



CITY OF TRUTH OR CONSEQUENCES
PLANNING AND ZONING COMMISSION ACTION FORM
DATE: 5-14-2025

ITEM:

Discussion/Action – Alternate Summary Procedure – Summary Plat Property Code: 3022077326147

BACKGROUND:

The applicant wishes to amend his parcel to separate out a section of property. Public hearing notice was published and sent certified mail to all applicable property owners within 100ft. All required documents and fees have been submitted.

SUPPORT INFORMATION:

**Summary Plat
Parcel Location Map
Area Reference Map highlighted – NOT TO SCALE
Public Hearing Notice
Code References
Findings of Facts Checklist**

Name of Drafter: Traci Alvarez	: Assistant City Manager	
E-mail: talvarez@torcnm.org	Phone: 575-952-0565	

ALTERNATE SUMMARY PROCEDURE - SUMMARY PLAT
OF TRACT 1, 3, 6, AND TRACT 7 AS THE SAME IS SHOWN ON REPLAT FILED ON NOVEMBER
16, 2001 IN BOOK 1, PAGE 2776 IN THE SIERRA COUNTY CLERKS OFFICE, AND TRACT A AN
11.25 ACRE INGRAM FAMILY LIVING TRUST TRACT, RECEPTION No. 201101264, IN BOOK 117,
PAGE 4715 SIERRA COUNTY CLERKS OFFICE
SECTION 28, TOWNSHIP 13 SOUTH, RANGE 4 WEST, N.M.P.M.,
TRUTH OR CONSEQUENCES, SIERRA COUNTY, NEW MEXICO
75.11 ACRES±
FEBRUARY 2025

DESCRIPTION

THE SUMMARY REPLAT OF TRACT 1, 3, 6, AND TRACT 7 AS THE SAME IS SHOWN
ON REPLAT FILED ON NOVEMBER 16, 2001 IN BOOK 1, PAGE 2776 IN THE SIERRA
COUNTY CLERKS OFFICE, AND TRACT A AN 11.25 ACRE INGRAM FAMILY LIVING
TRUST TRACT, RECEPTION No. 201101264, IN BOOK 117, PAGE 4715 SIERRA
COUNTY CLERKS OFFICE HEREBY DEDICATES TRACT 1a, 3a, 6a, 7a, 10, AND
TRACT A1

ALL ACCESS EASEMENTS AND UTILITY EASEMENTS SHOWN HEREON ARE
GRANTED WITH THE FILING OF THIS PLAT. ALL RULES AND REGULATIONS OF
THE CITY OF TRUTH OR CONSEQUENCES AND SAID UTILITIES WILL APPLY TO
THESE EASEMENTS. ALL OTHER EASEMENTS SHOWN HEREON ARE GRANTED
FOR THE USE INDICATED. NO ENCROACHMENT THAT WILL INTERFERE WITH
THE USE OF EASEMENTS, AS SHOWN ON THIS PLAT, IS ALLOWED.

THE REPLAT HAS BEEN DEDICATED IN ACCORDANCE WITH THE
DESIRES/WISHES OF THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN
HEREON.

THE MAJORITY OF THE AREA OF TRACT 10 LIES WITHIN C-1 ZONING. THE ACCESS
ENTRANCE ROAD AREA OF TRACT 10 WITHIN T-1 ZONING AND ANY REMAINING T-1
ZONING AREA WITHIN TRACT 10 TO BE EXCLUDED FROM T-1 ZONING AND JOINED
TO C-1 ZONING BY THE FILING OF THIS PLAT. TRACT 6A LIES WITHIN C-1 ZONING.
TRACT 6A TO BE EXCLUDED FROM T-1 ZONING AND JOINED TO C-1 BY THE FILING
OF THIS PLAT.

THE OWNER, INGRAM FAMILY TRUST B ACTING THROUGH , _____, SETS ITS
HAND AND SEAL THIS ____DAY OF _____, 2025

INGRAM FAMILY LIVING TRUST, TRUSTEE

STATE OF NEW MEXICO)
COUNTY OF _____)SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF
2025 BY _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

BASIS OF BEARINGS:

BASIS OF BEARING FOR THIS SURVEY SHOWN HEREON IS NEW MEXICO STATE PLANE
COORDINATE SYSTEM GRID BEARINGS, DISTANCES AND COORDINATES ARE MODIFIED
(SURFACE) NEW MEXICO STATE PLANE COORDINATES, WEST ZONE 3003, NAD83,
NAVD88, FROM A CONTROL POINT DETERMINED BY AN OPUS SOLUTION

REFERENCE FRAME: MODIFIED NAD83(2011) (EPOCH 2010.0000)

