

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MONDAY, OCTOBER 4, 2021**

MINUTES

REGULAR MEETING

Regular meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, October 4, 2021 at 5:30pm.

CALL TO ORDER: The meeting was called to order by Chairman Hogg.

ROLL CALL:

Michael Hogg, Chairman
Chris Sisney, Vice-Chairman
James Bush, Member

ALSO PRESENT:

Traci Alvarez, Assistant City Manager
Angela A. Torres, City Clerk

1. APPROVAL OF AGENDA:

Member Bush made a motion to approve the agenda. Vice-Chairman Sisney seconded the motion. Motion carried unanimously.

2. APPROVAL OF MINUTES:

- a. Regular meeting of Monday, August 2, 2021.

Member Bush made a motion to approve minutes. Vice-Chairman Sisney seconded the motion. Motion carried unanimously.

3. COMMENTS FROM THE PUBLIC:

There were no comments from the public.

4. PUBLIC HEARING:

- a. **Public Hearing/Discussion/Action: Request for a Summary Plat Amendment at 905 Palo Verde Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. Applicant request to combine lots.**

Traci Alvarez, Assistant City Manager – Presented to the board the request for a Summary Plat Amendment at 905 Palo Verde Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. In the packet is the finding & facts sheet and the utility sign off sheet. We don't see any issues or concerns with this request. Staff recommends approval.

Chairman Hogg: He drove by the place and everything looked fine to him.

Vice-Chairman Sisney – Asked the applicants what they plan on building on the property.

Traci Alvarez, Assistant City Manager – Explained that it is important to note that this is just for the request to combine the lots, and how they develop the lots would go before Planning & Zoning and there are requirements, and guidelines for that so what they are going to build cannot have any bearing on whether or not you approve this. We are approving this over the 7 findings and facts worksheet that has been provided to you. That area is zoned per our Municipal Code for maybe only site built houses, or it could be zoned for manufactured homes, or it could go for a special use for an RV.

Vice-Chairman Sisney – Asked what the zoning is for that area.

Traci Alvarez, Assistant City Manager – The zoning is R-1 which allows:

R-1 PERMITTED USES. The following uses are permitted by right in R-1 Districts.

- 1. Accessory Building.*
- 2. Accessory Dwelling Unit: Subject to meeting all setback, building and development standards of this Code.*
- 3. Construction Yard or Building (Temporary): Such yard or building shall be removed upon completion of construction or within three (3) years from date of permit, whichever is sooner. Construction yards and buildings shall be maintained in fences at least six (6) feet in height. However, there shall be no fence or wall more than three (3) feet in total height above street-curb level located within the clear sight triangle of a street intersection as defined in Article 8 of this Code.*
- 4. Detached Single Family Dwellings.*
- 5. Dish Antennas: These shall be for the non-commercial reception of satellite signals.*

6. *Garage or Yard Sale or Similar Use: Three (3) sales are permitted in a one (1) year period at a single address. A sale shall not exceed three (3) consecutive days.*
7. *Greenhouse (Non-Commercial), Garden Sheds, Tool Sheds: When detached from the main dwelling such structures are subject to the provisions of Accessory Buildings.*
8. *Home for Handicapped, Disabled, Retarded, or Retired: Subject to requirements of the New Mexico Statutes, 1978, Section 3-21-1, Paragraph C, as amended. There shall be no more than five (5) persons in one home, and a minimum of two (2) parking spaces must be provided.*
9. *Home Occupation.*
10. *Kennel (Private, Residential).*
11. *Manufactured Homes.*
12. *Public Park, Playground, Ball Fields or Tennis Courts:*
13. *Real Estate Office (Temporary): Permitted only in conjunction with a residential subdivision, provided such use shall be discontinued upon the completion of the development or within three (3) years from date permit issued, whichever is sooner.*
14. *Storage, Residential Vehicles: Storage of personal recreational vehicles, boats, trailers or similar uses shall be limited to a maximum of one (1) per dwelling unit in the side yard, with no limit in the rear yard separated by at least five (5) feet from any property line.*
15. *Swimming Pool (Private): Permitted only when a protective fence four (4) feet in height is provided around the yard, lot or pool area. The pool shall be no closer than five (5) feet from any property line and approval from all utilities is required to insure overhead safety.*
16. *Tennis Courts (Private for Residential Use).*

Drake Wehrs, Applicant - They are building a single story house on the property with a garage.

Member Bush made a motion to approve the request for a Summary Plat Amendment at 905 Palo Verde Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. **Vice-Chairman Sisney** seconded the motion. Motion carries unanimously.

5. NEW BUSINESS:

a. Discussion/Action: New Meeting Date and Time:

Traci Alvarez, Assistant City Manager – When the Planning & Zoning Commission was re-enacted, they chose a meeting date that conflicts with our Recreation Advisory Board that has been in place for a long time. Therefore, her request is that the Planning & Zoning Commission consider holding their meetings on a different day and time so we are not conflicted on which meetings we attend.

Member Bush made a motion to change the Planning & Zoning Meetings to the first Thursday of each month at 5:30 p.m. **Vice-Chairman Sisney** seconded the motion. Motion carries unanimously.

6. REPORTS FROM THE BOARD:

There were no reports from the board.

7. REPORTS FROM STAFF:


Traci Alvarez, Assistant City Manager – We will have another Public Hearing at the next meeting for another Summary Plat Amendment. She held off on scheduling it until she knew what the new date was going to be. She is currently looking into the Municipal Code, as well as other codes in the Planning & Zoning section as it relates to cannabis. With the new laws that have come out we are going to have to take a look at the manufacturing, production, and retail of cannabis within the city limits. State law does not allow us to prohibit it, and state law does not allow us to make it any more difficult than what it would be required for someone to get an alcohol license. We will have to take a look at the areas within the city to see if we want to limit them within different zones. There is the private growth that they can do within any residential area. We cannot override the state on that. She has had some enquiries about people who want to set up greenhouses so when she gets more information on that she will bring it to the board.

8. ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission. Chairman Hogg called to adjourn the meeting.

Member Bush made a motion to adjourn the meeting. Vice-Chairman Sisney seconded the motion. Motion carried unanimously.

PASSED AND APPROVED ON THIS 4TH DAY OF NOVEMBER 2021.



Michael Hogg, Chairman
Planning & Zoning Commission