

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MINUTES
MONDAY, JUNE 8, 2026**

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, June 8, 2026 at 4:00 p.m.

INTRODUCTION:

ROLL CALL:

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

ALSO PRESENT:

Gary Whitehead, City Manager
Traci Alvarez, Assistant City Manager
Katy Martinez, Deputy Clerk
Tyler Knull, Code Compliance Officer
Joycelyn Holguin, Finance Director
Carlos Miyagishima, CPO

1. APPROVAL OF AGENDA:

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

2. APPROVAL OF MINUTES:

a) May 11, 2026.

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

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

Carol Borsello: I here to talk about the height of the Loves sign which I understand right now is in variable. Because we have beautiful skies and very little light pollution over Truth or

Consequences I'm here to request we keep the sign at a minimum level of height. Signs can be seen quite clearly from I-25 north or south. There will be signage I'm sure that Loves will place along the way public billboards of some kind or signage so that truckers will be aware of its coming up on the highway. The truck drivers are already in tractors that are pretty high up off the highway. Some 10 to 12 feet off the highway. They will be able to see the Loves sign even at a minimal height level.

Jamie Sweeney: I stand before you today in support of the Loves travel sign and what it represents to our community. I live directly on Foch and you see that sign directly when I go home every single night. It doesn't bother me at all. When travelers see a recognizable business like Loves along the interstate it does more to advertise a location. It tells the people that our community is open for business. Everyday thousands of travelers pass through the area. A Loves sign serves as an invitation for those to stop fuel up, grab a meal, purchase supplies and spend time in our community rather than driving by. These stops translate directly into economic benefits. More visitors means more dollars being spent locally which supports jobs, strengthens businesses and creates opportunities for future growth. Whether its fuel sales, food purchases, lodging, or shopping that economic activity helps our community thrive. One of the biggest benefits is the gross receipt tax. The revenue generated from those purchases. GRT dollars help fund essential services that our residence rely on. Those revenues support public safety, infrastructure improvements, community programs and other services that enhance the quality of life for everyone who lives there. At the same time we recognize the importance of protecting our night skies which is a valuable part of regions identity and quality of life. Supporting economic development and preserving our dark skies are not mutually exclusive goals. Through reasonable design, appropriate lighting controls and compliance with local regulations we can maintain visibility for travelers while minimizing impacts on our night time skies. It is also important to note that if the state construction division believed that the project would have violated the night sky protection act those concerns would have been brought up. To my knowledge none where brought up. It is not just a sign its about balancing economic development, increase tax revenue, local jobs and responsible stewardship of the resources that our community needs. Every traveler that choses to stop here contributes to that goal for those reasons I support the Loves sign, the size, the lighting and the positive impact that it has on our community while continuing our commitment to protecting our night skies.

Cherie Hawkins: The sign says Love but I don't feel that. I stand in my front yard just 2 blocks from here and I see the sign day or night. Why would I need to see the sign from my front yard? I'm not on the highway. I do travel the interstate I have for many thousands of miles. Getting gasoline and services in every state but Rhode Island. I have never needed such a strong beacon to show me the way. Apps, map programs and those sorts of things they provide plenty of

information for services available in an area. Please consider enforcing what I understand to be a height restriction that is already on the books here. The road side sign for Loves is to tall. I have a piece of paper here with the signatures of many folks that I talked to today including one of a person who provides beautification of T or C through her many murals and she is really opposed to the height of this sign.

4. NEW BUSINESS:

a) Discussion/Update: Sec.15-13 Preliminary Plat Code Information

Assistant City Manager Alvarez: In your packet you have the information of the city code pertaining to preliminary plot code. I gave this to you because this is something that is potentially going to be coming in front of this board at some point. We have some property surrounding our airport area that is going to be potentially divided up and when it gets to that point it will require a preliminary plat. That is a process that will come to you guys. I just wanted to get you the section of the code early and give you plenty of time to start reviewing it and understanding it. It will be my first time going through it and so we will all go through and work through the process together.

Chairman Sisney: Give me on second so I can find it.

Member Hammer: Is this for the next meeting?

Assistant City Manager Alvarez: No.

Member Hammer: Ok. Is it on our road map sometime?

Assistant City Manager Alvarez: At some point correct.

Chairman Sisney: I'm ready. I missed what Traci said when I asked her to hold on.

Assistant City Manager Alvarez: It's just information for you guys to start getting in your brain. Seeing what the process is going to be maybe reviewing the code in regards to preliminary plats I gave you the main section but you might dive into some of the sections before and after

within the code and just be prepared that somewhere in the next few months to a year it's something that will potentially be coming to you guys.

b) Discussion/Update: Loves Truck Stop Sign

Assistant City Manager Alvarez: We received a couple of emailed concerns pertaining to the Loves Travel Truck Store sign. With the information that we received via email we did a deep dive into the process that the city went through as well as the concerns and the complaints. I will go through each one of them but the over finding of it was that the variance request properly submitted. The required public notices and procedures were completed. The public hearings were conducted by both the Planning and Zoning and City Commission. The requested sign high and dimensions were disclosed and discussed during the public hearings. The Planning and Zoning Commission recommended approval. The City Commission considered and approved the request. The complaint seems to mainly question regarding the interpretation of our sign codes rather than then necessarily identifying the procedural deficiencies. I want to take each one of those concerns that were received and go through step by step on some of those. The first concern that came through was that the sign height was never properly considered. In review of the packet, information and the meeting minutes of both the Planning and Zoning meeting, as well as the City Commission meeting, the applicant's written request did include the proposed 95-foot sign height. The sign dimensions were included with in the Planning and Zoning packet, and they were discussed during the public hearing. The Planning and Zoning meeting minutes reflect that the applicant specifically stated that the high-rise sign is 95-feet tall and approximately 982 square feet. In the City Commission packet, it also referenced the height variance request for the interstate sign, and although the title did not state "95-foot sign height variance", the sign height request was included in the public packet, discussed during the public hearings, and considered by both boards. We feel that this demonstrates that the sign height was disclosed, discussed, and considered during the public hearing process. The next item that came up was that the sign exceeds the maximum allowable 20% variance. The section of the code, 11-13-2.9b2 states –

Member Hammer: Do you have a page number for that please? This is about 20 pages long. If you're going to read the ordinance –

Assistant City Manager Alvarez: These are my notes, it's not in the agenda packet, these are notes I made prior to the meeting.

Member Hammer: But you're reciting the ordinance right now?

