

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
AGENDA
MONDAY, FEBRUARY 12, 2024**

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, February 12, 2024 at 4:00 p.m.

INTRODUCTION:

ROLL CALL:

Chris Sisney, Chairman
Susan Buhler, Vice Chairman
Esther Luchini, Member
Lisa Kent, Member

1. APPROVAL OF AGENDA:

2. APPROVAL OF MINUTES:

- a) November 13, 2023

3. COMMENTS FROM THE PUBLIC (3 Minute Rule Applies):

4. PUBLIC HEARINGS (5 Minute Rule Applies):

- a) Public Hearing/Discussion/Action: Request for a Summary Plat Amendment at 808 N. Maple. Applicant wishes to amend their lot line and combine parcels 3021078432173 and 3021078432164. Assistant City Manager Alvarez

5. REPORTS FROM THE BOARD:

6. REPORTS FROM STAFF:

7. ADJOURNMENT:



CITY OF TRUTH OR CONSEQUENCES
PLANNING AND ZONING COMMISSION ACTION FORM
DATE: 2-12-24

ITEM: Discussion/Action: Summary Plat Amendment 808 Maple

BACKGROUND: Request for a Summary Plat Amendment at 808 N. Maple. Applicant wishes to amend their lot line and combine parcels 3021078432173 and 3021078432164.

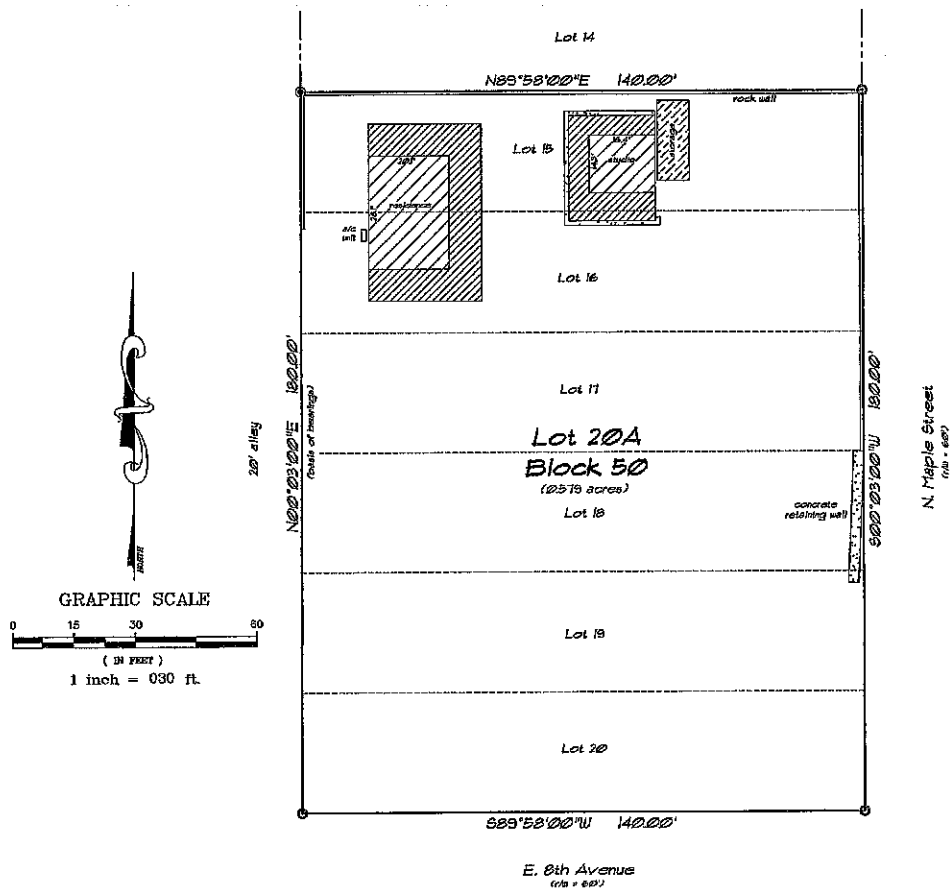
SUPPORT INFORMATION:

Summary Plat
Parcel Map
Parcel Map Wide View
Public Hearing Notice
Findings of Facts Checklist

Name of Drafter: Traci Alvarez	: Assistant City Manager	
E-mail: talvarez@torcnm.org	Phone: 575-894-6673	

ALTERNATE SUMMARY PROCEDURE-SUMMARY PLAT

of Lots 15 thru 20, Block 50, (now known as Lot 20A, Block 50),
La Vista Addition to Hot Springs,
a subdivision in the City of Truth or Consequences, Sierra County,
New Mexico



Reference:

Lots 15 thru 17:
Account No. 429
Book 132, Page 1435, (Merriam Deed)
UPC 302-107-843-218-4

