

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION SPECIAL WORK SESSION MINUTES
MUNICIPAL BUILDING, 800 E. FIRST STREET
2:00 P.M. CIVIC CENTER – MAIN HALL
JANUARY 28, 2004**

**MAYOR DON CARROLL
MAYOR PRO-TEM RON GRIGGS
COMMISSIONER INEZ MONCADA
COMMISSIONER DON COOPER
COMMISSIONER ED COLE**

**COMMISSIONER JOHN ROBERTSON
COMMISSIONER MARION LEDFORD
CITY MANAGER PAT McCOURT
CITY ATTORNEY KEN McDANIEL
DEPUTY CITY CLERK KAREN GROVES**

Call Meeting to Order, Roll Call.

The Meeting was called to order at 2:15 p.m. Commissioner Robertson was absent. Others present were: Pat Vandergriff, Brian McGuire, Joe Bailey, Chief Sam Trujillo, Jose Miramontes, Christina Mather, Klad Zimmerle, Paul Banse, Charles Herrell, Steve Whiteside, Mark Bolin, Ed Kimber, Charles Montjoy, Carl White, Leon Ham, Tommie Herrell, Doug Nelson, and Paul Jackson.

1. Review the Proposed Subdivision Ordinance.

Purpose of the Special Work Session was to review the proposed Subdivision Ordinance.

Mr. Joe Bailey from the Department of Public Safety presented a slide presentation on subdivision regulations, major changes, and the philosophy. (See Attachment 1)

Mr. Pat Vandergriff presented the definitions, technical standards, exempted subdivisions, procedures streamlined, drainage requirements, street requirements, and public sites of the slide presentation. (See Attachment 1) Mr. Vandergriff stated that the goal of the Joint Committee of City staff and members of the industry was to produce a Subdivision Ordinance that would balance the interests of the City and the Developer; furthermore, it would contribute to a positive, continued economic development and growth in Alamogordo. The Committee also felt (in the memorandum, See Attachment 2) that the less information left to interpretation, the better. Mr. Vandergriff pointed out that the existing ordinance had very few definitions which lead to problems of the interpretation.

Mr. McGuire stated it was a teamwork effort in re-establishing the Subdivision Ordinance. They changed the technical words to layman's language so that it would be clear for everyone to understand.

Mayor Carroll said they would begin with page one on Philosophy. He asked if there were any questions regarding the Philosophy. There were no comments for page one.

Mayor Pro-Tem Griggs asked if the "building setback line" definition should have more requirements written in. Mr. Vandergriff replied that the setback lines would be in the next proposed zoning ordinance which they hoped to have to the Commission by July 1st. Mr. Vandergriff stated that they would be expanding the setback requirements in each of the zones.

Mr. McGuire stated that Mr. Ken McDaniel had a concern about the "Commercial unit development" definition and the way it was worded. He felt twenty feet seemed inadequate, especially if there was no requirement for an additional shoulder. Mr. McGuire pointed out that

Mr. Bailey had stated that the twenty-foot clear way was stated in their fire code. Mr. McGuire also pointed out other definition concerns that Mr. McDaniel had regarding the cul de sac, Lot depth (b) and (c), Plat, item 22-01-100 (a) (3), 22-01-100(e) and recommended a more explicit definition. (See Attachment 3)

Mayor Pro-Tem Griggs said he had concerns on two definitions on page three. The first definition was "Commission, Planning and Zoning" regarding the wording, "Which is responsible for the formulation", and felt it should be changed. It was noted that the definition was taken from the ordinance that created the Planning and Zoning Commission; however, they could change the wording. Definition "Common open space"; Mayor Pro-Tem Griggs also questioned that and asked to have the word "unit" removed and replaced with "planned development".

Mr. Klad Zimmerle asked about the definition of "Development agreement" on page three. Mr. Vandergriff explained that they would not change the basic rule of design in their requirements in development when a contractor was half way through its development. Discussion continued and the word "current" was addressed. It was noted that they would add the definition of "current" in the definition section.

Mr. McCourt stated that the City had a set timeline to send the application back with comments to the developer; however, he mentioned whether the developer also had a set timeline. Mr. Vandergriff explained that the developer could wait perpetually to respond and correct them per se. The City created the deadline for them. There was discussion on whether the application date and the approval should be done in 90 days.

Mr. McCourt asked about the word "legislation" in the "Development agreement" definition. He questioned whether it should be City legislation and Mr. Vandergriff agreed and said they would change it.

Mayor Carroll made a comment on "Park zone" and felt that definition needed to be more defined.

Mayor Pro-Tem Griggs stated he had a problem with some of the language in the definition of subdivision. The definition was discussed. Mr. Miramontes pointed out that the definition on pages 22 and 23 under "2-01-180 Exempted subdivision", should clear up the concern with the language on page eight.

Mayor Carroll had questioned the wording in the definition of "Technical Standards, City of Alamogordo". He stated he would like to see "equal number of industry representatives" changed to "in consultation with industry representatives".

Commissioner Ed Cole asked for an explanation on "22-01-020 Applicability of chapter" on the word "building permit zone". Mr. Vandergriff explained that the building permit zone was actually established and the City had an extra-territorial jurisdiction where they exercised building permit authority. The recommendation was that the City would deal within the extra-territorial jurisdiction permit zone authority, so the City would have total control in those areas and not to try to extend beyond that. It was suggested that they add a definition for "building permit zone".

Mayor Pro-Tem Griggs asked about the wording "existing property". There was discussion and it was suggested that a definition be added for "existing property".

Mayor Carroll asked to have "House pads" changed to "Building pads" on page 13, section (5) (2) (d). Mr. McCourt concurred with Mayor Carroll.

Mr. Zimmerle asked to have the word "minimum" on page 13 section (6) (a) deleted.

Mayor Carroll suggested a couple of changes on page 13, section (6) (a): Change the word "review" to "approval", and add "regular" in front of Commission meeting. (in the last sentence).

Mr. Zimmerle asked about the inspections on page 15, section (b) (1), and asked when the final inspection should be initiated and those responsible to bring it into compliance. There was discussion on whether the contractor should call the inspector for the inspection or whether the City should come out and do the inspection. Mr. McGuire said he would meet with Mr. Zimmerle to work out the wording in that section.

Mayor Pro-Tem Griggs asked about the "railroad right-of-way" on page 17, section (e) and changing the wording "parallel to and on each side". Mr. McGuire said they would work on the clarification.

Mayor Carroll referenced page 19, section "22-01-110 Public sites and open spaces" (a). His concern was the wording of "public area" and asked to have it change to "public facility".

Mayor Pro-Tem Griggs questioned why there wasn't a definition for the word "re-subdivision". It was stated that re-subdivision was under replat.

Mayor Carroll had a question on page 20, section 22-01-130 (b), concerning the developer adding sidewalks, paving. The contractors stated they had no concerns with item (b).

Mayor Pro-Tem Griggs asked about "planning authority", on pg. 23, the last section (C) (1). Mr. McGuire said they would change "Planning Authority" to "City" or "City Planner" as appropriate.

Mayor Carroll thanked everyone for attending the meeting and helping with the proposed Subdivision Ordinance.

Note: A summary of all the changes that were implemented at this meeting are attached. (See Attachment 4)

Meeting was adjourned at 4:00 p.m.

/s/Donald E. Carroll

Mayor Donald E. Carroll

ATTEST:

/s/Angie J. Rahn-Broyles

City Clerk Angie J. Rahn-Broyles
(SEAL)

(Prepared by Deputy City Clerk Karen H. Groves)

Approved at the City Commission Regular Meeting of February 24, 2004