Assistant City Manager Alvarez: Yeah, the section of the ordinance.

Member Hammer: Can you tell us what that was again, or what page it's on? I'd like to read along.

Assistant City Manager Alvarez: It's under general provisions. If I had to guess the packet number, it would be around page 12 of 20.

Code Enforcement Officer Knull: It's toward the very back. After all of the diagrams provided by Love's, you start getting into the sign code.

Member Hammer: So there's 20 pages of this section for signs. Do you know what page it's on?

Code Enforcement Officer Knull: Yes, that is on page 12.

Assistant City Manager Alvarez: Page 12 of 20.

Member Hammer: Okay, thank you.

Assistant City Manager Alvarez: So within that section, it states that "Any sign variance request must be reviewed and acted upon by the Planning and Zoning Commission in the manner established by the City Comprehensive Planning and Zoning Code." In part 3 of that, it discusses design excellence, "Since it is the goal of the City to promote excellence in design, in addition to the established requirements for the issuance of a Variance, the Planning and Zoning Commission may allow signs that exceed the requirements of this Code if the proposed sign is considered to have a quality of architecture, design or construction that far exceeds normal sign standards. If a sign exhibits an excellence in design and construction the Commission may allow a twenty (20) percent increase in sign area and/or height." In review of that section of the code, the concern that we received does correctly note that the proposed sign exceeds the standard dimensional requirements. However, we're not finding any language within the sign code that states that all variances are limited to the 20%. The design excellence provision creates additional allowance that may be granted when exceptional design standards are demonstrated. The provision does not expressly state that it serves as a maximum cap on all variance approvals. The sign code separately authorizes the Planning and Zoning Commission to review in an act on sign variance requests. While I do feel that the concern does raise a valid code interpretation question, I don't find language within the ordinance that establishes a mandatory 20% cap applicable to all sign variances. The third concern we received was that a special use permit should have been required instead of a variance. Again, I do feel that

concern kind of identifies a code interpretation issue that does warrant future code clarification, which is what you guys are working on regarding a variance versus a special use permit, but the public hearing process and public participation requirements are the same for both of those. Regardless of whether it should be a variance or a special use permit, the process and procedure would have been the same for the notification. Concern 4 that we received was that the sign was not properly noticed. There again, public hearing notice was published, property owners were notified, a hearing was conducted in an open public meeting, supporting documents were included in the public packet, opportunities for public comment were provided both at the public Planning and Zoning meeting, as well as the public City Commission meeting. The concern we received regarding the sign as a visual blight – that one's a little bit tougher because really, that represents more of an opinion than an enforceable code violation. While we recognize that aesthetics is one of the purposes of the sign code, we also recognize the importance of signage to business, community, and public safety. We do feel that the Planning and Zoning Commission, as well as the City Commission, reviewed the visual renderings, visibility studies, and all the supporting materials prior to taking action. With that, at this time I stand for any questions, and will open the floor up to the board as well.

Vice-Chairman Buhler: I do have one question. Was the size of where the truck stop is, that mountain, factored into any of this decision-making for the sign to be able to be 95 feet in the air and sit on the top of a mountain? That's a question. It makes that sign higher than it would normally be. I drove out there today, and that sign is visible from the old border patrol station. It's higher – I'm not saying that these photos are not correct, but they might not be correct, because that sign is taller than any of these photographs that were taken. I don't know if they got out of their car and sat on the ground and took the picture, or what they exactly did to take these pictures –

Assistant City Manager Alvarez: So just remember, in your packet, those pictures are renderings that were submitted prior to the approval.

Vice-Chairman Buhler: Well this is what we had to go on. This is what we made our decision on, was what you gave us.

Assistant City Manager Alvarez: They couldn't have given you an actual picture of the sign, is what I'm saying because it was not installed yet.

Vice-Chairman Buhler: Well that's fair, but they're not correct and that's what I have to say.

Member Hammer: I have a few things to say. Going over what you just countered, Traci, I wanted to clarify that what was on our agenda, the Planning and Zoning board, and what was on the Commission, looks different. So, there were 2 variance requests being made: one was the quantity from 2 to 3 signs, which we all agreed we were okay with. What was not on the Planning and Zoning background on 8/11 is the sign height. It said, "Applicant is requesting additional signage of square foot of the area." Which, to me, means the face of the sign, which is 391% over what's allowed. Then a few days later, on the City Commission agenda, they were reviewing the 3 free-standing signs, and "applicant is also requesting a height variance for the sign located near the interstate." Nothing about the square feet on the face, and we did not have anything about the height. Yes, it's buried in the packet, but that's not what we were voting on. When it was recommended or communicated to the City, "Hey, everybody on the Planning and Zoning board agreed to this – agreed to recommend" – that actually wasn't true, we were not voting on the sign height, we were voting on the square footage. That's point number 1. The special use permit, I do want to go back to this, because it's pretty clear. The code basically says that if a variance request is made, it comes across as a special use permit, and there are pages and pages long about the difference between a special use permit, a conditional use permit, and a variance. We've been covering that, what those 3 mean, what the stipulations are, and how long they are active. A variance is permanent, it cannot be changed, we're basically giving permission that that variance can be approved forever for that property. A special use permit, as per outlined for a variance request, has an expiration date of 1 year, and it gets voted on again, it's not permanent. I just don't think that language is ambiguous, but we can review that and maybe our city council should review it. Lastly, I do take issue with the interpretation of the 20% increase. It says right here on page 12 of 20, it says "If a sign exhibits an excellence in design and construction, the Commission may allow a 20% increase in sign area and/or height." It doesn't say 20% more, it doesn't say up to, but I'm assuming that says up to a 20% increase, otherwise neither the board nor the city has the authority to allow for that increase. Right now, the height of the Love's sign is 265% over what's allowed, which is 26 feet. The requested was 95 feet. The allowed for the area's square footage is 200 square feet; it is almost 1,000 square feet, 391%. So, it's way beyond the 20% that either entity of group was authorized to allow, in my interpretation of the code. One of the reasons why I'm bringing this up, I'm all for having new business here, I'm not against Love's in particular, I want to follow the ordinance as a member of the Planning and Zoning board, and if the ordinance needs to be changed or clarified, or have the language a little bit more clear, then we need to discuss that, but we've essentially given Love's permission to have a sign that's way, way outside of our ordinance, as stated. We not only can see it all over town in our residential districts, but also we are giving permission to any future business to have a big a sign as they want, so why look at the ordinance? Why follow the ordinance? That's part of what I'm taking issue with, we're

setting a precedent, we're not following our ordinance, and I think a corrective action needs to be made.

