



# DOÑA ANA COUNTY

## Department of Planning and Development Intra-Departmental Memorandum

<b>To: Extra-Territorial Zoning Authority</b>	<b>Date: Sept. 12, 2007</b>
<b>From: Jonathan Kesler, ETZ Planner</b>	
<b>Subject: Proposed Amendment to the Las Cruces ETZ Ordinance (No. 88-02), "Keeping of Animals", Article VIII, Section 8.1.A through 8.3.</b>	

Staff presented the proposed amendment to the Las Cruces ETZ Ordinance (No. 88-02), "Keeping of Animals", Article VIII, Section 8.1.A through 8.3, to the ETZ Commissioners at the regularly scheduled meeting on August 16, 2007 for their input and comments. The ETZ Commission had requested staff action, after the parents and guardians of 4-H and FFA members made a request to them. The proposed amendment is highlighted as an addition to the body of the Ordinance and is attached.

The discussion centered on the need for FFA and 4-H youth that reside in the ETZ to be able to have livestock for their projects. Over a dozen members of the public attended to support the change. Originally, the ETZ Commission had directed staff at the July 19 meeting to have the ETZ Ad Hoc Committee review Article VIII for possible changes. Staff presented this proposed amendment for review at the August 3 Ad Hoc Meeting. The recommendation of the Ad Hoc Committee was that no changes to the Ordinance be made to accommodate 4-H and FFA sponsored projects, as the ETZ is rapidly urbanizing and the current development trend is toward smaller lots.

The ETZ Commission voted 7-0-0 to recommend adoption of the proposed amendment to the ETA with no changes, rejecting the ETZ Ad Hoc committee's recommendation of August 3. However, the Ad Hoc committee, at its Friday, September 7 meeting, reviewed the ETZ action. They suggested some modifications to the proposed amendment to address concerns voiced earlier by the Ad Hoc Committee members. Ad Hoc Chairman Paul Pompeo's letter to staff highlighting these concerns is summarized as follows (see also document attached). The Proposed Amendment already covers the third suggestion.

- 1) Animals should not be kept in the front or side yard.
- 2) Animals should be kept one hundred feet (100') away from private water wells and two hundred feet (200') away from public water wells.
- 3) Minimum standards are required for animal care.
- 4) Animals should be kept thirty-five feet (35') from adjacent buildings.

The ETA has three options:

- 1) Accept and approve the Amendment as is, as recommended by the ETZ Commission on August 16, 2007.
- 2) Modify the Amendment, in accordance with the new ETZ Ad Hoc Committee suggestions, and approve it.
- 3) Reject the Amendment outright, and direct staff to rewrite it for presentation at a future ETA meeting.