

Community Development
Superintendent Louise Marquez

City Planner Jaime Castro

City Planner Estephania Cazale



Chairman Robert Ardivino
Commissioner Kevin Huckabee
Commissioner Cesar A. Irigoyen
Commissioner Bill Jiménez
Commissioner Jesus Soto
Commissioner Jaime Chacon
Commissioner Raul Telles

**SUNLAND PARK PLANNING AND
ZONING COMMISSION
NOTICE OF REGULAR MEETING
Regular Meeting Agenda
January 11th, 2018 - 5:30 PM
City Hall, City Council Chambers
1000 McNutt Rd.**

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

PLEDGE OF ALLEGIANCE

CONFLICT OF INTEREST

At the opening of each Planning & Zoning meeting, the chairman shall ask if any member of the commission, the Community Services Director, or any member of the city staff has any known conflict of interest with any item on the agenda.

APPROVAL OF AGENDA

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the commission. Comments are limited to 3 Minutes, and there will be a maximum of 30 Minutes allowed for Public Comment.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- 1. Approval of 11/09/17 Planning and Zoning Meeting Minutes**
- 2. Approval of 11/30/17 Planning and Zoning Meeting Minutes**
- 3. Approval of 2018 Sunland Park Planning & Zoning Commission Open Meetings Act Resolution**

ITEMS REMOVED FROM CONSENT AGENDA

ORDINANCES

REMARKS AND INQUIRIES BY THE COMMISSION

COMMUNITY SERVICE'S REPORT

ADJOURNMENT

PLEASE NOTE: If you are an individual with a disability who is in need of a reader, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Office of the City Clerk at (575) 589-7565 at least one week prior to the meeting.

POSTED: City Clerk's Office, Motor Vehicle Division, Public Health Office, Sunland Park Post Office, Sunland Park Library, Santa Teresa Post Office, Sunland Park Grocery, Mercedes Grocery and Carousel Convenience Store. Filed in the office of the City Clerk on January 11th, 2018.

Estephania Cazale

Estephania Cazale, City Planner

AGENDA ITEM NO. 1
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 01/11/2018

Submitted By: Heber Perales

Subject: Approval of 11/09/17 Planning and Zoning Meeting Minutes

Background:

Recommendation: Approve

DRT Comments: N/A

Community Development
Superintendent Louise Marquez

City Planner Jaime Castro

City Planner Estephania Cazale



Chairman Robert Ardivino
Commissioner Kevin Huckabee
Commissioner Cesar A. Irigoyen
Commissioner Bill Jiménez
Commissioner Jesus Soto
Commissioner Orlando Cervantes

**SUNLAND PARK PLANNING AND
ZONING COMMISSION
NOTICE OF MEETING
Regular Meeting Minutes
November 9th, 2017 - 5:30 PM
City Hall, City Council Chambers
1000 McNutt Rd.**

CALL TO ORDER & ROLL CALL

Chairman Robert Ardivino called meeting to order at 5:28PM.

Present: Chairman Robert Ardivino, Vice Chairman Kevin Huckabee, Commissioner Orlando Cervantes, Commissioner Cesar Irigoyen, Commissioner Jaime Chacon

Absent: Commissioner Bill Jimenez, Commissioner Jesus Soto

Staff Present: Louise Marquez Community Services Superintendent, Jaime Castro City Planner, Estephania Cazale City Planner and Heber Perales Deputy City Clerk

PLEDGE OF ALLEGIANCE

Chairman Robert Ardivino

CONFLICT OF INTEREST

None

APPROVAL OF AGENDA

Commissioner Jesus Soto made a **motion** to approve the consent agenda. Seconded by Commissioner Cesar Irigoyen.

All those in favor said "aye." Motion passed unanimously.

Vote: Motion (**summary:** Yes 5, No 0, Abstained 0)

AYE: Chairman Robert Ardivino, Vice Chairman Kevin Huckabee, Commissioner Orlando Cervantes, Commissioner Cesar Irigoyen, Commissioner Jaime Chacon

NAY: None

ABSENT: Commissioner Bill Jimenez, Commissioner Jesus Soto

PUBLIC COMMENT

CONSENT AGENDA

1. Approval of 10/26/17 Planning and Zoning Meeting Minutes

Vice Chairman Kevin Huckabee made a **motion** to approve. Seconded by Commissioner Cesar Irigoyen.