Vice-Chairman Buhler: One other question, or maybe 2, was Jay Rubin consulted with all of this? Was he consulted with the variance versus the special use permit?

Assistant City Manager Alvarez: He wasn't necessarily consulted with the variance versus the special use, but he reviews all of our items prior to them going on the agenda, and we discuss those at an attorney review meeting that we have, so he was aware of the items going in front of the Commission.

Member Hammer: How about post-mortem? Has he reviewed it again based on the complaints brought before – or just the highlights brought before the city of the language? Has he reviewed it again since the Commission meeting?

Assistant City Manager Alvarez: No, I have not submitted it.

Member Hammer: Can we ask that he does? Because I think there's definitely some interpretation issues with the language being ambiguous enough where many people are interpreting it very differently.

Vice-Chairman Buhler: I think that's a good idea. There was another question I had, too. Is there any type of renegotiating clause within the Love's contract that the city has with them?

City Manager Whitehead: No. The only contracts we made directly with Love's revolved around the economic development side of the utilities, the obligations that they made to us, and the obligations we made to them. But no reorganization or re-negotiation clauses are in those contracts.

Vice-Chairman Buhler: Okay, thank you.

City Manager Whitehead: Sure.

Member Hammer: I think that's all I have, in conclusion, I don't think we were authorized – anybody in the city or the board – to authorize this sign because it doesn't fit into the restrictions of the ordinance.

Vice-Chairman Buhler: One other thing to bring up; when I made my drive today and went out to the lake and then came back, the North exit heading South, when I went up the U-ramp, the sign is, there's like a valley there, and the sign is right there, and at night I can't even imagine how distracting it might be, and there could be an accident down the road. That's all I have to say.

Chairman Sisney: Esther, do you have anything you'd like to say?

Member Luchini: I don't. I have driven around town a little bit to see when I see the sign and when I don't see the sign. I don't have any issues with it. If it is bigger than the restrictions outlined in the ordinance, something should be done.

Member Hammer: I'm finished. I've spoken my peace. I did want to make sure that I'm countering. I know that Traci, you had your viewpoint on how process was followed, and I'm not trying to point fingers at all, I'm just trying to understand, did we follow process or not? In my view, I did not, there were definitely some gaps that happened. I think the sign is too big; outside of our ordinance.

Chairman Sisney: I'd like to make a comment. I just feel like we're outclassed. Looking at these signs, the elevation, in the renderings versus what we ended up with, is a difference of about 20 feet, which would hide that sign from town. You wouldn't be able to see it from town, and that's what the complaints are, that you can see it from town. And how bright it is. I just feel like I've been around doing this for a while, and many times, I just feel like people just trick us, you know? Or maybe that's not the word –

Vice-Chairman Buhler: I think that the word is vague. It makes it vague.

Chairman Sisney: Intentionally vague. And I don't see how it can qualify as night-sky friendly. Those are my comments, thanks for letting me share.

City Manager Whitehead: I will get myself in trouble a little bit here, so I'm going to defend the work that the board did. I will let you know that it was our intention that we bring you a complete packet, and I think to use the words "vague" or "out-classes", I think we work really hard. My staff works really hard to read the code, to understand the code. If I look at this packet, this far exceeds any packet that anybody else in this town might have potentially brought to ask for a sign variance. I think that, potentially, if there are issues within the code, I will continue to keep saying this, if the code is vague, if we misinterpreted something or we misread something – because again, we sat and worked through this in a way I felt was diligent

within our office, to present you a packet – I think that you have to accept some of that responsibility. We asked you to look these over, we asked you to be a second set of eyes for us, we asked you. These are new items, and I think if there's anything to say, it's something that hasn't happened in our community before, we haven't seen that, and we are entitled to, potentially, maybe not have seen everything. But to think that it was vague or that Love's potentially tried to pull something over, I want to defend Love's to say that every time we've asked, they've shown up, they've been on the phone, they've been responsive. So, it would be disingenuous of me to sit here and say that because we don't like the sign or the height of it, that they attempted to do that incorrectly. They provided us snapshots, and maybe to your point, it might be a little bit higher in its final resting place. Could I look back and say maybe I should have taken a crane out there and stood it up in the air on top of that mountain? I don't think any of us could have considered what that raw land would have looked like, the way they constructed it, how much work they did. I certainly want to learn, our staff is serious about trying to be the best we can, but I certainly don't want you to think that we tried to pull something quickly over on you. I feel like Traci provided you a very, very clear packet of what we brought. I certainly wouldn't want to put the blame on you, your obligation to the Commission is to do a precursory review, make sure we give the public an opportunity to hear, for you to bring your concerns, so I will leave it there to say that potentially the code needs some work. If we're concerned about the sign and the height of signs, and potentially more businesses coming in that might do that – but I'm not going to let us sit here and put on the table that we attempted to do something, or that we tried to bring you a vague packet. I feel like we tried really hard to bring a good packet and do our business in the light, in the open, and if we missed something, then we missed it, and we'll work forward to correct it. As it relates to night-sky, I still stand. You cannot get a building permit from the state of New Mexico unless it qualifies with night-sky, that's a state of New Mexico requirement, it's not a City of Truth or Consequences requirement. We have to rely on construction industries to review those plans and give those particular permits on that particular issue. I think we could always talk about, "I don't think it qualifies. I don't think it does." But the experts granted the permit based on the night skies because it's a state law and it's a requirement. Thank you, Mr. Chairman for the opportunity.

Chairman Sisney: Gary, let me be very clear, I was not talking about the city or you, or anyone here today. To clarify, I was not at this meeting, I didn't see all these renderings, so they're new to me. Today was the first time I saw them. There was a blimp mentioned, I'm not sure what a blimp is, but I suspect that if they put something up in the air to determine the aerial surrounding, they probably would have known that this thing would have been seen from town too. That's all I'm saying, I think they have a lot more information. That's my point. I think they

had a lot more information than what was given to the board, which I was not here, so it's new to me today, that was my comment. I'm sorry if I was out of line.

City Manager Whitehead: You're certainly not out of line, I don't want it to be an argument, I just feel like, again, we tried to present, I'm confident that we presented the best information that we had open with what we received, and if it wasn't sufficient, so be it, but it wasn't for lack of our effort to try to do anything.