ORIGIN OF SCALE: N= 785168.245 E= 2898432.578 (N33°09'44678" W107°15'37.41224")

GRID TO GROUND SCALE FACTOR: 1.0002605936

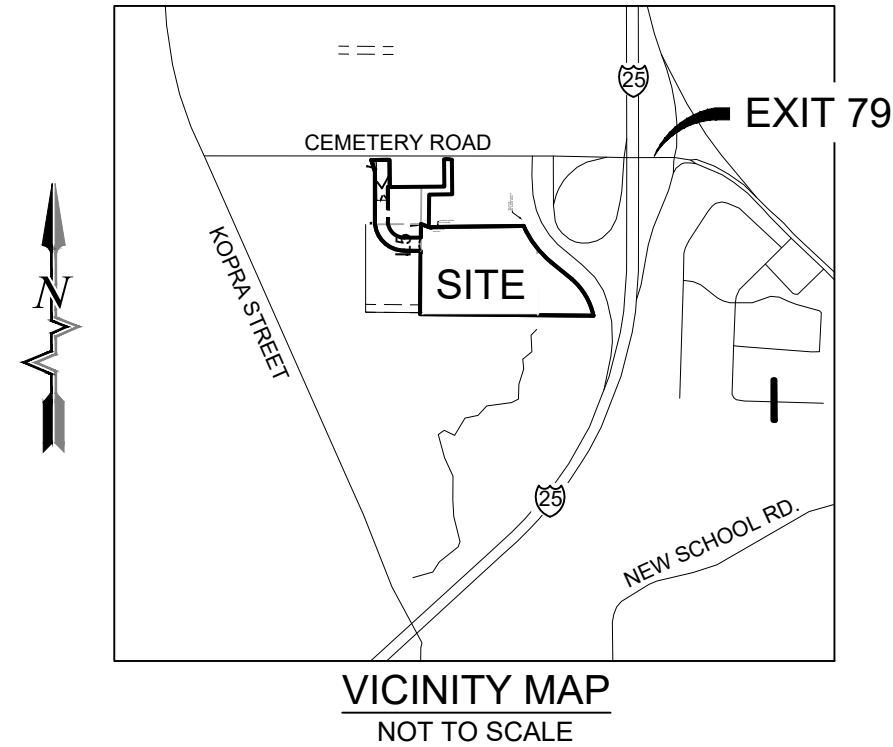
CONVERGENCE: 0° 18' 48.13"

ALL DISTANCES ARE GROUND DISTANCES, UNITS ARE U.S. SURVEY FEET

REFERENCES:

1. PLAT OF SURVEY BY RICHTER LAND SURVEYING. FILED 11/16/2001. BOOK 1, PAGE 2776. (SIERRA COUNTY)
2. SPECIAL WARRANTY DEED. FILED 05/11/2011. BOOK 117, PAGE 4713. (SIERRA COUNTY)
3. SPECIAL WARRANTY DEED. FILED 05/11/2011. BOOK 117, PAGE 4714.(SIERRA COUNTY)
4. WARRANTY DEED. FILED 05/11/2011. BOOK 117, PAGES 4715-4716. (SIERRA COUNTY)
5. WARRANTY DEED. FILED 05/11/2011. BOOK 117, PAGE 4717. (SIERRA COUNTY)

EASEMENT LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S89°55'50"W	15.00
L2	S89°22'03"W	85.01
L3	N00°04'22"W	162.13
L4	S90°00'00"W	126.60
L5	N00°33'38"E	100.59
L6	N00°04'10"W	381.70
L7	N89°23'17"E	11.96
L8	S00°37'58"E	308.74
L9	N89°23'17"E	27.94



LEGEND

--- -- SECTION LINE
===== SUBJECT BOUNDARY
===== ADJACENT PROPERTY
----- EXISTING EASEMENT
----- NEW EASEMENT LINE
----- OHE----- OVERHEAD ELECTRIC
===== EDGE OF DIRT ROAD

UTILITY POLE
→ DOWN GUY
☒ TELEPHONE PEDESTAL
☐ W WATER METER
☒ W VALVE WATER VALVE
⊙ W WATER MANHOLE
⊙ SANITARY SEWER MANHOLE
⊙ FOUND 5/8" IRON ROD
(UNLESS OTHERWISE NOTED)
● SET 1/2" IRON ROD W/CAP "21204"

EASEMENT CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	196.35	125.00	90°00'00"	N45°00'00"W	176.78

SIERRA COUNTY CLERK

PLAT NO. _____ RECEPTION NO. _____

STATE OF NEW MEXICO)
COUNTY OF SIERRA)SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR
RECORD ON THIS ____ DAY OF _____, 2025.

