

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MINUTES
MONDAY, OCTOBER 7, 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, October 7, 2024 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
Katy Martinez, Deputy City Clerk

1. APPROVAL OF AGENDA:

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

2. APPROVAL OF MINUTES:

a) September 9, 2024.

Member Luchini made a motion to approve the minutes. Member Kent seconded the motion. Motion carried unanimously.

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

There were no comments from the public.

Deputy City Clerk Martinez swore in the participants for the public hearings.

4. PUBLIC HEARINGS (5 Minute Rule Applies)

- a) Public Hearing/Discussion/Action: Summary Plat Amendment at 601 E. Third/217 N. Maple. The applicant wishes to divide the parcel as per Sec. 15-15 (Alternate Summary Procedure).

Assistant City Manager Alvarez: Applicant is requesting to split this parcel. The parcel is located in the C1 District, and it currently has a business structure on it as well as a residential structure. He would like to separate the business from the residential. Both lots meet the required lot size for the C1 District no concerns with electric utility, water utility can be provided a separate tap to both areas. I did have a question on the sewer we weren't sure where the sewer ran. Are they connected?

Jason Hopp Applicant: No, they are separate. The 217 goes out to the east side and the 601 goes out on the north end.

Assistant City Manager Alvarez: So, the sewer line doesn't cross. So, there is no issues or concerns with utilities and the applicant is here.

Chairman Sisney opened the public hearing.

Chairman Sisney: Is there and issue with the water supply?

Jason Hopp Applicant: No.

Assistant City Manager Alvarez: Both lots have unobstructed access to water, sewer, electric and streets. I have attached your seven findings of facts to review for your decision-making purposes.

Proponents:

No Proponents

Opponents:

No Opponents

Chairman Sisney closed the public hearing.

Chairman Sisney made a motion to recommend approval to the City Commission for a Summary Plat Amendment at 601 E. Third/217 N. Maple. Vice Chairman Buhler seconded the motion. Roll call vote was taken. Motion carried unanimously.

- b) Public Hearing/Discussion/Action: Vacation of Plats to Vacate a 20' alley situated in Section 34, Township 13 South, Range 4 West, N.M.P.M., within Block 1, Smith Terrace as per Sec. 15-18 (Vacation of Plats)

Assistant City Manager Alvarez: If you turn to the fourth page in your packet this will probably be the easiest thing to look at for explanation. The applicant owns the property and the parcels as well. They are requesting to vacate the section of what is designated as an alley between the properties. This is silver street up by the hospital area. As you know from that it wouldn't be a very well-developed area. If you look at the second map on the next page you will see that the alley way ends at the end of their parcels. What they are requesting is that the city vacate that alley. The alley way would then be split between those various parcels for potential future development. The applicants are present. There is no service up there at this time they are looking at potentially developing it so it would be their responsibility to pay for water, sewer and electric services to go there. There are areas that those utilities could be provided but vacating this alley does not interfere with any services.

Chairman Sisney opened the public hearing.

Daniel Steel Applicant: Everything Traci said covers it. The 20-foot alley when they build houses on 9th street that block that alley off on 9th street then Madeline is a 60-foot right of way on the north side as you can see and that's where it ends and then it's a huge hole there right next to the helipad. I don't see it affecting anything in a negative way. We want to build one home up there, that is our plan. We are not developing this property.

Member Kent: you want to bring this all together into one?

Daniel Steel Applicant: Yes, its four tax ids with the county four different parcels.

Assistant City Manager Alvarez: He is not required to combine the parcels. If he wants to build the only difference in that requirement is if he doesn't combine the parcels when he goes to build is that his building has to meet the required setbacks of whatever parcel it sits on. He feels that could potentially be doable and if not, we will see him again when he combines the parcels.

Daniel Steel Applicant: That is what we will do is we will build one parcel. The view is great so. Most of that property is hill side. We met with the county assessor. We were going to originally ask to vacate half of Madeline also but he advised against that so that is why we are doing the 20-foot alley.

Proponents:

No Proponents

Opponents:

No Opponents

Chairman Sisney closed the public hearing.