All those in favor said "aye." Motion passed unanimously.

Vote: Motion (**summary:** Yes 5, No 0, Abstained 0)

AYE: Chairman Robert Ardivino, Vice Chairman Kevin Huckabee, Commissioner Orlando Cervantes, Commissioner Cesar Irigoyen, Commissioner Jaime Chacon

NAY: None

ABSENT: Commissioner Bill Jimenez, Commissioner Jesus Soto

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS/RESOLUTIONS

2. RE-17-03: Approval of Replat Process for Hacienda Del Nogal (front setback)

Commissioner Orlando Cervantes made a **motion** to approve item with recommendations. Seconded by Commissioner Bill Jimenez.

Speakers: Applicant, Alan Malooly & Ron King, Skyline Engineering

Recommendations made:

- Will need to designate to designate an onsite ponding area
- Each lot owner must apply all appropriate permit (s) based on the City process and requirements, including grading plans for each individual lot.

All those in favor said "aye." Motion passed unanimously.

Vote: Motion (**summary:** Yes 5, No 0, Abstained 0)

AYE: Chairman Robert Ardivino, Vice Chairman Kevin Huckabee, Commissioner Orlando Cervantes, Commissioner Cesar Irigoyen, Commissioner Jaime Chacon

NAY: None

ABSENT: Commissioner Bill Jimenez, Commissioner Jesus Soto

3. DISCUSSION ITEM: Commission recommendation to City Council for Moratorium on Mobile Homes

Vice Chairman Kevin Huckabee made a **motion** to discuss and recommend. Seconded by Commissioner Cesar Irigoyen

All those in favor said "aye." Motion passed unanimously.

Vote: Motion (**summary:** Yes 5, No 0, Abstained 0)

AYE: Chairman Robert Ardivino, Vice Chairman Kevin Huckabee, Commissioner Orlando Cervantes, Commissioner Cesar Irigoyen, Commissioner Jaime Chacon

NAY: None

ABSENT: Commissioner Bill Jimenez, Commissioner Jesus Soto

ORDINANCES

REMARKS AND INQUIRIES BY THE COMMISSION

REMARKS AND INQUIRIES BY THE COMMISSION

COMMUNITY SERVICE'S REPORT

ADJOURNMENT

Meeting adjourned at 7:35PM

ATTEST

Heber Perales
Deputy City Clerk

Chairman Robert Ardivino

AGENDA ITEM NO. 2
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 01/11/2018

Submitted By: Heber Perales

Subject: Approval of 11/30/17 Planning and Zoning Special Meeting Minutes

Background:

Recommendation: Approve

DRT Comments: N/A

Community Development
Superintendent Louise Marquez

City Planner Jaime Castro

City Planner Estephania Cazale



Chairman Robert Ardivino
Commissioner Kevin Huckabee
Commissioner Cesar A. Irigoyen
Commissioner Bill Jiménez
Commissioner Jesus Soto
Commissioner Jaime Chacon
Commissioner Raul Telles

**SUNLAND PARK PLANNING AND
ZONING COMMISSION**

**NOTICE OF MEETING
Special Meeting Minutes**

November 30th, 2017 - 5:30 PM
City Hall, City Council Chambers
1000 McNutt Rd.

CALL TO ORDER & ROLL CALL

Vice Chairman Kevin Huckabee called meeting to order at 5:27PM.

Present: Vice Chairman Kevin Huckabee, Commissioner Cesar Irigoyen, Commissioner Raul Telles, Commissioner Jesus Soto, Commissioner Jaime Chacon

Absent: Chairman Robert Ardivino, Commissioner Bill Jimenez

Staff Present: Louise Marquez Community Services Superintendent, Estephania Cazale City Planner, Jaime Castro City Planner and Heber Perales Deputy City Clerk

PLEDGE OF ALLEGIANCE

Vice Chairman Kevin Huckabee

CONFLICT OF INTEREST

None

APPROVAL OF AGENDA

Commissioner Jesus Soto made a **motion** to approve the consent agenda as amended. Seconded by Commissioner Cesar Irigoyen.

