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**CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
DECEMBER 29, 2014**

Chairman Tom Greer called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:30 p.m.

PRESENT: Chairman Tom Greer
Vice-Chair Gordon Reeves
Commissioner Steve Ethridge
Commissioner Debbie Thompson

ABSENT: Commissioner Claudine Montano

CITY STAFF: Steven Tomita, Planning & Zoning Director
Lisa Miller, P & Z Administrator

APPROVAL OF AGENDA:

Vice-Chair Gordon Reeves moved to approve the Agenda.

Commissioner Debbie Thompson seconded the Motion.

Motion Carried.

APPROVAL OF MINUTES:

The Minutes of the Special Meeting of December 2, 2014, were reviewed.

Commissioner Steven Ethridge moved to approve the minutes as presented.

Vice-Chair Gordon Reeves seconded the motion.

Motion carried.

DISCUSSION/REVIEW

Sound Ordinance Review.

Lisa Miller informed the Commission that she had made changes to the Sound Ordinance as per requests made at the public workshop. She changed the meanings of daytime and night time. The paragraph under Motor Vehicles was changed, and Generators was added to J. Under Exemptions number 6 was added at the request of PNM. The only other thing that was added was the table titled City of Belen Noise/Land Use Compatibility Matrix.

Chairman Tom Greer said that the numbers and Ordinance were taken from a place where they have been court tested and it was a good place to start with ours.

Lisa said that she would like them to review the Ordinance again to make any final changes so that it may be forwarded to the City Council for review.

Vice-Chair Gordon Reeves asked if the Vendors of the City (example, Waste Management) asked if there was a time limit to start pickups, etc. due to the fact that he is getting complaints from his tenants about the dumpsters being picked up at 5 AM.

Lisa informed the Commission that it could be included in the contract with the hauler.

Steven Tomita said that it should be put in the contract with the hauler, and that contract is coming up soon. He will speak with the City Manager know.

Commissioner Steve Ethridge said that he felt that it would be a good idea to actually go out in the field and get some decibel numbers. He feels that daytime and night time does not really need to be in there.

Steven Tomita said that it should be included.

Commissioner Steve Ethridge said that it would be helpful to have some examples of different sound decibel readings are so that people can get an idea of what levels are what.

Chairman Tom Greer said that there was a table included with one of the drafts but it does not seem to be included on this one.

Lisa Miller said that she did not receive a version that had that kind of table included.

Steven Tomita said that he would get that and forward it to Lisa so it could be included.

Commissioner Steve Ethridge said that there are a few other changes that he feels should be included.

Lisa informed him, that he needs to get these changes to her so that they could be included.

Commissioner Debbie Thompson asked how football games or special events would apply to this.

Lisa Miller said that they are under the exempt section of the Ordinance.

Commissioner Steve Ethridge said that under G: No Construction shall be undertaken on Sunday and nationally recognized holidays unless exempted by this title., seems to be a little harsh and asked if that needs to be included.

Steven Tomita said that most communities have that included in the Ordinance.

Vice-Chair Gordon Reeves said that the contents of the Construction paragraph also includes that it is in a construction site, which seems to him to mean an actual construction company is what is being referred to in this.

Commissioner Steve Ethridge said that roofers will be out at anytime.

Steven Tomita said that that is not necessarily a construction site.

Commissioner Debbie Thompson said that the residents are exempt as stated in the next sentence of the paragraph.

Commissioner Steve Ethridge said that it seems that some of this Ordinance just seems that it is being made to be complicated.

Steven Tomita said that it is actually alleviating doubts and vagueness because people will try to find loop holes in it.

Vice-Chair Gordon Reeves said a good example is the definitions of daytime and night time.

Commissioner Steve Ethridge said that he feels that under the barking dogs and noisy animal section needs to include an exemption for an animal that is in distress or injured and in pain.

Lisa said that she would include that in the Ordinance.

Commissioner Debbie Thompson asked where farm equipment falls in this Ordinance.

Steven Tomita said that that is a very sensitive issue and he is hesitant to even attempt to address it in the Ordinance. It is better left out.

Lisa will incorporate changes into the Ordinance and send the P & Z Commission a copy of the changes for review.

Application & Form for the Alcohol Ordinance Review.

Steven Tomita informed the Commission that he had presented this issue to the City Council and they did not seem to have any issues with the Ordinance, but they really wanted to see an application form that governed how it could occur, what would be required, etc. Lisa was asked to put one together so that it could be presented to the Council. There are two types of applications, one is for a special event and the other is for a long term use. The Special event of this is to allow a public or private event that promotes the City. The Annual Event Permit would allow places like the old Central Hotel, which will be opening up as a wine tasting facility, to have sidewalk/outdoor seating. These forms are requiring that certain criteria be met before they are allowed to take place.

Lisa Miller said that the only information that she did not have was what to charge for the Annual Permit fee and asked for suggestions from the Commission. She also informed the Commission of the various costs that they are already being charged (Liquor License, Business License, State Liquor License).

Steven Tomita said that there should be a charge for the use of public property.

Chairman Tom Greer suggested \$100.00.

Vice-Chair Gordon Reeves agreed and so did Commissioner Debbie Thompson.

Chairman Tom Greer asked where the funds, that are received for all special events goes.

Steven Tomita said the General Fund and the only way that could change was by the directions of the City Council.

Commissioner Steve Eldridge informed the Commission and Staff that there are two sections in the Alcohol Ordinance that have the same title.

Steven Tomita said that is the way they are now.

Lisa Miller will change the title and add any other corrections to the Ordinance and forward a copy to the Commission for comments. It will then go to the City Council for review and approval.

Commissioner Steve Ethridge said that there needs to be an addition to the requirements for these permits. It should include a certificate of insurance naming the city of Belen as

additional insurer. He said that he felt that the ten (\$10) dollar a day for a special event should be more like fifty (\$50) dollars a day.

Steven Tomita asked Chairman Tom Greer what he thought the Chamber would feel about it being fifty (\$50) dollars a day.

Chairman Tom Greer said that he felt that the Chamber would be more inclined to keep it at ten (\$10) dollars a day for a special event.

Steven Tomita said that he agrees and feels it should stay at ten (\$10) dollars per day.

OPEN COMMENTS/REQUESTS

Steven Tomita informed the Commission that he felt that the Commission needs to change the time of their meetings. The main reason that it was at 6:30 PM was the fact that some of the Commissioners worked in Albuquerque, but now that the Commission consists of local business owners, or retired members, he felt that it should be changed.

Chairman Tom Greer asked if it should start at 6:00 PM.

Steven Tomita said yes.

Vice-Chairman Gordon Reeves suggested 5:30 PM.

Commissioner Debbie Thompson said that she could not make it if it was at 5:30 PM.

It was decided that the Planning & Zoning Commission would meet at 6:00 PM.

Steven Tomita said the other item he would like to discuss was the need to have by-monthly meetings because the Ordinances need to be addressed. He suggested that they be held on the second Monday of the month. He did present to Council the possibility of bringing the Commission stipend back, and they will be meeting to discuss this. They wish to look at the possibility of having a stipend for all Boards and Commissions. The Council is not opposed to it but they want to look at all of them before making a decision.

Chairman Tom Greer said that it used to be \$75 per meeting, but felt that it should be \$75 per month. That way both meetings are covered.

Vice-Chair Gordon Reeves said he would like to do some changes on the Water Ordinance. He feels it is not fair that he has to pay for water and sewer on units that are empty.

Lisa Miller said that the ones they will be mostly working on are the Zoning Ordinances.