Lots 18 thru 20:
Account No. 3034
Book 131, Page 46-65, (Merriam Deed)
UPC 302-107-843-218

La Vista Addition Subdivision Plat filed on January 27, 1935, (Plat No. 18-B,
Slide No. 87)

National Flood Insurance Program, Flood Insurance Rate Map Community-Plan
No. 350073 0002 C, (map revised July 16, 1936)

City of Truth or Consequences Subdivision Codes, Ordinance Number 555, Chapter
15, Section B, Alternate Summary Procedure, (adopted May 23, 2006)

Notes:

- These lots are subject to easements, restrictions and reservations of record
- The lots shown herein are located within the boundaries of Flood Zone X, "Area
determined to be outside 500-year flood plain"
- Use chaining scale to determine measurements when not labeled
- On corners found without survey identification, an aluminum tag stamped "NPSLS
1223" was applied
- The herein described replat of lots were created under the City of Truth or
Consequences Subdivision Codes, Ordinance Number 555

Legend:

- found 1/2" rebar, (no survey identification)
- found 1/2" rebar with survey stamp stamped "NPSLS 1223"
- vacated lot line -----

ACKNOWLEDGMENT

The replat of lots, as shown herein, is with the free consent and in accordance
with the wishes and desires of the undersigned owners and proprietors of the
lots, to-wit:

Kim Talbot Birdsell
Kim Talbot Birdsell

STATE OF NEW MEXICO)
COUNTY OF SIERRA)
The foregoing instrument was acknowledged before me this 13th day of
November, 2023 by Kim Talbot Birdsell

April Anne Campbell
Notary Public

My Commission Expires: 10/18/2026

Tori D'Ann Davis
Tori D'Ann Davis

STATE OF NEW MEXICO)
COUNTY OF SIERRA)
The foregoing instrument was acknowledged before me this 13 day of
November, 2023 by Tori D'Ann Davis

April Anne Campbell
Notary Public

My Commission Expires: 10/18/2026

The City of Truth or Consequences does hereby acknowledge
the replat of lots as shown on this plat.

Mayor _____ Date _____

October 3, 2023

Chaparral Surveying, LLC

Professional Land Surveying

P.O. Box 629 Elephant Butte, New Mexico 87630

CERTIFICATE

This is to certify that I am a registered Professional
Land Surveyor, that this plat is prepared from notes
of field survey made by me or under my supervision,
that said survey and this plat are true and correct
to the best of my knowledge and belief.
I further certify that this survey is an Alternate Summary
Procedure of an existing tract or tracts.

This plat meets the minimum requirements of the
Standards of Land Surveying in New Mexico.

David M. Davis
David M. Davis
New Mexico Professional Surveyor
License Number 859

INDEXING INFORMATION FOR COUNTY CLERK

Teri Davis & Kim Birdsell (+19)
Kim Talbot Birdsell & Tori D'Ann Davis (3534)
La Vista Addition
Section 34, Tshp. 13 South, Rge. 4 West





*Amanda Forrister
Commissioner*

*Rolf Hechler
Commissioner*

*Merry Jo Fahl
Commissioner*



*Destiny Mitchell
Commissioner*

*Ingo Hoeppner
Commissioner*

*Angie Gonzales
City Manager*

*505 Sims St.
Truth or Consequences, New Mexico 87901
P: 575-894-6673 ♦ F: 575-894-7767
www.torcnm.org*

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City of Truth or Consequences Planning & Zoning Commission will hold a Public Hearing during their regular scheduled meeting on Monday, February 12, 2024, to receive input regarding the following:

Public Hearing/Discussion/Action: Public Hearing request for a Summary Plat Amendment at 808 N. Maple. Applicant wishes to amend their lot line and combine parcels 3021078432173 and 3021078432164.

The meeting will be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico starting at 4:00 p.m.

Should you have any questions regarding this Public Hearing, please contact Traci Alvarez at (575) 941-0565 or by email at talvarez@torcnm.org.

The agenda may be obtained on Friday, February 9, 2024, on the city website calendar at www.torcnm.org; by contacting the City Clerk's Office at 575-894-6673; or by email to: torcclerk@torcnm.org.

/s/ Angela A. Torres, CMC, City Clerk

Publish on the following date:

- Sentinel– Friday, January 5, 2024

PLANNING AND ZONING COMMISSION

FINDINGS OF FACTS CHECKLIST

Request Date _____ Address _____

Findings of facts for recommendations and decisions.

In considering all requests, the Planning and Zoning Commission shall review applicable plans and determine whether the request will:

1. Impair an adequate supply of light and air to adjacent property;
2. Unreasonably increase the traffic in public streets;
3. Increase the danger of fire or endanger the public safety;
4. Deter the orderly and phased growth and development of the community;
5. Unreasonably impair established property values within the surrounding area;
6. In any other respect impair the public health, safety and general welfare of the City; or
7. Constitute a spot zone* and therefore adversely affect adjacent property values.

