. So this would give people an opportunity to market their businesses that are away from the heavy flow of traffic number one and number two what would be the reason that we would not want the people of E.B. that visit their community to know of our assets. Why would they allow us to put signage in E.B. if were turning around and saying no you can’t come in our town. I thought the whole idea of community was just that one word community that we are trying to market one another as desirable places to live and to visit and there for we are all going to gain.

Jaime: The reason there’s a distance requirement there instead of a boundary requirement is because putting a boundary requirement sounds more like discrimination. If you say only the city limits then only businesses within the city limits can advertise within the city limits then that sounds discriminatory against Williamsburg, and the rest of the county. If you have a distance requirement then your going in with a different type of mentality, we want businesses that advertise within a certain distance because we feel that their sharing in the marketing of that area. So if your within a ½ mile of where that sign is then there’s some give and take people are going to shop here and people are going to see the signs and their going to shop there. That’s the rational for the distance part and that’s the rational I said I was going to use from the beginning when I said I would consider recommending allowing off site signs. The other rational is do we really want to advertise E.B. Inn in the City of T or C or Casa Taco. I would think we want to encourage businesses within the city and residents to shop and spend their money here and not go to E.B. and stay at the Inn when they could have stayed here at Comfort Inn.

Sid Bryan: When we left one of these meetings I was under the impression that when we left you had agreed that, we would be able to have, and you said distance. I understood the distance thing. I thought that you had said that you were going to recommend that that part be changed so that we could advertise in E.B.

Jaime: First of all we didn’t agree to that, what I had said was I will work on a distance requirement. The thing I said at the next meeting was you need to take that up with the Commission. I’m the recommending person their the deciding person. If you think, one mile is more appreciate then recommend that, if you think no distance should be required then recommend that. The Commission may also feel that we shouldn’t have off site signage at all. That’s up for discussion. I’m giving you my rational.

Terry Allen: I think one of the reasons why we would want to allow E.B. to advertise in our town is because they have some things we don’t have. It’s called commerce.

Jaime: We don’t want sign clutter, the term is often used in land planning terms. If you allow too much signage to large signage then you have over competition. You get to the point to where there are so many signs that you can’t even see the forest for the signs. Sign clutter the idea is to try and reduce that by reducing the sizes and location.

Viola Bonner: My question is if somebody owns property in T or C and their from E.B. and they want to put an E.B. sign here on
their property, what your saying is that can’t do that.

Jamie: It would have to be a building first of all and it would meet the criteria. The one thing that would keep them from putting a sign here is the distance requirement.

Adam Polley: I understand where the City Manager is coming from because what he is looking at is exactly commerce. I think we need to understand here is he is trying to keep business within the city limits. When you start letting people come in and advertise within T or C that pulls them out of somewhere else where their going to spend money that’s not a good thing for the city. That’s what you guys are asking to be done here. What your asking to happen is you want the ability for other municipalities to come into T or C and put up signs that will draw your customers out to E.B. your going to lose business from that because that advertisement is within the city limits if you get this item changed. The only suggestion I have for this and I can rightly see his point the only thing I can offer here is go get a reciprocal agreement with E.B. Saying as long as you allow us to advertise there you can advertise over here.

Susan Lowe: I think one thing that could change this and get people coming together on this ordinance is the change of the ½ mile. When people come to Wal-mart, we want them to know that there is a museum and hot baths downtown, to know what T or C has, and if you do the ½ mile, they won’t know.

Jaime: If the Commission were to consider what’s being discussed then my recommendation would be to expand the mileage but don’t change it to say city limits.

Jaime: I have a plan of putting up a large freeway type sign on the corner of Date as you leave Wal-mart and come to the stop sign that’s going to be there. You will see a large sign that says visit our downtown, 20 galleries, historic buildings, 3 museums what ever the assets is we want to advertise and that I think is the way to take advantage of the traffic that is coming to Wal-mart area and shift them into the downtown area.

Discussion ensued

Cary Gustin: Can we have neon signs?

Jaime: Are neon signs allowed yes are flashing signs allowed well the answer is depends on weather it falls within the guidelines. If it’s a red light that looks like a police car then the answer is no. If it’s something that simulates a emergency sign or vehicle or if it’s something that is distracting like a very bright light shining on the street then it would not be allowed.

Discussion ensued

Don Gustin: We discussed the commercial buildings having 50% more signage like the old ordinance said.

Jaime: What Don is talking about is we had a meeting yesterday which we discussed several points that he brought up one of which I already explained which I did agree with on page 12 and another point that he wanted to make is that he wanted to have the square footage allowance increased from what the ordinance says to an additional 50% for those buildings that are on corners. I indicated that I did not agree with that and that the ordinance is fine the way it is the extra signage is not necessary for the business and I told him I would not recommend the change.
Discussion ensued

Steve Green: Page 12 #1 all billboards shall be located only in areas zoned ml and only along streets designated. Shouldn’t the and be or and according to this the only billboards your going to be able to have is along the river south of the hospital and out where Elite Shutter was or maybe out around the commercial area by the airport.

Jaime: The idea is to keep billboards out of Broadway and Date and 3rd St.

Cary Gustin: Read a statement and presented the board with some promotion assessments for the downtown businesses and a map. (Complete copy attached hereto and made a part hereof.)

Discussion ensued

Sid Bryon: At the other workshop they brought up murals on the side of the building, is this still ok?

Jaime: A mural is not advertising it is art if you are putting up a wall sign that’s painted on the wall then that’s a sign not a mural. If the mural is an art it is not controlled by the sign ordinance it is art but if you’re advertising something in it then you can’t call it a mural it is a sign.

Discussion ensued

Susan Lowe: Page 14 regarding real estate signs, #5 removals of signs. It says they must be removed within 72 hours after closing.

Discussion ensued

Jaime: We can change that to 14 days.

Don Gustin: Would like you to put these illustrations in there from the original ordinance and they just show what the signs are, it shows what a monument sign, freestanding, wall and projection sign looks like.

Jaime: Those drawings where in the original ordinance, I didn’t see a lot of value in them and it just makes it difficult to turn into a document you can see on the website so that’s why I took those out.

Discussion ensued

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned.

APPROVAL:
PASSED AND APPROVED this 3 day of October 2006, on motion duly made by and seconded by , and carried.

[Signature]

Adam Polley, Chairman
Planning & Zoning Commission