AT _____ O' CLOCK ____ M AND DULY RECORDED IN PLAT RECORD _____.

PAGE(S) _____ IN THE RECORDS OF THE SIERRA COUNTY CLERK AND

EX OFFICIO RECORDER OF SIERRA COUNTY.

THE CITY OF TRUTH OR CONSEQUENCES DOES HEREBY ACKNOWLEDGE THE REPLAT OF
LOTS AS SHOWN ON THIS PLAT.

MAYOR

NOTES:

1. BEARINGS AND DISTANCES IN PARENTHESIS ARE THE RECORD DIMENSIONS AS SHOWN ON
PLAT OF SURVEY FILED IN BOOK 1 PAGE 2776 ON NOVEMBER 16, 2001, SIERRA COUNTY CLERKS
OFFICE, NEW MEXICO.
2. SUBJECT PROPERTY LOCATED IN FLOOD ZONE "X" AREAS DETERMINED TO BE AREAS OF
500-YEAR FLOOD; AREAS OF 100 YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT
OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES
FROM 100-YEAR FLOOD ACCORDING TO THE FEMA MAP NO. 3500730005C EFFECTIVE DATE JULY
16, 1996.

SURVEYOR'S CERTIFICATE

I, DARRYL D. COSTER, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT AND THE ACTUAL
SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER
MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY
MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DARRYL D. COSTER PS 21204

DATE

Rev #	Date	Description	By	Chkd

SOUDER, MILLER & ASSOCIATES
Engineering • Environmental • Surveying
Serving the Southwest & Rocky Mountains
3500 Sedona Hills Parkway
Las Cruces, NM 88011
Phone (575) 647-0799 Toll Free (800) 647-0799 Fax (575) 647-0680
www.soudermiller.com

