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CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
FEBRUARY 24, 2014

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

PRESENT: Commissioner Gordon Reeves
Chairman Tom Greer
Commissioner Steve Ethridge
Commissioner Selma Martinez
Commissioner Rod Storey

CITY STAFF: Steven Tomita, Planning & Zoning Director
Lisa Miller, Sr. Code Enforcement Officer

APPROVAL OF AGENDA:

Commissioner Rod Storey moved to approve the Agenda.

Vice-Chair Gordon Reeves seconded the motion.

Motion carried.

APPROVE OF MINUTES:

The Minutes of December 31, 2013, were reviewed.

Vice-Chair Gordon Reeves moved to approve the minutes.

Commissioner Selma Martinez seconded the motion.

Motion carried.

DISCUSSION

A. Sound Ordinance.

Chairman Tom Greer presented a draft of what he thinks the Noise Ordinance should contain. He briefly went over this. He explains that there are many different methodologies out there and feels that the decibel scale is the one that the City should use as a guide for the different types of noise.

Steven Tomita informed the Commission that the majority of the time this Ordinance would be enforced by the Police Department.

Chairman Tom Greer said that the noise ordinance is not specifically for the annoying noises but for all types of noises in different areas under different zones. This is what the noise ordinance needs to address. He also listed the goals of the noise ordinance and the enforcement that should go along with it.

Steven Tomita informed the Commission that one of the things that need to be looked at is the fact that some Commercial areas in Belen are located right next to residential homes and some form of buffering needs to be addressed in the Ordinance.

Chairman Tom Greer said that the objective of the Ordinance is not to create a problem but to solve a problem. He also would like this to be a part of the planning process.

Commissioner Steven Ethridge said that the time of day, quiet time, and festival exceptions also need to be considered. He would like to see the old curfew siren brought back into use as a signal as to what time it was.

Chairman Tom Greer said that a copy of this has been sent to everyone on the Commission and the P & Z department in word form so that revisions, additions, etc. can be added to come up with the final for public review and approval by the City Council.

Commissioner Rod Storey asked if the City has a noise Ordinance.

Steven Tomita said that it is not an Ordinance per say. It is located within an Ordinance and is vague. The Police Officer has the distinction as to whether it is a nuisance or not. It is a judgment call.

Commissioner Rod Storey said that he would like to see something from the staff be presented to the Commission in an Ordinance form. He does not feel that they are there to write the Ordinance but to give direction.

Steven Tomita said that he disagreed with Commission Rod Storey because the P & Z Commission is an integral part of Ordinance development and is a collective effort. The P & Z Staff are the Commissions Staff support and establishes these policies and Ordinances.

Commissioner Rod Storey asked what the staff input was on this.

Steven Tomita said that the staff can place it on an Ordinance format but thinks they need to discuss what components they would want in the Ordinance such as; do they want to have distances, decibel levels, the types of buffers, etc. You make suggestions and we make suggestions and come up with an Ordinance. It then goes to the public for their input and then on to the Council for approval. He also reminded the Commission that the Airport area needs to be included or have its own Ordinance. The Airport is slated to be placing another runway out there. The City is working with Valencia County on the planning of the Airport and the surrounding areas.

Lisa Miller showed the Commission a couple examples of Ordinances. One was as short as two pages and the other one was like a book.

Chairman Tom Greer said that he was looking to make it a short Ordinance that would reference the supporting documents.

Steven Tomita said that we should define as much as we can and as we grow we want to encourage all developments to have a Master Plan Development. In this Master Plan Development more restrictions can be placed. The advantage of having guidelines is that it is easier to change guidelines than it is to change an Ordinance. Steven Tomita then asked the Commission if they would like to regulate boom boxes.

Chairman Tom Greer said that he did not think that you could regulate how the sound was generated but you could regulate the level of sound coming from it and it is a part of the Ordinance. The Sound Ordinance would cover more than just the nuisance sounds but all kinds of generated sounds.

Commissioner Steven Ethridge said that cars, trucks and things of that nature would more than likely involve the Police and is probably in their Ordinances.

Steven Tomita said that it also has to be written with the Police Department in mind. There has been a concern with the Police Department because as it stands now it is a matter of opinion.

Chairman Tom Greer said the main value to us at the immediate moment is to have an Ordinance with a nuisance section in it that is enforceable and also in anticipation of development some of these other things need to have things at the planning level so that when we are talking with developers they are immediately aware of issues that

will need to address and there is this same area in the Art Ordinance. We need to incorporate it into what we are doing.

