

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MONDAY, AUGUST 2, 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, August 2, 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
Dawn C. Barclay, Deputy 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, July 12, 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: Special Use/Conditional Use permit for Home Occupation Level III. Traci Alvarez, Assistant City Manager.

Traci Alvarez, Assistant City Manager – Presented to the board the request for a Home Occupation Level III request for permit at 1407 Mercury Street from applicant's Alfred Candelaria and Kathy Reid who are in attendance today. They wish to operate a small auto repair shop from their home. In the packet is the public notice that was sent out to all property owners within a 300 ft. radius. No response has been received by mail or email to myself or the City Clerk's office either for or against. The site plan is in your packet showing the location of the shop. I've reviewed the Finding & Facts, and found no issues. Staff recommends approval of the Level III Home Occupation permit. Ms. Alvarez asked if there were any questions.

Chairman Hogg: Asked for clarification if the electric bill would be effected?

Traci Alvarez, Assistant City Manager – Ms. Alvarez confirmed, the electric bill will not be effected, it will remain as a residential status because it's considered a Home Occupancy permit.

Vice-Chairman Sisney – Asked for clarification why the Level III came before the board. He was wondering if this classification of work was not previously approved for a Level III.

Traci Alvarez, Assistant City Manager – Ms. Alvarez stated because our Municipal Code isn't well defined, it does not specifically say auto repair shop. It does allow the Zoning Official to designate which classification level the auto repair shop will fall under. Because some small auto repair shops can be controversial when located in residential areas, she felt it was necessary to treat it as a Level III and to proceed with a public hearing for approval.

Vice-Chairman Sisney – Made a statement to Ms. Alvarez... "it has not been prohibited, just not listed".

Traci Alvarez, Assistant City Manager – Ms. Alvarez confirmed it is not prohibited.

Member Bush - Commented by quoting "Sec. 11-5-4, E., 8. h. stating the part "...as interpreted by the designated Zoning Administrator".

Vice-Chairman Sisney – Had a question for the business/property owner. Prior to responding, Angela A. Torres, City Clerk swore in Ms. Kathy Reid so she could reply. Mr. Sisney asked Ms. Reid "what is the exact nature of your business?". Ms. Reid replied; the "Shop" is on the premises of 1407 Mercury St. No vehicle repair work is conducted in the streets nor are vehicles

stored on the streets. The "Shop" building has been in the family for approximately 25 years and was previously a small appliance repair shop. Currently it is being used as a small vehicle repair shop to a small limited number of customers consisting of family members and friends that come to have repairs done. I was unaware of the requirements for a home business and once I was notified I took the proper steps to become compliant with the City codes and regulations. Chairman Hogg asked if there will be a business sign posted. Ms. Reid replied, no sign will be posted. No other questions were asked.

Chairman Hogg made a motion to approve the request for Home Occupation Level III. Member Bush seconded the motion. Motion carries unanimously.

5. REPORTS FROM THE BOARD:

There were no reports from the board.

6. REPORTS FROM STAFF:


Traci Alvarez, Assistant City Manager – Ms. Alvarez requesting from the board a discussion for a new meeting time and/or date for the monthly Planning & Zoning Commission meetings. She explained she has a scheduling conflict with other board meeting that she must attend. She suggested to the board that the Planning & Zoning Commission might consider moving their meeting time to the second Monday of each month or keeping the current meeting date of the 1st Monday of each month but meeting at an earlier time that same day.

7. 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 meeting. Vice-Chairman Sisney seconded the motion. Motion carried unanimously.

PASSED AND APPROVED ON THIS 6TH DAY OF SEPTEMBER 2021.



Michael Hogg, Chairman
Planning & Zoning Commission