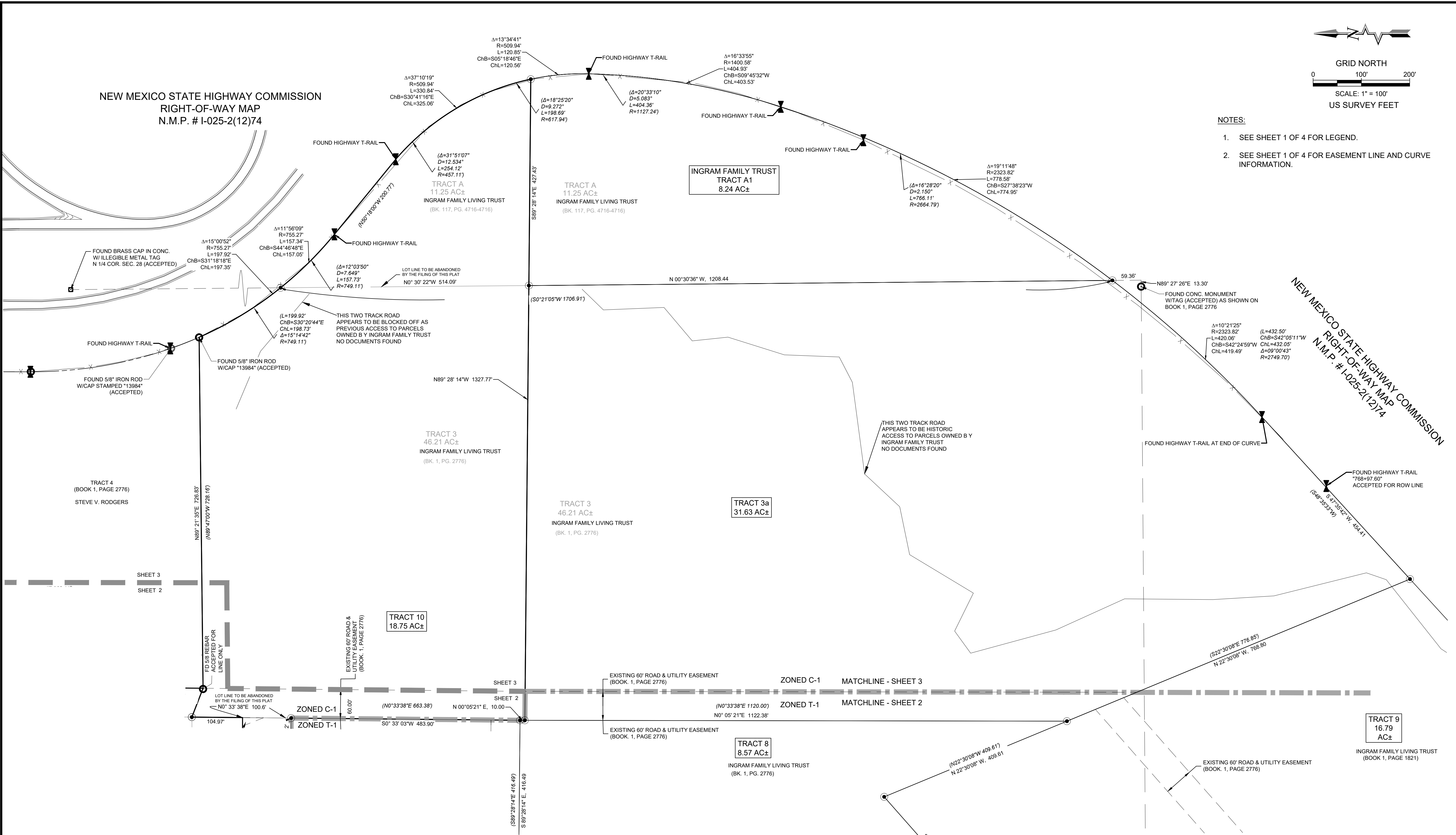
CITY OF TRUTH OR CONSEQUENCES

INGRAM FAMILY LIVING TRUST

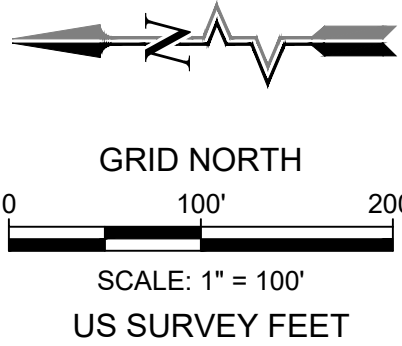
AN ALTERNATE PROCEDURE SUMMARY PLAT FOR TRACT 1, 3, 6, AND TRACT 7
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RANGE 4 WEST, N.M.P.M., TRUTH OR CONSEQUENCES, SIERRA COUNTY, NEW MEXICO

Fieldwork	Drawn	Checked
LF/JE	AME	DDC
Date:	March 2025	
Scale:	Horiz: -- Vert: --	
Project No:	2332378	
Sheet:	1 OF 4	





- NOTES:
- SEE SHEET 1 OF 4 FOR LEGEND.
 - SEE SHEET 1 OF 4 FOR EASEMENT LINE AND CURVE INFORMATION.



Description	By	CHK'd
	Rev #	Date
SOUDER, MILLER & ASSOCIATES Engineering • Environmental • Surveying Serving the Southwest & Rocky Mountains 3500 Sedona Hills Parkway Las Cruces, NM 88011 Phone (575) 647-0799 • Toll Free (800) 647-0799 • Fax (575) 647-0686 www.soudermiller.com		
CITY OF TRUTH OR CONSEQUENCES INGRAM FAMILY LIVING TRUST AN ALTERNATE PROCEDURE SUMMARY PLAT FOR TRACT 1, 3, 6, AND TRACT 7 AS THE SAME IS SHOWN ON REPLAT FILED ON NOVEMBER 16, 2001 IN BOOK 1, PAGE 2776 IN THE SIERRA COUNTY CLERKS OFFICE, AND TRACT A AN 11.25 ACRE INGRAM FAMILY LIVING TRUST TRACT, RECEPTION No. 201101264, IN BOOK 117, PAGE 4715 SIERRA COUNTY CLERKS OFFICE, SECTION 28, TOWNSHIP 13 SOUTH, RANGE 4 WEST, N.M.P.M., TRUTH OR CONSEQUENCES, SIERRA COUNTY, NEW MEXICO		
Fieldwork LF/JE	Drawn AME	Checked DDC
Date: March 2025		
Scale: Horiz: 1"=100' Vert: --		
Project No: 2332378		
Sheet: 3 OF 4		

ALTERNATE SUMMARY PROCEDURE - SUMMARY PLAT
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75.11 ACRES±
FEBRUARY 2025



PAGE FOR DETAIL OF TRACT 1A, TRACT 7A AND TRACT 6A
TEMPORARY CONSTRUCTION EASEMENT

 = POSITION FOR CORNER NO MONUMENT FOUND OR SET

[illegible]

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CITY OF TRUTH OR CONSEQUENCES

