

MINUTES OF THE DOÑA ANA COUNTY PLANNING AND ZONING COMMISSION

February 28, 2013
9:00 a.m.

(Note: These are not verbatim minutes, these are summary minutes.)

MEMBERS PRESENT:

Michael Park, Member
Natalie Mercado, Member
Bill Zarges, Member
Sandra Tatum, Member
Douglas Hoffman, Member
Mel Acosta, Member
Brent Westmoreland, Chairman

OTHERS PRESENT:

Dan Hortert, Director, Community Development
Janine Divyak, Chief Planner
Albert Casillas, Planner
Jonathan Kesler, Planner

CALL TO ORDER

Chairman Westmoreland called the meeting of the Planning and Zoning Commission to order at **9:08 a.m., Thursday, February 28, 2013** in the County Commissioners Chambers, Doña Ana County Government Center, 845 N. Motel Blvd., Las Cruces, New Mexico.

1. ROLL CALL

Commissioner Park	Present
Commissioner Mercado	Present
Commissioner Zarges	Here
Commissioner Tatum	Present
Commissioner Hoffman	Here
Commissioner Acosta	Present
Chairman Westmoreland	Present

2. APPROVAL OR CHANGES TO THE AGENDA

Commissioner Hoffman discussed a proposed change to the agenda. As per bylaws, Article 3 Section B, Order of Business, and discussions in the past, we need to add in the agenda item "Old Business". These are the items that should be kept on the agenda whether or not we discuss them. The point of keeping unresolved items on the agenda is so that they don't disappear.

Janine Divyak, Chief Planner, asked if anyone needed a hard copy of the agenda. The Commission discussed emailing agendas to save on paper and gas. The Commission decided to give it a try.

Janine Divyak discussed keeping the items discussed during the previous work sessions active on the agenda. Staff has identified four items: telecommunication regulations,

the agriculture conservation easements, the water issues, and the public notification system. Historically, staff only puts items on the agenda that require action or new discussion. The reason why they were left off this agenda is that we didn't have any new information to report other than an update under Staff Input. If the consensus of the Commission is to keep those items on the agenda under Old Business whether or not we have new information, we can certainly do that. I also think and after discussing it with Commissioner Hoffman, that these items will come out with the HUD Grant Projects that we are currently working on, the Comprehensive Plan and the Unified Code for Sustainable Development.

The consensus is to keep these items on the agenda.

Commissioner Hoffman stated that he got a notice that the HUD Grant is having public meetings to solicit public input tomorrow and the next day. I think the more that we keep track of what we're doing and the more we try to get everyone communicating, perhaps we will be able to actually advance some of these issues and have some input on them.

Janine Divyak offered to have a Planner from Advance Planning come and discuss that with the Commission; it is the kick-off with the E&E Consultant to start getting our brand out there - "Viva Doña Ana". There will be introductory informal meet and greets at several locations. She offered to provide the schedule for the Commission.

Commissioner Hoffman made a motion to approve the agenda, **Commissioner Park** seconded the motion. The agenda was **APPROVED** by a vote of 7-0-0.

3. **APPROVAL OF MINUTES:** Regular Meeting of February 14, 2013
Commissioner Park moved to approve the minutes of the February 14, 2013 meeting. **Commissioner Zarges** seconded the motion. The minutes were **APPROVED** by a vote of 7-0-0.

4. **PUBLIC INPUT FOR ITEMS NOT ON THE AGENDA**
None.

5. **AN ORDINANCE TO AMEND DOÑA ANA COUNTY CODE CHAPTER 250**
Albert Casillas, Planner, discussed a meeting he attended last week with water utility providers, Mr. Lee Peters, and representatives from EBID. The water providers gave a list of possible land activities that they would like to see exempted from the current land use zoning code.

Chairman Westmoreland asked for an example of activities.

Albert Casillas responded day-to-day activities such as maintenance and cleaning of existing ditches.

