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CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
FEBRUARY 2, 2015

Chairman Tom Greer called the regular meeting of the Belen Planning and Zoning Commission meeting to order at 6:00 p.m.

PRESENT: Chairman Tom Greer
Commissioner Steve Ethridge
Commissioner Claudine Montano
Commissioner Debbie Thompson

ABSENT: Vice Chair Gordon Reeves

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

Steven Tomita asked that the items under the heading of Discussion be switched, putting the sign ordinance first.

Commissioner Steve Ethridge made a motion to approve.

Commissioner Claudine Montano seconded the motion.

Motion carried.

APPROVAL OF AGENDA:

Commissioner Claudine Montano moved to approve the Agenda as amended.

Commissioner Debbie Thompson seconded the Motion.

Motion Carried.

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting of January 26, 2015, were reviewed.

Commissioner Steve Ethridge moved to approve the minutes.

Commissioner Claudine Montano Seconded the motion.

Motion carried.

DISCUSSION/REVIEW

Sign Ordinance.

Steven Tomita informed the Commission that there were several issues on the sign ordinance concerning political signs. That is the only part of the sign ordinance that they will be looking at. This change was initiated by the City Council and they held meetings, had discussions, and had public hearings. It was on the advice of the City Attorney that it should be reviewed by the Planning & Zoning Commission first, before going before the City Council. Anything that involves the Zoning Ordinance, which the sign ordinance is, should be prepared by, reviewed by, and recommendations prepared by the P & Zoning Commission before it is presented to the City Council. This is why it is being presented to the Commission at this time. One of the issues concerned the voting date because there were some questions as to what the voting date was. It could be when early voting started, when absentee voting started, or when the actual date of the election. Another issue was that the Code Enforcement Officer could go onto private property and remove political signs according to the Ordinance as it was. The Attorney informed them that it was against the law. What is presented to you is what the City Attorney recommended.

Chairman Tom Greer said that they would be, at sometime in the future, be reviewing and changing the complete sign ordinance.

Steven Tomita said that they would be revising it on several occasions. There are a lot of inconsistencies within the sign ordinance. It has several conflicts with itself with signs over the sidewalk or on the sidewalk, etc. We are adopting an Art Ordinance and that will have to be part of it as to how art applies to signs. The Down Town Master Plan and the Metropolitan Redevelopment Plan are being done and this affects the signage in those areas. There are a lot of factors that will be calling for changes or a complete re-written sign ordinance.

Chairman Tom Greer said that the vast majority of the voters today vote at early voting and asked if anyone had suggested 45 days or more.

Steven Tomita said yes and they wanted it left at 30 days, but the Commission can disagree and suggest the 45 days.

Chairman Tom Greer said that he would like to see the 45 days so that it would cover more of the electoral process.

Commissioner Steve Ethridge suggested adding the word day following the word election at the end of the changes.

Commissioner Debbie Thompson said that it should be 45 days because it would then give the early voters a chance to know who is running thus giving the early voters a better chance to know the candidates.

Chairman Tom Greer asked what the County had.

Lisa Miller said she believed it was 60 days.

Chairman Tom Greer said that their needs to be some kind of conformity to all the surrounding areas or we are just going to not only confuse the voters but also confuse the candidates.

Lisa Miller said that the Bureau of Elections provides each candidate with a complete list of rules and regulations concerning political signs, etc.

The Commission decided to inform the Council of their recommendation of 45 days and the addition of the word day added after the last word election.

City of Belen Boundaries.

Steven Tomita informed the Commission that the reason that the City Council has asked them to take over this task was because there was, at one time, a Boundary Committee was in existence but the members just did not participate as they should. The Council then decided that the P & Z Commission should take over.

Chairman Tom Greer said that it was a good idea since the P & Z Commission deals with zoning issues of all types. It only stands to reason that they should be the ones working on this.