Chairman Sisney made a motion to recommend approval to the City Commission for a Vacation of Plats to Vacate a 20' alley situated in Section 34, Township 13 South, Range 4 West, N.M.P.M., within Block 1, Smith Terrace as per Sec. 15-18 (Vacation of Plats). Vice Chairman Buhler seconded the motion. Roll call vote was taken. Motion carried unanimously.

5. NEW BUSINESS:

- a) Discussion/Action: Recommendation for the re-appointment of Board Member Chris Sisney.

Vice-Chairman Buhler made a motion to recommend to the City Commission the re-appointment of Chris Sisney to serve as a member on the board. Member Kent seconded the motion. Motion carried unanimously.

- b) Discussion/Action: Recommendation for the re-appointment of Board Member Esther Luchini.

Chairman Sisney made a motion to recommend to the City Commission the re-appointment of Chris Sisney to serve as a member on the board. Member Kent seconded the motion. Motion carried unanimously.

- c) Discussion/Action: Recommendation for the re-appointment of Board Member Susan Buhler.

Chairman Sisney made a motion to recommend to the City Commission the re-appointment of Chris Sisney to serve as a member on the board. Member Luchini seconded the motion. Motion carried unanimously.

5. REPORTS FROM THE BOARD:

Member Kent: We haven't talked about trying to discuss short term rental guidelines. Now that I'm back if we want to move forward with that.

Assistant City Manager Alvarez: Request that they city clerks' office put it on your agenda as a discussion/update for the first meeting and then you guys bring all of your information or discussion workshop even and bring all your research and our municipal code and where your concerns and changes would be and kind of hash it out. I know when we have gone to the utility board when revising something sometimes it will take 2 to 4 meetings for them to all

hash it out and come up with a draft that they want presented to the city commission. Start with the first one and see where you go from there.

Member Kent: Are you suggesting for the next meeting to bring and research or ideas that we may.

Assistant City Manager Alvarez: I would recommend that after you have a good discussion as a board and maybe come up with some ideas then you have one of your meetings scheduled as a public workshop and you don't have to wait for your next scheduled meeting you can make a decision and they can put it on the agenda for you guys to make a decision about a potential special meeting and meet sooner than a month later.

6. REPORTS FROM STAFF:

Assistant City Manager Alvarez: Just to keep you guys aware of where code is going at this time, we have encountered some delays and hurdles in the Magistrate court so our Code Enforcement Officer Tyler went to the planning and zoning conference and got some really good ideas on how Edgewood is handling their system and it looks like it could potentially streamline our system a little bit. You may hear about or see some information coming to you guys potentially at the next meeting or the meeting after for an update that would help us not have to take some of these cases through court. Unfortunately, I don't know if it's because Magistrate is busy or if it's just the idea behind the judges, but they don't want to hear or deal with code enforcement violations. We will keep you posted as we move forward. It will involve changing our ordinances, but they have some great ideas. I believe they are planning on if you are able to go to the city commission meeting on Wednesday they are having a really good presentation. Either look at the agenda packet after the meeting I don't think the presentation is in the actual meeting packet yet. He will do the presentation and then it will be available or if you are able to come to the meeting that would be great. Wednesday the 9th at 9am.

Member Luchini: Which issues go to Magistrate Court?

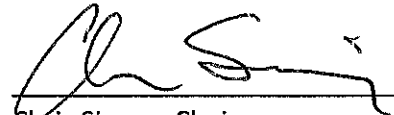
Assistant City Manager Alvarez: All of our municipal code violations go to Magistrate. We have no Municipal Court, so everything goes straight to magistrate. In the past anything that was a city ordinance and not a state law or municipal court was the one that heard, and we had struggles there as well. They deal with some but code enforcement violations they just aren't really interested in hearing and taking a long time to get through to process so it gets frustrating on our side because you submit something and then you're waiting 30 to 60 days before you get a trial date and then sometimes it gets suspended for certain days or dismissed. Unfortunately, we are not the only municipality encountering that. That is why Edgewood moved a whole new process they have been really successful. It's been so successful that

Albuquerque and Santa Fe have even taken on some of the process that Edgewood is doing and so that is what Tyler is presenting on Wednesday.

7. ADJOURNMENT:

Chairman Sisney adjourned the meeting at 4:20 p.m.

PASSED AND APPROVED ON THIS 9th DAY OF DECEMBER, 2024.


Chris Sisney, Chairman
Planning & Zoning Board