Albert Casillas continued that the idea of a memorandum was discussed but wasn't really accepted by both parties. But what was agreed upon was working on a definition of the term "development". As it is right now in the code, the definition is "a project involving property improvement and usually a change of land use character within the site on development standards within this chapter and design standards for the specified use shall apply." They agreed to work on that definition to tailor it to activities that the water utilities are involved in. We will be meeting again on March 19. We asked if it was fine to move on with other sections of the code not involving the word uses and definitions or jurisdictional issue. The participants agreed. Staff will be requesting today to move forward with other amendments not involving the jurisdiction issue.

Chairman Westmoreland asked if staff saw themselves as taking that on before the County Commission or waiting until after the March meeting.

Albert Casillas responded they were going to wait to take all the items in front of the Board of County Commissioners at one time.

Commissioner Park said that he heard that the water utilities wanted to be exempt if they built a pump house. Maintenance is one thing, but new structures should still come under the building and design standards as set forth in the County and the International Building Code.

Commissioner Acosta said they wanted the same power and same rights as the county, and to be totally exempt.

Chairman Westmoreland said that portion is not before the Commission today, it will be discussed in March.

Chairman Westmoreland asked if there was any discussion from the Commission or Staff.

Janine Divyak said everything had been covered. She said the most contentious item was on page 6 regarding road access standards for a single split and allowing the existing access to suffice without having to do any road improvements.

Commission Acosta asked staff if the spike strip is legal in New Mexico.

Jonathan Kesler said that BLM uses them and there is one at Dripping Springs National Recreation Area.

Commissioner Hoffman made a motion that the Commission approve the proposed changes to the land use ordinance as presented in the February 22 departmental memo with the exception of Section 250-6.

Chairman Acosta seconded the motion.

The motion was **APPROVED** by a vote of 7-0-0.

6. STAFF INPUT

Janine Divyak gave an update on two items. Regarding the telecommunication regulations that we've been diligently working on for the past several months, Staff attended a webinar and learned that there are some new federal regulations and some challenges out there before the Supreme Court. We are awaiting the outcome to move forward, but have presented our document to Legal. Have received their input and are working on that.

The other item is the public notification system that we discussed in our work session in December. We received an update from our IT Department. They have two concerns, the first being that they are revamping the web site – should be done by April 1. At that time they will look at building a notification system into the new site. The second concern is that IT said that the County does not have the funds to get an emergency-oriented system like the one Las Cruces pays \$10,000 a year for.

Janine Divyak spoke about the public workshops scheduled this weekend and the launching of the new website, *Viva Doña Ana Regional Project*. Schedules of the workshops were handed out.

7. COMMISSION INPUT

Commissioner Park asked if the County has thought about texting for emergency purposes.

Janine Divyak responded that is more or less what Commissioner Hoffman has been talking about. I believe the Verizon provider does, for example, send out emergency notifications in a flooding situation. But it is not on the county's radar right now. We are looking at including an emergency notification system in our website.

Commissioner Acosta asked if the County could use Verizon as a provider like the University does to send out emergency notifications. Janine said she would ask IT about it.

Commissioner Zarges said that New Mexico State just added online an emergency notification system. It is an option you have to sign up for.

Commissioner Hoffman said it would be a good outcome if the city and county got together on the notification system the city is already using. It would really meet a number of our needs and is an off-the-shelf product.

Janine Divyak said she will contact the Office of Emergency Management and the Fire Marshal to see if that is possible and what they are currently doing about public notification.

Commissioner Tatum asked for information from OEM, as well as a broad report what processes are currently in use, how the city and county operate in any emergency.

8. ADJOURNMENT

Commissioner Park moved to adjourn the meeting with **Commissioner Zarges** seconding the motion.

The motion was APPROVED by a vote of 7-0-0.

Chairman Westmoreland adjourned the meeting at 9:45 a.m.