Lisa Miller moved the Commission to a table set up in the Council chambers. She gave them a copy of the State Statutes on Annexation, the Statutes on Municipalities, a copy of the Boundary and Annexation Guidelines developed by the Boundary Advisory Committee, a copy of the Boundary Advisory Committee presentation to the Planning & Zoning Commission, and a copy of a spreadsheet and maps that were given to the City Council. She told them that this was good information to get them familiar with what the

Boundary Advisory Committee has done. She showed the Commission the boundary of the city of Belen and showed how unusual it is. She pointed out some of the islands that are within the Boundary.

Steven Tomita explained that even though they have water it may not be feasible to provide sewer because it would entail the installation of lift stations, etc. He said when they look at these properties they need to also take that into consideration.

Commissioner Steve Ethridge said that the boundary will not be a complete straight line because of the lots and their boundaries.

Chairman Tom Greer said that when we look at some of these things, first the land lock or islands, if we have utilities running by them, these should probably be the first to target for annexation. The other ones should be commercial businesses that the services are already connected or the services are available, that would generate gross receipts.

Steven Tomita said that we really need to get any commercial property annexed as soon as possible.

Commissioner Steve Ethridge asked if John Best could put together a good estimate of what the cost would be to bring some properties into the City.

Steven Tomita said it would be better to ask Ralph or Dale.

Chairman Tom Greer asked if the information about the properties is still available.

Lisa Miller said that she still has all the information on these properties. She showed the Commission the maps that show the water and sewer lines and the fire hydrants from a few years ago. Some lines have been changed and some areas have been added to the City Limits.

Steven Tomita asked Lisa to provide the Commission with the information that she has concerning the properties.

Commissioner Debbie Thompson asked where they were supposed to start.

Steven Tomita suggested that they go back and look at the I-25 Corridor and review the information that Lisa already has and then go forward from there.

Commissioner Debbie Thompson asked if we brought in say an empty field where water and sewer were available in the street, is that a wise choice.

Steven Tomita said yes because the owner would then have to provide all the infrastructure when developing the property. It would be easier to bring them in then

someone who is already developed. We still need to bring in all businesses whether they are existing or future.

OPEN COMMENTS/REQUESTS

Chairman Tom Greer said that along with himself, there was a meeting with Steven Tomita and Lisa Miller where in 1983 was the first Historic Properties Ordinance which created a Historic Properties Review Board along with a few properties. The City Council now wants the P & Z Commission to also take over this item as well.

Steven Tomita said that there used to be a Historic Properties Review Board and their task was to define historic districts and then within those districts, define buildings that are of historical significance. This Ordinance semi protect somebody from coming in and demolishing a historical significant structure. If they feel that it is something that should be preserved, the State and the City can come in and say, wait a minute, we want to see how we can preserve this structure. The Board was established at one time, they had done an assessment of some of the properties of interest. At this time the only designated Historical District is from First to Third on Becker Ave. It is the understanding that they were not getting anywhere, for whatever reason, it just ended. They have been trying to get a Board put back together again and have not been able to accomplish this in a year. It was the wish of the Council that the P & Z Commission pick that up. The Ordinance calls for that Review Board to be volunteer only, so in order for the Commission to pick that up, it would be appointed separately as that Review Board, so during our regular meeting of the P & Z Commission they would be have to temporarily convene the meeting so that they could hold a Historic Review Board discussion, then reconvene to finish the P & Z Commission meeting.

Lisa Miller said that she feels this is a conflict of interest. If you have a Historical Board and they are the same Board as the Planning & Zoning, and everything from the Historical Board has to be reviewed by the Planning & Zoning Board before it goes to Council, it can be seen as a conflict of interest.

Steven Tomita said that this would be checked out. He was discussing it with the Mayor and informed him that it was a separate Board, running under their own regulations, that the Ordinance may need to be amended. The other option is that the Belen Main Street Group takes this on. Tom and Steve met with Rhona and she felt it was a good idea. Steve is to write a letter requesting this so that she can present it to the Main Street Group

Chairman Tom Greer said that the first district was set up to protect the surrounding area around the Harvey House. That was the objective at that time. There are a lot of areas that could be considered historic district, with several sub districts within it. Within these sub districts they would have a certain set of regulations. They would not necessarily be the same for each sub district.

Steven Tomita said the Ordinance defines that the districts are to be defined and what regulations to place on the development and current structures in that district. It would