INGRAM FAMILY LIVING TRUST

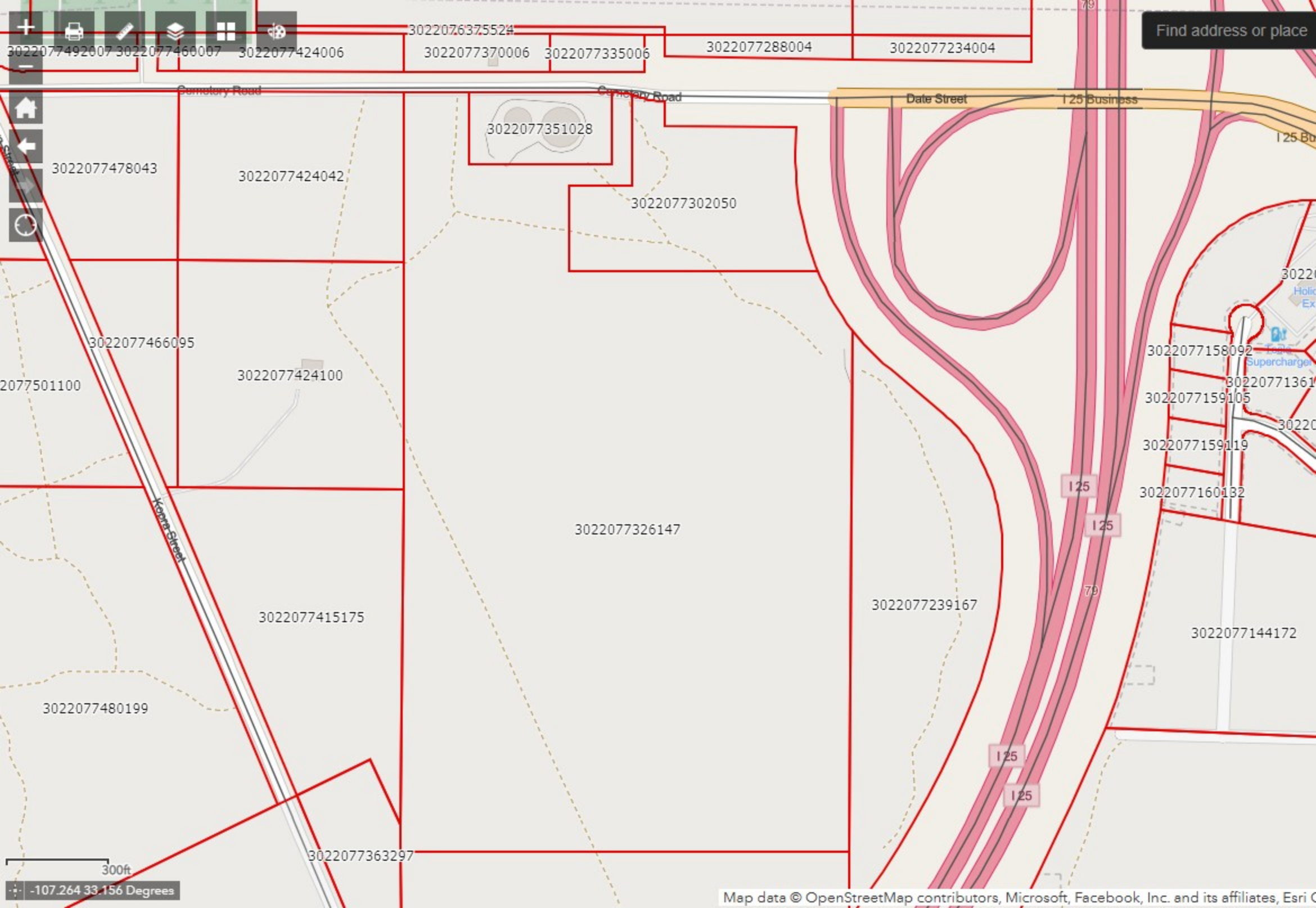
AN ALTERNATE PROCEDURE-SUMMARY PLAT FOR TRACT 1, 3, 6, AND TRACT 7 AS THE SAME IS SHOWN ON REPLAT FILED ON NOVEMBER 6, 2001 IN BOOK 1, PAGE 2776 IN THE SIERRA COUNTY CLERKS OFFICE, AND TRACT A, N 11 25 ACRES INGRAM 141E LIVING TRUST TRACT, RECEPTION NO. 201101264, IN BOOK 117, PAGE 4715 SIERRA COUNTY CLERKS OFFICE, SECTION 28, TOWNSHIP 15 SOUTH, RANGE 4 WEST, N.M.P.M., TRUTH OR CONSEQUENCES, SIERRA COUNTY, NEW MEXICO