Member Hammer: I don't think that's in question. We're not questioning the city, bringing us the appropriate information at all. I'm not pointing fingers. I am saying we didn't follow what's in the ordinance, and I don't think it's that ambiguous. Can I just ask you, what is the height on a freestanding sign on the freeway? What is the standard height? You tell me, because I'm also digging through the ordinance language, making sure I didn't miss anything.

City Manager Whitehead: I interpreted the freeway standing sign, it seemed very ambiguous in that it was subject to the Commission's final approval; that it was open to interpretation if it was within 300 feet of the freeway.

Member Hammer: They are 26 feet. "The maximum height shall be determined by the City Commission upon recommendation by the Planning and Zoning Commission, through the special use permit process established by the city comprehensive Planning and Zoning code", not a variance, but a special use permit process. And then on page 12 again, "If a sign exhibits an excellent design and construction, the Commission may allow a 20% increase in sign area and/or height." I don't know how else to interpret that.

City Manager Whitehead: I interpret "The maximum height shall be determined by the City Commission upon recommendation by the Planning and Zoning Commission, through the special use permit process established by the city comprehensive Planning and Zoning code"

Member Hammer: Right, up to 20% that exceeds those standards. And we went beyond that. Also, I'll just say again, it was not on the Planning and Zoning agenda about the height. It just wasn't. We did not vote on that.

Chairman Sisney: So it doesn't sound like there's any interest in correcting this.

City Manager Whitehead: Mr. Chairman, at this point, representing the city, we obviously have the committee, I'm not here with any solution at this point, to bring a correction.

Member Hammer: I'd really love to have Jay review as well.

Chairman Sisney: Then, at this point, I guess if the city doesn't want to have people – I mean if we don't want to have signs visible from anywhere in town, we're going to have to address this and correct it, because like Molly mentioned earlier, this gives everybody the right to put up whatever they want at this point. And we're going to have signs everywhere and that's not what T or C's about.

City Manager Whitehead: Mr. Chairman, a representative from Love's is here, who wouldn't mind participating in the debate, and ask questions as well. If you're so inclined to recognize them.

Barbara Peck, Love's Travel Stops: I've been before this Commission multiple times in the past, bringing this sign variance request before you. I can't speak to the code interpretations, all I can tell you is that through the process, Love's followed everything that the city asked us to do, with regards to bringing that variance forward. The other thing that I would like to say about that is, in conversations with our sign manufacturers, the Pricer sign is something that we do have the ability to adjust the brightness on. So we will be making some adjustments to that this evening to try and reduce some of the brightness from that. We want to be a partner in this community, we have said that from the get-go. No pun intended, but it breaks my heart a little bit, some of the things that I'm hearing from the Commissioners that supported us in the early days. At no point did Love's do anything behind closed doors, unjustly, or tried to hide anything from this Commission, we did everything we could with the renderings, which they are just that, and we do float a blimp, and then we take pictures driving up and down the interstate. We do not come into town, in-town is not our customers, so we don't look at it from that perspective. Maybe that's something I can take back with me that we can look at, altering some of our internal processes. However, none of that occurred during the review of this particular sign installation. We drive up and down the interstate because those are our customers, those are the road truck drivers who need to see that sign from a great distance away, so that they are able to make changes to their plans. I tried to address as many of the comments that you all shared to day as I could. We will make whatever changes we can, unfortunately the height of the sign is something that is extremely costly to make adjustments to. We followed the process that we were asked to follow for the variance that you all granted us for the height of that sign. Like I said, we'll make the adjustments that we can, to try and be a good partner in the community. We've got folks that do support us, and again, we want to be partners with you all, with the Commission, and with the residents of Truth or Consequences. Thank you for the opportunity to address your comments.

Member Hammer: Thank you for speaking. I do want to mention, I can see your sign at night inside my house, 2 miles away. I don't want to see a Love's sign inside my house, 2 miles away. That's part of why I'm bringing this up, I've had multiple members of the community who don't want to post on Facebook or whatever, who have come to me personally and go, "What happened? I don't want to see that sign down Foch Street, what happened?" so we're just having to dig in. For one, I am not accusing you of hiding anything, I think you followed the process.

Barbara Peck, Love's Travel Stops: We did, thank you.

Member Hammer: I don't think the city or the ordinance was interpreted correctly. That's my stance, I want to be very clear about that.

Barbara Peck, Love's Travel Stops: Thank you for your comments.

Vice-Chairman Buhler: I'd also like to say one thing. I don't think anyone really knew how the sign would look until the sign was up. So that was a reality for people at that point. I don't think that – we want Love's and we know that the truckers need Love's, but we also want people to come into town and purchase fuel from people that have businesses here in our town. So we're trying to be fair to the city and the county and the whole thing. But your sign is very visible from 5 miles away, and these pictures that you presented us are not accurate. That's all I have to say about that. But thank you for stepping up, talking with us, and trying to make some adjustments that will help the community get on board.

Barbara Peck, Love's Travel Stops: Thank you for your remarks.

Chairman Sisney: I'd like to make a statement for the record – a question – could the sign be lowered below line of sight from town, and still be effective for the highway? That way everyone would be satisfied. I mean, no one's against Love's here, or a Love's sign, but the fact that you can see it, and it's the brightest thing in town – you can see it from all over town, you really can. Even down in town, there's a lot of variations in the town, I guess you can get to the bottom of town, down in the hot springs district, it may not be visible, but it's visible from most of this town, and it is bright. Now it's a Love's town, you know? Thank you.

Member Luchini: Can you see it from your house?

Chairman Sisney: As soon as I come up, you know.

Member Luchini: No but at your house?

Chairman Sisney: I'm low. I'm at the river. I can't see it but as soon as I come up my street, I can see it.

Assistant City Manager Alvarez: Chairman, the only other thing I'd like to follow up with, because I just want to make sure there's a clear understanding, I know we keep referencing the pictures that were submitted in the packet, but it's really important to understand that those were not pictures, they were just a rendering, they hadn't put the sign up or done anything with the sign, because they were coming to you guys for approval. The pictures are a rendering of what it could or would look like, that's what was submitted in the packet. They didn't go out and take pictures, because the sign wasn't there.

Vice-Chairman Buhler: I know, but it doesn't look like that. So, you know, the rendering was poor.

Assistant City Manager Alvarez: I just wanted to make sure there's that clarification.

Member Hammer: So what are next steps? What's the path forward? Because I think that we're in disagreement with how the code has been interpreted. I would personally like a follow-up on that, and then on the two topics: the 20% allowance, and the special use permit, above the current size, because it's way beyond our standard. That was a question.

