

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

REGULAR MEETING

Action Minutes

Tuesday, October 05, 2010

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 5th day of October, A.D., 2010.

PRESIDING OFFICER: The meeting was called to order by Joey Perry, Vice Chairman, and Angela A. Torres acted as Secretary of the meeting.

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

Joey Perry, Vice Chairman  
Lee Foerstner, Member  
James Jacobs, Member

Absent:  
Bill Howell, Chairman

Also Present:  
Dave Weiser, City Manager  
Charlie Friberg, Building Inspector  
Angela A. Torres, Deputy City Clerk

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

APPROVAL OF AGENDA: Joey Perry, Vice Chairman called for approval of the Agenda.

“Lee Foerstner moved approval of the Agenda as submitted.”

Seconded by James Jacobs  
Motion carried unanimously.

APPROVAL OF MINUTES: Joey Perry, Vice Chairman called for review and approval of minutes of the Regular meeting held Tuesday, September 7, 2010.

“Lee Foerstner moved to approve the minutes of the Regular meeting held Tuesday, September 7, 2010 as submitted.”

Seconded by James Jacobs  
Motion carried unanimously.

COMMENTS FROM THE PUBLIC: None.

CITY MANAGER DAVE WEISER-DISCUSSION – CHAPTER 15 OF THE MUNIPAL CODE. ( SUBDIVISION CODE): City Manager Weiser reviewed Chapter 15, (**Subdivision Code**) of the municipal code with the Planning & Zoning Commission. The following items were discussed with brief comments from the Planning & Zoning Commissioners:  
**Sec. 15-1. Title:** The Planning & Zoning Board had brief discussion regarding Sec 15-1.

**Sec. 15-2. Jurisdiction:** The Planning & Zoning Board stated that they would like to have joint work shops with other Planning & Zoning Commissions to discuss overlapping issues.

**Sec. 15-3. Costs of development: Subdivider's responsibility:** The Planning & Zoning Board had discussion regarding whether the fees adequately cover all costs.

**Sec. 15-4. Minimum standards and conflict:** The Planning & Zoning Board had no discussion on Sec. 15-4.

**Sec. 15-5. Approvals required: three mile limit; interpretations:** The Planning & Zoning Board had brief discussion regarding this section.

**Sec. 15-6. Severability:** The Planning & Zoning Board had no discussion on Sec. 15-6.

**Sec. 15-7. Violation and penalties:** The Board asked City Manager Weiser if the City had grading permits available. Charlie Freiberg Building inspector replied "yes, there is an excavation permit (Grading Permit)."

Joey Perry had questions regarding Sec. 15-7 B (Transfer of ownership).

Discussion ensued.

**Sec. 15-8. Variances:** Lee Foerstner stated that the Board has to be very careful when it comes to variances so that they don't grant special privileges to certain parties.

**Sec. 15-9. Appeals:** The Planning & Zoning Board would like to make the code 15-9 more clear as to what an aggrieved person is.

**Sec. 15-10. Repealer:** The Planning & Zoning Board had no discussion on Sec. 15-10.

**Sec. 15-11. Definitions:** Joey Perry stated that she would like to have more definitions in the code, and she would like to see "In Filled Subdivision" in the definitions.

The Board stated that flood zones need to be added to the definitions.

City Manager Weiser stated that he was going to reference the City definitions with the County's, and see if there is anything that should be added.

**Sec. 15-12. Submitting subdivision master plans:** The Planning & Zoning Board would like to develop some sort of time line on submitted applications.

The Board also recommended that they get there packets on Tuesday instead of on Friday so they would have a chance to walk the property of the development, and go over the packets more thoroughly.

No action was made regarding discussion on section 15-1 through 15-12.

"James Jacobs moved that they stop discussion, and move on to the next item on the agenda."

Seconded by Lee Foerstner  
Motion carried unanimously.

CONSIDER  
BOARD  
APPOINTMENT:

The Board agreed that they would like to leave the decision up to the City Commission to choose an applicant for the Planning & Zoning Board.

Lee Foerstner stated that he would like City Manager Weiser to pass onto the City Commission that they consider putting someone as neutral as possible on the Board.

City Manager Weiser agreed to pass that onto the City Commission.

No action was taken on the item.

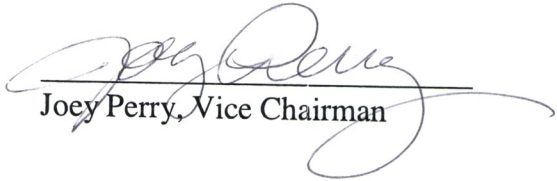
The Planning & Zoning Board, and City Manager Weiser agreed that in future meetings if there is not a whole lot on the agenda that they proceed with reviewing chapter 15 **Subdivision Code**.

ADJOURNMENT:

There being no further business to come before the Commission, Joey Perry, Vice Chairman called the meeting adjourned.

APPROVAL:

PASSED AND APPROVED this 2nd day of November, 2010, on motion duly made by Joey Perry, and seconded by James Jacobs and carried.

  
Joey Perry, Vice Chairman