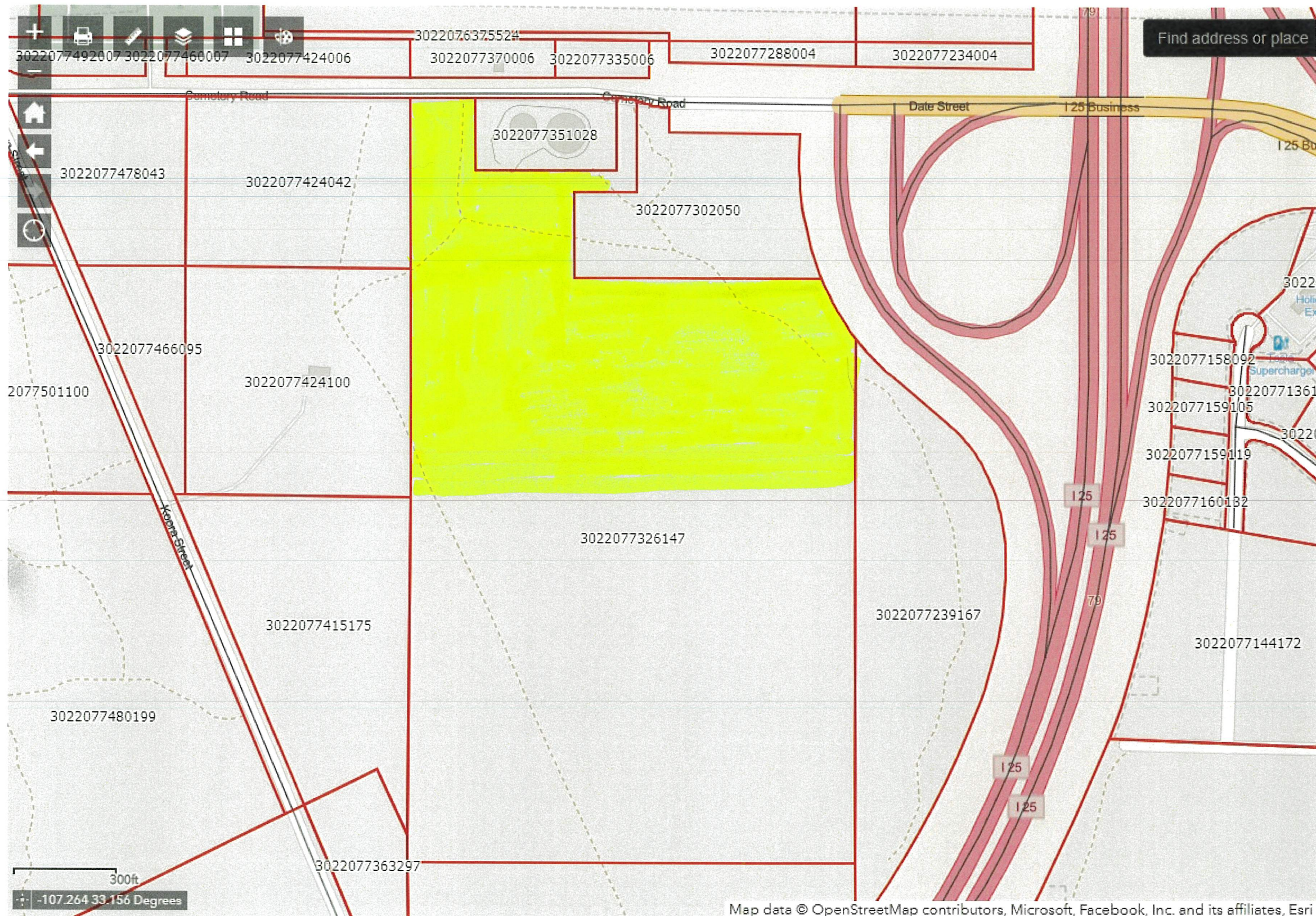
Fieldwork LF/JE	Drawn AME	Checked DDC
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Date:	March 2025
Scale:	Horiz: 1"=100' Vert: --

Project No: 2332378

Sheet: 4 OF 4





*Rolf Hechler
Mayor*

*Amanda Forrister
Mayor Pro-Tem*

*Merry Jo Fahl
Commissioner*



*Destiny Mitchell
Commissioner*

*Ingo Hoepfner
Commissioner*

*Gary Whitehead
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, May 12, 2025, to receive input regarding the following:

Public Hearing/Discussion/Action: Summary Plat Amendment - Alternate Summary Procedure on Property Code: 3022077326147.

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

Please contact Traci Alvarez at (575) 952-0565 or by email at talvarez@torcnm.org should you have any questions regarding this Public Hearing.

The agenda for this meeting may be obtained on Friday, May 9, 2025, on the city website 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– Thursday, April 17, 2025

Sec. 11-2-2. - The Planning and Zoning Commission.