City Manager Whitehead: I would just say, to answer the question, I'll take this into consideration, we'll review it. You've asked that I visit with Jay, our attorney, we also have a second attorney, so we'll have both the attorneys review the code, and find out what their conditions are. But at this point, the Commission has granted the permit and the use, so continuing to work with Barabara and Love's to find some accommodations will be the best step that we can take right now, and they've been meaningful, so hopefully we'll see where that dialogue goes.

Code Enforcement Officer Knull: And just for the record, my office, with Code Enforcement, we haven't received any complaints about brightness, height, or anything like that. Just to put that out there, I have not received any complaints for Code Enforcement.

Chairman Sisney: Thank you. Here's my last comment: I think 20 feet would make the difference, it would disappear from town.

5. WORKSHOP:

a) Shipping Containers

Chairman Sisney: Is this you, Traci?

Assistant City Manager Alvarez: That's the board, that was your request for a workshop.

Vice-Chairman Buhler: I did submit a position paper, I left off one thing, and that was height of these containers, if someone were to try to stack 2 on the riverbank, on Riverside Drive, I think that needs to be considered; height of containers and size as well.

City Manager Whitehead: I think we do have, under the code, a height restriction, whether it be shipping container or otherwise. So if someone was to propose building a building or a shipping container, I think we'd have to look at that, but there's a height restriction. Is it 36?

Assistant City Manager Alvarez: Yeah, I think it's 36. I don't know on the shipping containers, I think it's actually less, I'll look to see.

Chairman Sisney: Yeah, shipping containers have got to be less than 10 feet.

Assistant City Manager Alvarez: The shipping container section gives a definitive size of the container itself.

City Manager Whitehead: I've been stuck recently watching lots of shipping container remodels, you know how they stack up high.

Vice-Chairman Buhler: I love them too.

City Manager Whitehead: It's addicting.

Vice-Chairman Buhler: I think they should have a project for homes for people to be able to buy tiny homes, but it should be in a certain area, not just sprinkled all over town.

City Manager Whitehead: Sure.

Vice-Chairman Buhler: But I did do a position paper, and it should be included in everybody's package.

Member Hammer: I did too, but it's in the previous meeting and it didn't get in here today. I work in global logistics, and there are different sizes of containers. There can be your standard, and there can be a tall container that can fit more product in it. They're expensive, they're not used often, but if somebody has a strange, long, large component coming in from China and they need to get it here, and it can't be broken down, they'll use those. There's also a standard

of 20 versus 40 feet, and I think we need to have some clarification; are these 40-foot containers? Are they 20 feet?

Assistant City Manager Alvarez: I do apologize, I thought that information was in the packet. Let me look it up, but I believe it's 20x40, I think that's identified in the code under shipping containers.

Member Hammer: 20 x 40 or 20 and 40?

City Manager Whitehead: It's 20 and 40. Because it's the length.

Member Hammer: They're like 8, aren't they 8?

City Manager Whitehead: Like 10, right?

Member Hammer: 10 feet wide. I forget the width. I should know that. Anyway, just something to consider since we're trying to be more specific here and take out the ambiguity of our code, that's something we might want to look at. What is a standard shipping container, and really define what that is. What is standard?

Vice-Chairman Buhler: I was going to ask you too, Traci, if you had had time to look at that – I don't know what was given to the people that have that, like a little container that they're living in. It's at Magnolia and Riverside.

Assistant City Manager Alvarez: Yes, that's the one I updated you on, I haven't verified the date. That was approved either during Mr. Madrid's time, it was approved before I was fully signing off on Planning & Zoning.

Vice-Chairman Buhler: Was it a permit? What was given to them?

Assistant City Manager Alvarez: Zoning approval. That's all we give is zoning approval, to put that on the lot.

Vice-Chairman Buhler: So they would have had to have had to make it a real home, they would have to have a permit? Did they get a permit?

Assistant City Manager Alvarez: They received zoning approval to put that on the lot. I didn't review it, I'm not the one that approved it. Had I reviewed it, they would not have been allowed to put that on the lot with the size that it was without another structure on there. However, somebody else approved that for zoning prior to my time.

Vice-Chairman Buhler: Well I'd like to see that.

Member Hammer: I also have a question. You said Planning & Zoning approved. So is that a variance or a special use permit or a conditional use permit? From my understanding, those are the 3 categories that we can approve under.

Assistant City Manager Alvarez: Planning & Zoning Department, so zoning approval. So if somebody comes through, anything they're developing on a lot –

Member Hammer: And it's administrative?

Assistant City Manager Alvarez: Before they can get a state permit, they have to get zoning approval.

Member Hammer: So administratively approved by you?

Assistant City Manager Alvarez: Yeah, this one was not administratively approved by me. I just want to make that clear.

Member Hammer: I needed to hear that comment.

City Manager Whitehead: I think just to be fair to that conversation, there are things that come in that check all the boxes within the code. So somebody would come in with an application for zoning approval, and our Planning & Zoning Department would send that off. Currently, we're contracting with an engineering firm, so that it's got an independent review. That independent reviewer would look at all the items, and if everything checks the boxes, then it's going to get zoning approval, it's not going to come before the Planning & Zoning Commission. I've heard that a lot, "How come it didn't come?" well, if it goes through the code and it checks the boxes, then administratively we would give them that approval, then to say, "You can go forward." And it's not just the engineer, it goes through lots of steps; the Utility Department has to sign off, Streets has to sign off, the Fire Chief has to sign off, the flood director has to sign off, you know there are several steps it has to go through.

Vice-Chairman Buhler: Well I want to see that for that house that's on Magnolia and Riverside because they use a little air conditioner that they put in the window when they're staying there, and it appears that they have no venting at all on the top of the structure. It's like a shed, really. I doubt that they have smoke detectors, so I can't imagine that the Fire Chief would have approved someone to live in that dwelling.

Assistant City Manager Alvarez: 100%, I can guarantee it did not have the proper approvals. Like I said, someone else signed off on it. Somebody signed a paper copy of a state building permit application; there's a section for zoning approval signature –

Member Hammer: Do we know who that is?

City Manager Whitehead: We'll present the information. I think at this point, the request has been made. There's no reason to continue the debate. Let's get the application and what I would say is it's probably a function that the members need to come in and meet with Traci to review that.

Vice-Chairman Buhler: The owners need to come in.