All those in favor said "aye." Motion passed unanimously.

Vote: Motion (**summary:** Yes 5 , No 0, Abstained 0)

AYE: Vice Chairman Kevin Huckabee, Commissioner Cesar Irigoyen, Commissioner Raul Telles, Commissioner Jesus Soto, Commissioner Jaime Chacon

NAY: None

ABSENT: Chairman Robert Ardivino, Commissioner Bill Jimenez

PUBLIC COMMENT

CONSENT AGENDA

1. CUP-17-01: Approval of Conditional Use Permit for Rio Vista Borrow Permit (3091 Memorial Pines In)

Speaker: Parker Brownell, FNF Construction

Conditions made by staff:

- Must reseed per the NMDOT Construction handbook on the appropriate seasonal planting schedule.
- Memorial Pines Lane and all roads along the mobilization route will be assessed at the beginning of the project for road conditions, dust control and erosivity, and will be monitored quarterly throughout the project. And any damages attributable to the project will be responsibility of FNF Construction to return to pre-application condition.
- It is the applicant' responsibility to comply with the rules and regulations for any and all overseeing agencies (ie., EPA, NMDOT, etc.)

Commissioner Raul Telles made a **motion** to approve with conditions. Seconded by Commissioner Cesar Irigoyen.

All those in favor said "aye." Motion passed unanimously.

Vote: Motion (**summary:** Yes 5, No 0, Abstained 1 Chairman Robert Ardivino)

AYE: Vice Chairman Kevin Huckabee, Commissioner Cesar Irigoyen, Commissioner Raul Telles, Commissioner Jesus Soto, Commissioner Jaime Chacon

NAY: None

ABSENT: Chairman Robert Ardivino, Commissioner Bill Jimenez

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS/RESOLUTIONS

ORDINANCES

REMARKS AND INQUIRIES BY THE COMMISSION

Mr. Russell Hanson had a question regarding the possibility of a moratorium for mobile homes. It was recommended by Vice Chairman Kevin Huckabee and staff to bring back the subject to Commission next time since the item is not on the agenda for discussion.

COMMUNITY SERVICE'S REPORT

ADJOURNMENT

Meeting adjourned at 5:51PM

ATTEST

Heber Perales
Deputy City Clerk

Chairman Robert Ardovino

AGENDA ITEM NO. 3
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 01/11/2018

Submitted By: Louise Marquez

Subject: Approval of 2018 Sunland Park Planning and Zoning Commission Open Meetings Act Resolution

Background:

Recommendation: Approve

DRT Comments: N/A

**CITY OF SUNLAND PARK
P&Z COMMISSION OPEN MEETING ACT RESOLUTION NO. PZ2018-1**

**A RESOLUTION MODIFYING THE CITY OF SUNLAND PARK GOVERNING BODY'S
MEETING AND NOTICE PROCEDURES FOR CALENDAR YEAR 2018 IN
ACCORDANCE WITH STATE OF NEW MEXICO OPEN MEETINGS ACT, NMSA
1978, CHAPTER 10, ARTICLE 15.**

WHEREAS, 10-15-1(B), NMSA 1978, provides that: All meetings of a quorum of members of any board, commission or other policy making body of any state agency, and agency authority of any county, municipality, district or any formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business of or the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to the public meeting open to the public at all times, except as otherwise provided in the constitution of New Mexico or the provision of Open Meeting Act, and;

WHEREAS, 10-15-1(D), NMSA 1978, provides, that: Any meeting at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meeting, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body. That notice shall include broadcast stations licensed by the Federal Communication Commission and newspaper of general circulation which have provided a written requested for such notice. and;

WHEREAS, 10-15-1(F), provides, that: Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. Except in the case of an emergency or in the case of a public body that ordinarily meets more frequently than once per week, at least seventy-two hours prior to the meeting, the agenda shall be available to the public and posted on the public body's web site, if one is maintained. A public body that ordinarily meets more frequently than once per week shall post a draft agenda at least seventy-two hours prior to the meeting and a final agenda at least thirty-six hours prior to the meeting. Except for emergency matters, a public body shall take action only on items appearing on the agenda. For purposes of this subsection, "emergency" refers to unforeseen circumstances that, if not addressed immediately by the public body. Within ten days of taking action on an emergency matter, the public body shall report to the attorney general's office the action taken and the circumstances creating the emergency; provided that the requirement to report to the attorney general is waived upon the declaration of a state or national emergency.