All actions or recommendations by the Planning and Zoning Commission shall be based on Findings of Facts as to the impacts of the proposal, using the criteria listed in numbers 1 through 7, above. The Planning and Zoning Commission shall review each of the above listed factors and accord each factor the necessary weight on a case-by-case basis in making its determination.

*Spot Zoning: The singling out of a lot or small area for a District change, which is out of harmony with the comprehensive plan and surrounding land to secure special benefits for a particular property owner without regard for the rights of adjacent landowners.

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MINUTES
MONDAY, NOVEMBER 13, 2023**

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, November 13, 2023 at 4:00 p.m.

INTRODUCTION:

ROLL CALL:

Chris Sisney, Chairman
Susan Buhler, Vice Chairman
Esther Luchini, Member
Lisa Kent, Member

ALSO PRESENT:

Traci Alvarez, Assistant City Manager
Lisa Gabaldon, Deputy Clerk

1. APPROVAL OF AGENDA

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

2. APPROVAL OF MINUTES:
a) October 10, 2023

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

3. COMMENTS FROM THE PUBLIC (3 Minute Rule Applies)

There were no comments at this time.

4. PUBLIC HEARINGS (5 Minute Rule Applies)

- a) Public Hearing/Discussion/Action: Summary Plat Amendment at 1075 E. Riverside. Assistant City Manager Alvarez

Deputy Clerk Gabaldon swore in the participants for the public hearings.

Assistant City Manager Alvarez: Chairman and members of the board, this is a pretty simplified summary plat request; the applicant owns 2 parcels and they're requesting to vacate the lot line between the 2

parcels and make it one large parcel. All public notices were sent out; only heard back from BOR since they do border the river and there were no issues or concerns with BOR. At this time, we are requesting approval to vacate the lot lines so that they are having one property to pay taxes on that has a mobile home with a garage and shop.

Vice-Chairman Buhler: What is their name? Is it Landry?

Assistant City Manager Alvarez: Yes.

Vice-Chairman Buhler: Because it wasn't on any of the top paperwork; just on the second page. Ok.

Chairman Sisney: Are there any questions from the council on this item?

Vice-Chairman Buhler: I drove by and I looked at it; they have a lot of stuff on that lot. Huge amount; I guess they're not here to talk to us either.

Assistant City Manager Alvarez: They were unable to attend the meeting.

Vice-Chairman Buhler: That's the only thing I really have to say; I'm sure that they're all with their legalities are all correct.

Assistant City Manager Alvarez: So, is it different than the pictures that I included?

Vice-Chairman Buhler: Well, you know, yes, there's a lot more stuff in there.

Assistant City Manager Alvarez: So, these pictures were taken just last week, so I can ask if code enforcement can go by, but I just went by and took those pictures last week. As a matter of fact, I can tell you what day.

Vice-Chairman Buhler: Well, I don't have a problem with what they want to do, but there is an incredible amount of stuff on that piece of property. That's all I have to say.

Chairman Sisney: Does anyone else have any questions?

Chairman Sisney made a motion to recommend the Summary Plat Amendment to the City Commission for final approval.

Member Luchini seconded the motion.

Roll call vote was taken.

Motion carried unanimously.

- b) Public Hearing/Discussion/Action: Request for a Special Use Permit at 865 W. 4th Ave. for the purpose of a Multi Animal Permit. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and member of the board, this came to you guys a year ago, so this is just an annual renewal. They have the cats; no issues or concerns from animal control and no issues or concerns with anything to do with code enforcement. They did the check; they're very happy with everything. Unfortunately, they have training that they are out at and were unable to attend the

meeting tonight, but there are no issues or concerns and both animal control and code enforcement both recommend approval of the renewal.

Chairman Sisney: Are there any questions from the board?

Deputy Clerk Gabaldon: We have Geneva Pryor here if you have any questions.

Applicant Geneva Pryor: I hope that I can get a renewal. Same as before. Animal control is ecstatic with the cat-a-tat. I would really appreciate it if you guys could approve this again.

Chairman Sisney made a motion to recommend approval to the City Commission for a Special Use Permit for the purpose of a Multi Animal Permit.

Vice-Chairman Buhler seconded the motion.

Roll call vote was taken.

Motion carried unanimously.

5. REPORTS FROM THE BOARD

There were no reports from the board at this time.

6. REPORTS FROM STAFF

There were no reports from City staff at this time.

7. ADJOURNMENT

Vice-Chairman Buhler made a motion to adjourn.

Member Luchini seconded the motion.

Motion carried unanimously.

PASSED AND APPROVED ON THIS 12th DAY OF FEBRUARY 2024.

Chris Sisney, Chairman
Planning & Zoning Board