City Manager Whitehead: Well no, at this point, for *you* to come in and review the document itself. It doesn't need to appear on the Planning & Zoning Commission agenda to be reviewed, you should each individually come in, take a look at the application with Traci, and see what was done.

Vice-Chairman Buhler: Well, I'll do that, but I do think it should be brought up.

Assistant City Manager Alvarez: She wants them violated code wise.

City Manager Whitehead: Well, let's take a look at it, but again, I'm saying to each of the Commissioners, you should come in yourself and review that as well, and then we'll decide what could be done with it.

Vice-Chairman Buhler: Alright, I'll come in and review it, I encourage everyone else to as well. Because it appears to not be a legal place to live.

Member Hammer: So can we go back to shipping containers?

Vice-Chairman Buhler: Sure.

Member Hammer: I just found my position paper submitted on October 6th of last year. I will just jump in here because I wanted to review a couple things: I don't want to see it in the front yard, I want to make sure it's in the backyard. I don't have the ordinance in front of me, I'm sorry I've got a stack of papers here. I don't know if that's specifically called out, but I don't think a shipping container should be in a driveway or in the front. It should be in a backyard, if they have the appropriate setbacks and space for it. No utilities unless properly permitted, we need to go through that. It's a building structure, so it needs to follow all the codes and laws; state, national. We have one item here, I put a section 11-14-12 Metal Buildings, and it says "New metal buildings" – which a shipping container is a metal structure – "in the C1 and M1 Planning & Zoning districts shall have a façade or veneer consisting of a non-structural facing of brick, concrete, stone, tile, wood or lumber, plastic, or other similar approved material on all sides of the structure that face a public street." I don't know if we want to include something like that in shipping containers, because it's on metal building, so it won't be applied to the shipping container code or application or variance or whatever comes before you guys. I just think that's something we need to take into account. I would recommend that if it's in a

residential district, it look similar to the outside of the original dwelling, or complimentary somehow. I'm with you, Mr. Whitehead, I like the look of them, I think they're kind of fun and industrial-looking, I just think there's a time and place and aesthetic that we want to go towards. That's all I have from my position paper.

City Manager Whitehead: I would just comment; the concept, really, you have got to take shipping container out and go first to the accessory building, to decide how much square footage ca property can have and then allow the accessory dwelling. The accessory dwelling can be all the way from a stick-build or a site-build, somebody may want to build their own, or buying these portable buildings and/or bringing in a shipping container. Does that belong in the backyard as an accessory building? So it's kind of first that view of the code, what's required there, and *then* it comes down to how you want those to look in those yards.

Member Hammer: I will comment here, a 20-foot container provides roughly 150 square feet of internal space; whereas a 40-foot container offers about 300 square feet. So that's something to take into consideration, because they are kind of plug and play, if that's their purpose, but that's pretty small too, for an ADU tiny home type of application.

Assistant City Manager Alvarez: I did bring up the section of the code both for commercial and residential, it says "The containers may not exceed 46 feet in length and 10 feet in height." So that is identified both in commercial and residential.

Member Hammer: Okay, good.

Assistant City Manager Alvarez: It does not identify whether it has to be in the front or rear. That's something to look into.

Member Hammer: Let's add that.

Vice-Chairman Buhler: I think there should be a fence, too. I don't know that I put that in my position paper, but to just have one sitting in somebody's yard without a fence, I don't know, that's kind of an unsightly thing. I think that they should meet strict zoning codes. In some areas, they should be fastened down, too. They shouldn't be able to just sit there, because if there was flooding, you could easily have those things move around. One unit permitted on a single lot. The container must not exceed 50% of the main house's heated square footage, I think that's important. Must be in solid color, no shipping labels on them. I think that's important. Containers cannot be stored in the front yard, driveway, or street. Container must be fenced from public view, solid wall, or fence, at least 6-foot. New rules concerning containers may be enforced retroactively with regard to containers, so that's if we change how we want them to be, we would have that ability to be able to make that retroactive and make people comply. In historical areas of town, I think we really need to be careful there. That's it.

Member Luchini: If they're going to be used as a home, they're having to go through all the building permits, right?

Assistant City Manager Alvarez: If they're going to be used as what?

Member Luchini: A home.

Assistant City Manager Alvarez: Right now in our code, they're not allowed to be used for a dwelling unit, they would have to come here for a variance, special use, or conditional use, and I would have to reference the code to determine the exact one.

Member Luchini: Primarily now, they're probably used as storage for most people.

Assistant City Manager Alvarez: They should only be used –

Member Luchini: They should only be used, right?

Assistant City Manager Alvarez: They should only be used for storage, correct.

Code Enforcement Officer Knull: To further answer your question, I think even if we did change our code to be used as homes, they would have to go through the state permitting process to be able to be used as homes and meet state building codes. Just to ensure you are aware, I believe they'd have to do that.

Member Hammer: We would also have to look at the ordinance for tiny homes and ADU's because they're probably going to be used as the same vehicle.

City Manager Whitehead: Mr. Knull is exactly correct, the first thing we have to do, it's kind of a stair-step, it's really that accessory dwelling that's going to be a storage unit, which is one application for a potential shipping container, and how does that work. But we are going to begin to move down a road where they're going to become more prevalent in the building trades, and we're not prepared for that. We don't clearly have the ability to say that if somebody wants to choose that application to build, how are we going to address it? We're going to be in here talking about "It's a shipping container we want a fence around it, and we want the signs." And I think it's more than that. It's really recognizing, to Mr. Knull's point, it's going to have to go through the full construction industry's process, which then goes back – not to bring it back up too hard – but the spot on the Riverside property. Whether or not it's a small building, it should have had to go through a building permit prior to it having utilities attached. If they would have done all that, then it would be compliant. I think we've got to make sure as we look at all these new opportunities in building and innovative things, it's disingenuous to think that if you and I are going to sit on a Saturday afternoon and watch shipping containers for 3 hours, that somebody else isn't looking at that and going, "Wow I'd really like to build

that." If they're building them like they are, they're going to spend plenty of money, but we definitely need to make sure that we have a code that says, "If you want to use alternative construction methods, it's this, and if you're going to use storage, it's this." And the two would be kind of separate in a way. I think they're a little separate in metal buildings, too, because that construction is different if someone is buying a metal building package, it's got engineering and stamp, it has to meet those conditions and be engineered, whereas a storage container is not, it's going to show up in whatever length they chose to buy.

Member Hammer: Mr. Whitehead, I just want to ask about the ordinance re-write in general. We've been talking about this for a while and I know there's a ton of priorities that have probably been shifting for the whole city, and you guys have actually been accomplishing a lot of work, which has been impressive. When will we get to that project?