WHEREAS, the Governing Body of the City of Sunland Park is vested in its Planning & Zoning Commission of the Chairman, Vice-Chair and five commissioners and the Commission shall meet on a regular basis to manage the affairs of the citizens of the

City of Sunland Park pursuant to Ordinance No. 2016-1 and the New Mexico State Statute requirements.

NOW THEREFORE BE IT RESOLVED by the Planning & Zoning Commission of the City of Sunland Park hereinafter "Commission": that:

1. From this date forward meetings of the Planning & Zoning Commission of the City of Sunland Park shall be held on the second and fourth Thursday of each month at 5:30 PM (See Attachment A: Notice of Public Meetings). Meetings should take place in the Council Chambers located at 1000 McNutt Road, Sunland Park, New Mexico. An alternate location has been chosen at the Sunland Park Community Library located at 987 McNutt Road, Sunland Park, New Mexico. Although it is the intent of the Planning & Zoning Commission to fulfill these obligations, a regular meeting may convene in a location other than that described in this section where due notice has been given to the public.
Additionally, a regular meeting may be cancelled and postponed to an alternate date and time by the majority of the commission provided due notice has been provided to the public. Each member of the commission shall be notified of the alternate date. Furthermore, action by the commission, and not the chairman acting alone, is necessary to cancel a regular meeting. (1971 Op. Att' y Gen. No71-46).
2. The chairman or a majority of the members of the commission may call a special meeting by notice to each member of the Planning & Zoning Commission, personally served or left at his/her usual place of residence. NMSA 1978 3-12-3-(D).
3. Posted notices and agendas for regular meetings of a quorum of the members of the commission or any committee meeting held for the purpose of taking formal action within the authority of the Planning & Zoning Commission of the City of Sunland Park shall be made available to the public in English and Spanish at least 72 hours in advance.
4. Posted notice and agendas for any special meeting held for the purpose of taking formal action within the authority of the Planning & Zoning Commission of the City of Sunland Park shall be made available to the public at least 72 hours in advance.
5. In case of an emergency, the agenda for a regular meeting or special meeting shall generally be available to the public at the time the meeting's notice is posted, but no less than twenty-four hours prior to the meeting time. An "emergency meeting" called with little or no notice must involve issues that could not have been anticipated and which if not addressed immediately by the Planning & Zoning Commission, will threaten the health, safety or property or its citizens, or likely result in substantial financial loss to the Planning & Zoning

Commission. Except for emergency matters, the Planning & Zoning Commission shall take action only on those items appearing on the agenda.

6. Compliance with the notice requirements of this resolution consist of the posting of the date, time, place and subject matter of any meeting in ten (10) public places in or near the City of Sunland Park. The posting Places are as follows:

- City Hall/Clerks Office, 1000 McNutt Road, Suite A.
- Motor Vehicle Division, 880 McNutt Road.
- Sunland Park Public Health Clinic, 3807 McNutt Road.
- Sunland Park Post Office, 3500 McNutt Road.
- Santa Teresa Post Office, 5290 McNutt Road Suite 201-204.
- Sunland Park Public Library, 1000 McNutt Road.
- Sunland Park Grocery, 2167 McNutt Road.
- Carousel Conv. Store, 2450 Anapra Road.
- Mercedes Grocery, 3875 McNutt Road.
- Tierra Madre post office boxes

New locations pending bulletin board installation:

- Edgemont Mailboxes
- Villa Valencia Mailboxes
- Ross Road
- San Gabriel Park

The City Clerk, in addition to posting, may publish meeting notices and agendas in a newspaper of general circulation in the municipality, in both English and Spanish. The City Clerk shall publish the agenda on the City of Sunland Park's website, url: <http://sunlandpark-nm.gov/>.