- A. *Purpose.* A Municipal Planning and Zoning Commission is hereby established for the purpose of interpretation of this Code, approving certain actions, receiving requests for modifications to this Code and re-zoning, and making recommendations to the City Commission concerning matters pertaining to zoning within the City.
- B. *Administrative review and interpretations.*
1. The Planning and Zoning Commission shall review an administrative action of the designated Zoning Administrator when it is alleged that there is an error in the order, requirement, determination, or refusal made by the designated Zoning Administrator and reverse, affirm, or modify the administrative action.
 2. The Commission shall interpret this Code when the designated Zoning Administrator is in doubt as to the exact meaning of the text.
 3. The Commission shall interpret the Official Planning and Zoning District Map in accordance with the standards set forth in the Comprehensive Planning and Zoning Code when the designated Zoning Administrator is uncertain as to the exact boundary of a District shown on the Official Planning and Zoning District Map.
- C. *Powers and duties.*
1. Recommend to the City Commission either approval, denial or modification of a request for annexation, special use permit, variance, subdivision, zoning, amendment of this Code, or any other land use consideration within the planning and zoning jurisdiction of the City.
 2. Grant final approval or denial of a home occupation or conditional use permit after public meeting, provided there is not an appeal to the City Commission within fifteen (15) days in accordance with Article 7 of this Code.
- D. *Composition of the Planning and Zoning Commission.* The Planning and Zoning Commission shall consist of five (5) members each to be appointed by a simple majority of the City Commission. Eligibility requirements for membership shall be established by the City Commission. Members shall serve staggered terms of two (2) years each. A recording secretary shall be provided to assist the Planning and Zoning Commission by the City. The recording secretary shall not be a member of the Planning and Zoning Commission and shall be only responsible for those duties requested by the Planning and Zoning Commission and approved by the City Manager.
- E. *Organization of the Planning and Zoning Commission.* The Planning and Zoning Commission shall elect a chairman, vice-chairman, and second vice-chairman in July of each year, or as required due to unforeseen vacancies. They shall serve for one (1) calendar year following their elections.
- F. *Voting.* A simple majority vote of a quorum of the Planning and Zoning Commission is required for approval of all Planning and Zoning Commission actions. A quorum requires at least three members of the Commission present.

In order for a vote to be valid on a particular issue, a quorum must actually vote regarding the measure. A member who abstains from voting on an issue is deemed to have not voted on the issue.

- G. *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.

H. *Report to the City Commission.* The Planning and Zoning Commission shall provide written minutes, with recommendations as necessary, to the City Commission on all matters that are brought before the Commission. Such minutes shall include a statement of the findings of facts that were the basis of any decision or recommendation made by the Planning and Zoning Commission.

Sec. 15-15. - Alternate summary procedure.

A. *Approvals by Planning and Zoning Commission:* The Planning and Zoning Commission may approve or deny the following types of subdivisions:

1. A re-plat of a previously filed subdivision when:

- a. No more lots are created than exist in the area at the time of the submittal of the replat application; and,
- b. All lots to be created have direct, legal, unobstructed access to an existing City maintained street;
- c. All lots to be created have direct, unobstructed legal access to existing City water and wastewater lines;
- d. The subdivider files with the City a Letter of Credit for funds adequate to pay for connecting the lots to the City's water and wastewater lines, or, pays to the City the City's fees for connecting the lots to the City's water and wastewater lines;
- e. The new lots comply in all ways with the standards for lots contained within the City's Comprehensive Planning and Zoning Code;
- f. All new lots are laid out in a manner which allows utility service to be provided to the purchasers of said lots;
- g. All lots to be eliminated or created exist within the area of a single block of lots in a previously platted and filed subdivision; and,
- h. No vacation of street dedications or utility easements is proposed; or,
- i. Lots are to be eliminated.

2. The subdivision of previously unsubdivided land when:

- a. No more than two lots are created;
- b. Both lots to be created have direct, legal, unobstructed access to an existing City maintained and paved street with curb gutter and sidewalk;
- c. Both lots to be created have direct, unobstructed legal access to existing City water and wastewater lines;
- d. The subdivider files with the City a Letter of Credit for funds adequate to pay to connect both lots to the City's water and wastewater lines, or, pays to the City funds for connecting both lots to the City's water and wastewater lines;
- e. The new lots comply in all ways with the standards for lots contained within the City's Comprehensive Planning and Zoning Code;
- f. The new lots are laid out in a manner which allows utility service to be provided to the purchasers of said lots; and,
- g. No vacation of street dedications or utility easements is proposed.

B. *Limit on number of summary procedures:* The summary procedure shall be used only once on any one property, or within any group of contiguous or adjacent properties owned by a subdivider, unless the property has been master-planned, legally subdivided, and is zoned for industrial uses, and wherein the streets within those subdivisions have been dedicated to and accepted by the City. No subdivider who has received approval of a subdivision shall utilize the summary procedure to subsequently increase the number of lots within said subdivision.