City Manager Whitehead: As soon as Tyler decides to. No I'm just kidding. What I envisioned 6 months ago when I suggested that we bring Tyler in to help Traci, would be to give us a second set of eyes. He was just finishing the Animal Control Ordinance, I was impressed by the work he did, it felt like we would be able to turn that over. We have been a little bit buried. Traci has built us a nice book, she continues to add to it, your position papers, so we definitely know we need to get to it sooner rather than later. Now let me be fair, over the last couple of months, I've kind of considered that maybe it's above our paygrade and our ability, and potentially we need to bring in an engineering firm that more specifically focuses on engineering. I might have bit off a little more than we can chew, thinking, "Hey, we could make a few tweaks to it." and clearly, not to bring it back up, but if the sign issue is ambiguous, there's a lot that's ambiguous, and especially if we sat and attempted to read it and do the right thing, so maybe it needs more sets of eyes than just the 3 of us sitting here, looking at what the 5 of you have given us, and trying to coalesce around that. It may take longer than I think, if that's the direction that we go, but I do think, in fairness, we're getting closer to settling down, we've got some water projects done, I've built out a little bit of a different team. Bo has started this week as our Public Works Director, it's the first time somebody else is looking at water leaks for me besides me today. Give it a couple more months, we might be able to say, "We're going to go this path." Or "We're going to contract and get somebody to do it."

Member Hammer: Sounds good, that's a good plan. Have you guys considered AI? I'm using it every day in my job function. I know there's a lot of controversy about it and data centers, but I'm been in corporate for 30 years, and I've really been able to rely on it, and it's been able to produce some pretty cool results. We could ask it, "Could you look at our code and see what's ambiguous, make some recommendations? Can you look at other ordinances that are online and give us recommendations?" it might just be a good start. I understand the person bandwidth isn't there.

City Manager Whitehead: Thank you for that, I use it every day as well. I think we have learned to use it as a good tool, it's a good conversation. There are things within the government that we're not allowed to use AI for, but absolutely using it as a tool to say, "Take this please review it." and if you'll notice the outline I gave you a while back to go look through and see what you want, that came from me just asking it, "Go through and give me a template." I just kind of wanted to see how it felt and put it out. So I think you're right, I just worry a little bit about us doing it ourselves. Even if we potentially used AI to give us a draft document, that's what I envisioned, I would take all your position papers, the code, and I would create it, put all of it in, and say, "Tell me what you think." That may be a good start, but I think we might serve ourselves better to ultimately, then finally say to an engineering firm, "Take this, match it up against an improved look at state law, what does the process miss?"

Member Hammer: I think that sounds like a good plan.

City Manager Whitehead: I'm in. It's a saver for me, for sure. For us, I think we've learned to use it as a tool to help us develop documents that we need where we don't know where to start. Sometimes you think, "Let's go write a paper about that." And it's really tough to start, so it's really great to be able to say, "How do we respond to your questions on this?" and it then provides a template that we can sit and look through and wordsmith.

Member Luchini: That's not allowing data centers to be built in the county, is it?

City Manager Whitehead: No one's asked at this point, but I'm not opposed to it.

Member Luchini: Oh, really?

Chairman Sisney: You didn't see Eddington, did you?

City Manager Whitehead: No.

Member Hammer: Esther, did you have a position paper you want to review?

Member Luchini: I have one, it's pretty much repetitive of what you girls said. I will add that as a storage unit, it must not be connected to utilities or to be used as a residence or living quarters, must be properly maintained, aesthetically pleasing, it must be located and set behind the primary dwelling, a conditional use permit must be renewed annually through the same process as the initial permitting, and the conditional use permit must not be transferred to a new property owner. In the case of a property sale, the new owner must reapply for the permit. It cannot be rented or leased to another individual, other than the property owner, lessee, or renter. You can't rent it out to anybody.

b) Review of Zoning Map and Districts

Vice-Chairman Buhler: I think we should save this for another time.

Member Hammer: I propose we move it to a future meeting. Considering we have had a lot to discuss today.

Assistant City Manager Alvarez: Is there anything that I can prepare for you. I know I gave you guys stuff prior but is there anything else you would like me to bring regarding this item for the next meeting?

Member Hammer: I find that some times we need to narrow scope a little bit. How much we are biting off. I think we want to update all the ordinances and I want to be real specific. Your Planning and Zoning your getting all the request, the issues and your getting what needs to come before us. I think I have asked this before but maybe in light of this conversation just really narrow down what you would like for use to look at. Then we can kind of focus and make sure that it is relevant to what your doing and it will help you in your departments.

Vice-Chairman Buhler: Also keep us a breast when you do start working this. I would like to know. I don't know that we could be part of it but I would like to know.

Assistant City Manager Alvarez: I think for me the purpose of bringing you guys the information is because you guys where talking about like R3 for example is just a very large portion of the city. Also did you guys want to look at potentially looking at some of the districts or identifying areas for tiny homes or anything like that. I can tell you its on my agenda to tackle any time soon. The information I provided you was what we have current and the research that I did on what it would take, the process and as you can see from the information it is a big bite. I don't know as far as shorting the scope.

Member Hammer: For example lets talk about ADU's and look at zones. Just that one piece. Where do we want to put ADU's in zone and not just everything. I would rather go that wat than the other way. Then look at R3 and go what can we change here. Lets just take one current issue or current hot topic that we are having ADU's and shipping containers and plug them in. Then go look at the zones and say where does this make sense. Then obviously open up to the public. They will have their comment and so on and so forth. But that might be a good way. That way we can keep whittling down the scope of work on that specific topic like ADU's.

Vice-Chairman Hammer: I don't think we can change things like for subdivisions. I don't think we can change those areas because those have been set that way for a long time. There could be problems. You could have problems with people that have worked out what they foresee for that area that they own.

City Manager Whitehead: What I would challenge is I think we would have to take the time to look at the developable land in each area and then determine. We have to do that as it relates to impact fees. We have to tell the impact board where do we think the growth of the city is going to go. I think if you took an R3 zone that was all full you might not change it or what percentage of land is undeveloped that a potential owner would come in and say I have decided I want to do something. It feels like that's where we would want to go to do some work. Then begin to get serious about where do we want R1. Where should an owner of property be thinking about building single family dwellings with small square footage for an additional dwelling in the back. I think you can take in tiny homes in R3 because that's the intent of dense development. How do we get more people to live in this area and how do we get less people to live in these areas? It feels to me as I drive around you kind of have to look and say what is left here that needs to be fixed or developed and what is the best way to develop it? I think the Riverside that has its on kind of zoning RR which opened it to horses and that kind of river kind of style. It almost feels like the hot springs district and I think I have said that before. It felt like that deserve something different besides just R3. It never looked at as a citizen but it's odd that it didn't get some kind of historical.

