

MINUTES OF THE DOÑA ANA COUNTY PLANNING AND ZONING COMMISSION

November 19, 2015

CALL TO ORDER

9:05:48

Chairman Westmoreland called the Special Meeting of the Planning and Zoning Commission to order at 9:05 a.m., Thursday, November 19, 2015 in the County Commissioners Chambers, Doña Ana County Government Center, 845 N. Motel Blvd., Las Cruces, New Mexico.

1. ROLL CALL

9:06:09

Led by: Diane Duback, Recording Secretary

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| Mel Acosta | Here |
| Bob Czerniak | Here |
| MaryAnn Galindo | Here |
| Bill Zarges | Here |
| Charles Huestis | Here |
| Greg Daviet | Here |
| Brent Westmoreland | Here |

2. APPROVAL OR CHANGES TO THE AGENDA

9:06:55

Motion to approve the agenda.

Motion: Bill Zarges
Second: Greg Daviet

The motion was passed by a vote of “ayes” from Commissioners present.

3. APPROVAL OF MINUTES

November 12, 2015

9:06:29

Motion to approve the meeting minutes of November 12, 2015.

Motion: Bill Zarges
Second: Charles Huestis

The minutes were approved by a vote of “ayes” from all Commissioners present.

4. OLD BUSINESS

9:07:13

a. Discussion & Potential Action on Articles 3 & 5 of UDC Draft #5

Janine Divyak reported that staff made the changes requested to Article 3 and it has been posted online. Daniel Hortert discussed changes made to Article 5.

In Article 5, Commissioner Daviet asked that the definitions be stipulated for accessory dwellings in the Design Standards for R5 and R5L.

On the matrix, mobile homes were changed to not be permitted in R5L and D2L. Also, elementary, junior high and high schools were changed to "S" across the board except for high intensity zones in which they were permitted.

Agriculture, agricultural packaging, warehousing and processing facilities were changed in all zones except for R to be "A" (property permitted when assessed as agriculture). Commercial greenhouses, nurseries and wineries will be by special use permit in R5 through DM. Wineries will be deleted from "Wineries/Wine Tasting Rooms" and included under ag processing. Grain storage was changed to "A" in residential areas. Livestock pens will be permitted in R, R5 and R5L.

Chair Westmoreland recommended adding to Section 1.9 "if the property owner is not satisfied with the zoning administrator's decision, it can be brought before this Board" into the language for a property owner's appeal or request for zone review during the one year review period after the UDC is approved and in place. He also asked staff to come up with more reflective and accurate wording than "grace period".

Consensus was reached by the Commission on Article 5 as amended today with the caveat by Commissioner Daviet on 10-acre R zone lot size. Consensus was also reached by the Commission on Article 3.

b. Potential Introduction, Discussion & Action on Articles 7 & 8 of UDC Draft #5

Commissioner Daviet asked for recommendations on the definition of agriculture that he felt was extensive and possibly overly legal as stated in the draft of Article 7. It was suggested looking at the definition provided by the attorney for some of the farmers, Mr. Lutz.

Commissioner Czerniak recommended as a definition for agriculture "Any use of land for the growing and harvesting of crops, the open-range grazing of livestock, or irrigated pasture for grazing livestock for sale or profit, or uses that are directly ancillary to these on-farm scalable activities, which are the exclusive or primary use of the lot, plot, parcels or tracts of land, including processing, packaging and warehousing." Commissioner Daviet will take this to Mr. Carrasco to see how the farming community feels about this definition.

Janine Divyak will email out Articles 7 and 8 to the Commissioners for their review.

c. Timeline for UDC Completion – Discussion & Potential Action

Daniel Hortert spoke about Articles 6 and 7, the proposed timeline for review, the grace period, and non-conforming uses and lots. He spoke about closely scrutinizing the processes of the UDC for at least the first year and discussed the training manual and flowchart.

Commissioner Huestis noted that Article 4 had been left off the timeline. Janine Divyak will make sure it is added in.

5. NEW BUSINESS

12:00:21

None.

6. COMMITTEE REPORTS

12:00:25

None.

7. ADMINISTRATIVE APPROVALS

12:00:26

None.

8. STAFF INPUT

12:00:27

None.

9. COMMISSION INPUT

12:00:32

None.

10. ADJOURNMENT

12:00:35

Chairman Westmoreland adjourned the meeting at 12:00 p.m.

Officer: Planning and Zoning Commission