C. *Elective pre-application procedure:*

1. Prior to filing a summary plat, the subdivider may submit a conceptual plan of the proposed subdivision to the City's Zoning Administrator. The conceptual plan shall provide enough

information for the Zoning Administrator to locate the proposed subdivision and to comprehend its scope and potential impacts. Neither a written application nor an application fee are required for submittal of a conceptual plan.

2. The City's Zoning Administrator shall place the proposed summary subdivision on the next possible agenda of the Planning and Zoning Commission for discussion, when the Planning and Zoning Commission shall consider the proposal with the subdivider or the subdivider's representative and shall indicate changes, if any, that will be required for the submittal process.

D. *Summary plat submittal requirements summary plat submittal requirements are:*

1. Application, signed by all property owners, including all parties having an equitable interest, trustees of an estate and all persons having a specific "power of attorney" in such land;
2. A record of any pending litigation or any final order entered by any court of law regarding the ownership of the subject property;
3. Application fee as established by the City;
4. Documentation from the Sierra County Assessor's Office that the current year's property taxes are paid and that no taxes are owed on the property;
5. A plat conforming to section 15-13.A of this Code; and,
6. Releases by the Public Utilities Advisory Board, and all utility companies which are proposed as providers for the subdivision.

E. *Submittal and review procedures:*

1. Incomplete submittals will not be accepted for review.
2. The subdivider shall submit all required materials to the City's Zoning Administrator.
3. The City's Zoning Administrator shall review all materials, and shall within three working days from the date the application is determined to be complete, request opinions of applicable City departments, other governmental agencies, and utility companies for review, comments and recommendations. City departments shall have ten calendar days in which to review and respond in writing to any such request. Within three working days of receiving any written reports, comments or recommendations from any City department, governmental agency, or utility company, the Zoning Administrator shall make available to the subdivider a copy of such materials.
4. The Zoning Administrator shall have the right to require that the subdivider provide additional information or to make amendments to the plat and supporting information if the Zoning Administrator determines that the information originally submitted by the subdivider was incomplete, incorrect or invalid.
5. The subdivider shall have ten working days in which to make any corrections or additions required by the Zoning Administrator, or to request a postponement of action by the Zoning Administrator for up to 135 days.
6. If a subdivision application does not meet the requirements of this Code within 180 days of its original submittal, the Zoning Administrator shall summarily reject the application and notify the applicant in writing of the reasons for the rejection.
7. At such time as the subdivider meets the requirements of this Code, the subdivider shall provide the Zoning Administrator with a copy of the final plat.
8. At such time as receiving a submittal that meets all requirements of this Code, the Zoning Administrator shall recommend that the Planning and Zoning Commission approve the final plat by consent agenda action during its next regularly scheduled meeting, and the Planning and Zoning Commission shall approve the subdivision by consent agenda action during its next regularly scheduled meeting.

9. The subdivider shall file a signed copy of the final plat in the records of the County Clerk of Sierra County, and shall provide the City with one of the signed copies.
- F. *Divisions for the purpose of mortgage:* Divisions for purposes of mortgage are not allowed. If a property is to be mortgaged it must be done so in its entirety or properly subdivided as required in this chapter.

(Ord. No. 555, 5-23-06)

Sec. 15-17. - Amendment of plats.

- A. *Administrative amendment:* Any change that is required to correct an error in lettering, numbering or other minor detail on a filed plat which does not affect any material aspect of the subdivision will be considered a minor amendment. Administrative amendments may be processed and approved by the City's Zoning Administrator, who shall have the right to require review and approval by the Planning and Zoning. The City's Zoning Administrator shall insure that the corrections are noted on the original filed plat. The fee schedule for administrative amendments shall be as approved by the City of Truth or Consequences.
- B. *Minor amendment of plat:* Any proposed amendment that is greater than an administrative amendment which does not have the effect to significantly alter the impacts on utilities, drainage, or traffic, may be approved as an amendment by the Planning and Zoning Commission.
- C. *Major amendment of plat:* Any proposed correction or amendment of a filed plat that affects material aspects of the subdivision shall be considered by the Planning and Zoning Commission, with approval by the City Commission, the Planning and Zoning Commission shall determine if the subdivider may use the alternate summary procedure or if the subdivider shall be required to vacate a portion or all of the filed plat and follow the procedures appropriate for the approval of a new subdivision. The fee schedule for major amendments shall be as approved by the City of Truth or Consequences.

(Ord. No. 555, 5-23-06)

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.