Vice-Chairman Buhler: So, it could potentially help and area?

City Manager Whitehead: Correct. This is just me speaking. If you took the down town historic area and said we really want to do a couple of things to make it a little tighter. What can't we change, you're not going to change what exist but there is 25 lots still and we want it to look like this and we want to feel like that maybe that's what you do and you classify it. I think you also have to accept the fact that people are building smaller homes today. It's not far to say we just want 700 square feet. It's not what people want to do today so if we are not thoughtful about it then it's always going to be a variance.

Vice-Chairman Buhler: You mentioned a board. What board was that? I have never heard that we had that board before.

City Manager Whitehead: The impact fee board. It's the Public utilities board and they double and an impact fee board. On and annual bases we have a state requirement to say this is what we charge for impact fees. They have go and recertify that we are going to continue charging and there is no changes. We are not growing.

Assistant City Manager Alvarez: With in the last 4 years we updated our impact fee study. That is something that should be done every 7 to 10 years. It's like Manager Whitehead said its reviewing the population and goes through and engineering study and review. They determine what our impact fees are and they haven't changed. They didn't change when the new study came out they have been the same for a long time and they are \$150 per fixture unit. If

somebody is building a house I always use the bathroom as an example. You have a toilet, a sink and the shower so there is 3 separate drains and that's \$450 that you pay in impact fees. That's the impact to our water system and our waste water treatment plant.

Member Luchini: Are those the only impact fees.

City Manager Whitehead: Yes. I went through a presentation we preparing to go to an engineering firm to go do an engineering study to decide if we want to do increase. I put a stop to it. It doesn't feel like we are doing any real development at this point. We are not doing any real building. It seemed unfair to go in and add another fee on top of the fee. The \$150 just for the water are the only impact fees a builder would potentially be charged for adding to our system. We were carrying on the books maybe \$70,000 worth of impact fees over the last 5 or 6 years. We did the study and I took all those fees into the general fund which we can use to offset our cost for water. You can only use impact fees to add additional capacity. So, every where that we are taking a 4 inch water line off and putting a 6 or an 8 inch that qualifies for additional capacity to our system. Impact fees that is how they are charged and what they could be used for.

Vice-Chairman Buhler: If we get an engineer you mentioned that. Possibly getting an engineer to help with things. Could they also help Traci with some planning?

City Manager Whitehead: I would think an engineer could help us with any of those items that we need. But currently again I will tell you that we are using an engineering firm StanTech. That's the review engineer that looks at every application that comes through. Traci does not independently look at any of those documents on new builds.

Assistant City Manager Alvarez: It would be undeveloped lots. If the lot has not been developed or it's a completely undeveloped lot, maybe it had been developed and a house was demolished and a brand new one is coming in all of that goes to the engineer for review. He needs to look at the topography and the diversion on the water and all that.

City Manager Whitehead: Also the setbacks and all that stuff.

6. REPORTS FROM THE BOARD:

Member Luchini: I don't have a report but I do have a concern regarding façade on metal buildings. There is a new metal building right across from O'Reilly's. Its metal it seems that the main door faces south. That has a metal façade not a wood, brick or other kind of façade on a metal building facing a main street.

Assistant City Manager Alvarez: That's the one being built now. Ill double check the review on that. Its gone through the engineer and engineer review. Ill look at what is being built versus what was submitted. Ill follow up on that.

Member Luchini: I would think something like that would fall under the need of a façade facing the main street requirement of a metal building.

Member Hammer: My question is do we need to continue that? I don't mind seeing a metal buildings in commercial districts.

Chairman Sisney: The best example is Family Dollar. It has the façade and it looks a lot better than if it was just a metal building out in Elephant Butte.

Vice-Chairman Buhler: In certain areas you could have certain types of buildings. Depends on the area.

Assistant City Manager Alvarez: I'll follow up on it and see. There might be a façade in there plan once its completed. Ill have to take a look. I know for sure that one was submitted up to engineering and has gone through a full review.

Member Luchini: Maybe your right I see your point. When I saw the building as it is now I thought well that didn't go through planning and zoning board. But your right it may not be completed. The only other thing is if you could elaborate on what might be happening on the airport area.

Assistant City Manager Alvarez: A few years back I believe the property around the airport it went through and auction process and there was some potential private buyers separate. Not like one buyer bought the whole thing. They are in the process of working through the survey and division because its one very large parcel that surrounds the whole airport and so that property is getting potentially divided up into sections not small but large acreage sections. That way they can finalize the sales with the private buyers. Because that property has never gone through that process it requires a preliminary plot process. That one was heavily reviewed by both attorneys to come to that decision. Its considered T1 zoning up there. Once they finally get all their paperwork and get it submitted to my office then it will have to come through planning and zoning for preliminary plot process. I will be working closely with the city attorney on that. That is not something I have ever done so it will be a learning process for us all.

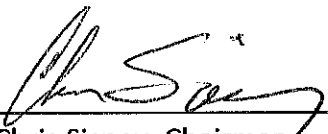
7. REPORTS FROM STAFF:

No Reports from Staff.

8. ADJOURNMENT:

Chairman Sisney adjourned the meeting at 5:33 p.m.

PASSED AND APPROVED ON THIS 13th DAY OF JULY, 2026.



Chris Sisney, Chairman
Planning & Zoning Board

The FOLLOWING NAMES ARE SUBMITTED
AS A REQUEST TO ~~KEEP THE~~ LIMIT THE
HEIGHT OF THE LOVE'S ROAD SIDE SIGN June 8th
2026

Mary M Kinninger

602 Wyona

Tor C Wm 87901

575-297-4112

theta.art@gmail.com

I am anti the Lighting at LOVES

Matha Flannery
475 E Pine Ave 5th.

TorC, 87901

505-983-8722

Lower the Sign - remove Light Pollution!

Janet Caliri

323 2520963

janetcaliri@gmail.com

TORC

Lower the sign - Save the migratory Birds

Danielle Varus

928 308 9951

845 van patten

TorC 87901

CAROL BORSBLO

712 Austin St

TORC, 87901