

Talavera Area ETZ Steering Committee

Proposed Zoning Recommendations

When the Steering Committee was elected by the residents of the Talavera Area, we did not know exactly what our task would be. There were many questions raised due to a lack of information regarding the process and realities of ETZ (Extra-territorial Zone) zoning. The first order of business when we had our initial meeting, aside from electing officers, was to receive Handbooks from the County Planning Department outlining the foundation of the ETZ and the current ETZ Zoning Ordinance. Once the Committee had time to read and study the materials covered in the Handbooks, it became obvious that the decisions left to the Committee were relatively straightforward.

The ETZ resulted from a state-wide need to resolve conflicts of land use planning between cities and the counties surrounding them and is required by state statutes. The size of the population of Las Cruces determines the size of the ETZ around it. We have a five mile ring surrounding the city limits. The Extra-territorial Zoning Ordinance itself covers all issues of allowed land use, housing type, septic tank usage, animals, business, etc. All questions concerning what may or may not be done on properties within the ETZ are set out by the ordinance. Anyone wishing to read the ordinance can view it on the Dona Ana County website at www.donaanacounty.org/development/regulations (click on ETZ Ordinance). A large part of Talavera is already within the existing ETZ borders and has been zoned accordingly.

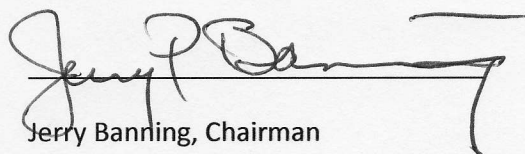
The areas of concern to the Committee are only those properties currently in private ownership. Lands belonging to any government entity (state, federal or local) are not within the jurisdiction of our zoning process. They will be classified as EH zoning, which is a special district for vacant land not assigned a regular zoning. No development of any kind may take place on that land while zoned EH. If and when it passes into private hands, the owner of the property would then apply to the ETZ Commission/Authority for appropriate zoning of that land. So that leaves us with four/five areas that are relatively homogeneous in nature. These areas can be best identified on the map included. Because of the location of these areas and current land use on them, the only decision to be made is one of residential lot size. None of these properties appear appropriate for commercial development in our opinion. By considering current land use in each area and existing covenants (private restrictions which are a part of the deeds of individual pieces of land) in each area, we are recommending either ER1 or ER2 zoning for the lands in question. We feel that these designations are compatible with other ETZ zonings in the area, with existing covenants and with actual development occurring on the properties.

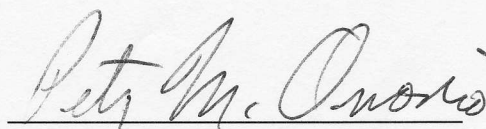
ER1 Zoning is a residential zoning which requires a minimum 5 acre lot size and ER2 Zoning is a residential zoning requiring a minimum 2 acre lot size. Both zonings allow all the same land uses and have the same restrictions, with the exception of lot size. We have used these zonings as an overlay on properties with substantially the same restrictions already in place via their covenants. If there is a discrepancy between the zoning requirements and private covenants, whichever is more restrictive is in effect.

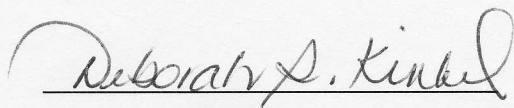
We hope that this explanation answers some questions regarding how we arrived at the proposed zoning for the ETZ expansion area and we welcome your comments and suggestions. Written suggestions or comments can be made by email or letter. Steve Meadows, ETZ Planner, will be collecting responses. His email address is stevem@donaanacounty.org and his written address is Dona Ana County Community Planning and Economic Development Department, 845 N. Motel Blvd., Las Cruces, NM 88007.

We will be having a meeting on Wednesday, March 12, 2008 at the Talavera Fire Station at 7 pm to present our recommendations to the community and to ask for further input from area residents affected by the new ETZ expansion. We hope to make progress towards a consensus regarding these proposals, so that we can present them to the ETZ Commission.

Date: 19 Feb 2008


Jerry Banning, Chairman


Peter Ossorio, Vice-Chairman


Deborah Kinkel, Secretary

Committee members:

Dan Delaney

William Evrage

Gary Gomes

Bill James

David Rocks