7. In addition to the information specified above, all notices shall include the following language: "If you are an individual with a disability who is in need of a reader, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Community Development Department at (575) 589-3631 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Community Development Office at (575) 589-3631 if a summary or other type of accessible format is needed."
8. Notwithstanding any other provisions of this resolution, the Planning & Zoning Commission may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

- 9. The Planning & Zoning Commission may close a meeting in accordance with the New Mexico Open Meetings Act, sections 10-15-1 (H) & (I), NMSA 1978. Only those subjects specified in the motion to close a meeting may be discussed by the Planning & Zoning Commission and, upon completion of any closed meeting, the Planning & Zoning Commission minutes indicate whether the subjects discussed in the closed meeting were limited to only the subjects specified in the initial motion.
- 10. Robert's Rules of Order and Guide Procedures are adopted by the Planning & Zoning Commission of the City of Sunland Park as a guide for the conduct of all meetings to be held by the Planning & Zoning Commission in accordance with New Mexico Open Meetings Act, Section 10-15-1 NMSA 1978.
- 11. The Planning & Zoning Commission approves that any member of the Planning & Zoning Commission is allowed to participate in a public meeting of the commission by means of telephone conference or other similar communication equipment when it is otherwise difficult or impossible for a member to attend the meeting in person. The following requirements are applicable:
 - 1. Only if the member of the Planning & Zoning Commission is on vacation leave, or
 - 2. Only if the member of the Planning & Zoning Commission is out of town or unable to attend due to business matters or a family emergency.

BE IT FUTHER RESOLVED THAT, the provision of this resolution supersedes all previous adopted resolutions or resolutions in conflict with reference to the Planning & Zoning Commission.

ADOPTED, PASSED, AND APPROVED, on this 11th, day of January, 2018.

Approved:

Attest:

Robert Ardovino, Chairman

Daniel Carranco, City Clerk

SEAL:

ROLL CALL VOTE:
Chairman Robert Ardovino
Commissioner Kevin Huckabee
Commissioner Cesar A. Irigoyen
Commissioner Bill Jimenez
Commissioner Jesus Soto
Commissioner Jaime Chacon
Commissioner Raul T. Telles

ATTACHMENT "A"
NOTICE OF PUBLIC MEETINGS CALENDAR

NOTICE OF PUBLIC MEETINGS

In accordance with Section 10-15-1, NMSA 1978 (2010 Cumulative Supplement), notice is hereby given that the Planning and Zoning Commission of the City of Sunland Park, New Mexico, will meet in regular session the second and fourth Thursday of every month. The meetings will begin at 5:30 p.m. and will be held in the City Council Chambers at City Hall located at 1000 McNutt Rd, Sunland Park, New Mexico. Listed below is the Regular Meeting scheduled for 2018:

JANUARY 11, 2018	JANUARY 25, 2018
FEBRUARY 8, 2018	FEBRUARY 22, 2018
MARCH 8, 2018	MARCH 22, 2018
APRIL 12, 2018	APRIL 26, 2018
MAY 10, 2018	MAY 24, 2018
JUNE 14, 2018	JUNE 28, 2018
JULY 12, 2018	JULY 26, 2018
AUGUST 9, 2018	AUGUST 23, 2018
SEPTEMBER 13, 2018	SEPTEMBER 27, 2018
OCTOBER 11, 2018	OCTOBER 25, 2018
NOVEMBER 8, 2018	NOVEMBER 29, 2018 (Special date due to holiday)
DECEMBER 13, 2018	DECEMBER 27, 2018

An Agenda for each meeting is available from the City Clerk's Office seventy-two (72) hours prior to the meeting date. *NOTE: The City Council Chambers is wheelchair accessible. Other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 575-589-7565.*

I hereby certify that this notice was posted on the bulletin board located in the lobby of City Hall, 1000 McNutt Rd., Sunland Park, NM. The notice was posted on 1/12/2018 and will remain posted until after the last meeting in December, 2018.

Daniel Carranco, City Clerk

POSTED:

City Clerk's Office	Santa Teresa Post Office
Motor Vehicle Division	Sunland Park Grocery
Public Health Office	Mercedes Grocery
Sunland Park Post Office	Carousel Convenience Store
Sunland Park Library	Tierra Madre

New Locations Pending Bulletin Board Installation:

Edgemont Mailboxes; Villa Valencia Mailboxes; Ross Road; San Gabriel Park