B. Art Ordinance

Chairman Tom Greer said that has done the same thing with the Art Ordinance that he had done for the Noise Ordinance. The only difference is that he did provide a separate guideline requirement document. This is more in the format of an Ordinance that the Noise Ordinance was. He did remove the illustrations from the Ordinance so that we could use our own or ones suggested to us by staff and the public.

Steven Tomita said that he had provided a similar document, in a previous packet, from Temecula and they have guideline for six different village community centers. In this guidelines are photos. This is very useful to provide a lot of photo samples and these samples can also be used in the review process for the public workshops and also the review process for the review board for Art approval after the Ordinance has been adopted.

Chairman Tom Greer said that he reviewed them and felt that the one he has provided to the Commission and the P & Z Staff was the most relevant to the City of Belen. It was nice of Temecula to have given up access to the complete document with the knowledge that we might and probably would use it to create our own by editing theirs. They seemed pleased that we thought it would be very useful. He has seen artwork that was along a main street in Winslow Arizona called Standing on the Corner and thought that was nice and interesting. This art ordinance does have the capacity to open up a mess as far as our sign ordinance goes. Once we get this art ordinance done and adopted we need to work on the sign ordinance.

Commissioner Rod Storey said that the sign ordinance was amended not long ago. It was done by Jarah Cordova.

Steven Tomita said that it was done and it was not that long ago but that things needed to be changed.

Chairman Tom Greer said that it was a classic example of not asking anybody else for input on an Ordinance.

Lisa Miller said that there are still areas in the sign ordinance that contradict each other.

Steven Tomita said that our sign ordinance does not allow for way finding signs which we really do need.

Chairman Tom Greer said that we need to work with these businesses to get vital signs that can help them with their business. The vinyl temporary signs are good for

advertising what their business does or provides, they are not very expensive and they do have a purpose.

Commissioner Rod Storey asked if they were discussing the sign ordinance or were they supposed to be discussing the art ordinance.

Chairman Tom Greer said that the sign ordinance is referenced in the art ordinance and that once the art ordinance was adopted the sign ordinance needs to be amended to reflect each other.

Steven Tomita said that it also becomes an issue involving both when you need to distinguish whether it is a sign or art.

Chairman Tom Greer said that more and more he is seeing where the sign ordinance and the art ordinance overlap each other so they need to be addressed in some way that blends the two. This ordinance will also cover murals, which was a big issue a while back. Some businesses used the sides of their buildings as advertising but our present sign ordinance does not allow for this and murals are not allowed in the City at this time.

Commissioner Steven Ethridge suggested that using the closed up City owned buildings or some of the space at City Hall for displays of art from local artists. It would be nice to encourage the local people to display their own art.

Steven Tomita said that was what the Harvey House was for but it is something that we can look into.

Chairman Tom Greer said that with the community meetings there are always the same 10 to 12 people that show up who are concerned about these things but the hope is that the group represents the broad scope of the community and one of the biggest problems that he has seen is that the business community does not seem to be involved.

Commissioner Steven Ethridge said that he would like to see more community involvement especially the local citizens.

Chairman Tom Greer said that a lot of the local citizens are working so hard to make ends meet and just don't have a lot of time for this. Incentives need to be made for them to get involved. He asked if the P & Z Staff could do the same with this ordinance as with the other.

Steven Tomita informed the Commission he would like input from the Commission and that the P & Z staff will write up a draft ordinance and try to create an outline of elements that will go into a guideline for both the Noise Ordinance and the Art Ordinance.

C. Boundary Consolidation Committee

Steven Tomita informed the Commission that the City had a Boundary Committee that has become fractured. That Committee was put together to try and straighten our boundary. It researched the areas that are not in our boundaries that are getting City water service and City sewer services. We allowed some of the local businesses the choice to annex into the City and some of these businesses chose not to be annexed but requested the services and got them. This Committee would then make a recommendation to the City as to what properties we need to annex into the City now. He put a cog into this when he pointed out that this Committee did not look into the practicality of annexing some of these properties into the City. If you annex a property the state statutes say you must provide services within a reasonable time period. Some of the areas in question would require extensive lift stations for sewage, which is impractical and not cost effective to do this. When you look at the public cost to dollars received it does not pay you lose. These are things that need to be looked at before you proceed. The Committee was assigned for one year and that year has elapsed. The City Council feels that the Planning & Zoning Commission should be looking after this and that is how the Planning & Zoning Commission got this.

Chairman Tom Greer asked if he could get a copy of the state statute and provide it to the Commission so that they have some context of what they are looking at.

Commissioner Rod Storey said that he sees no problem if the water and sewer are already available to them or right there so that they can hook up.

Steven Tomita said that the State is looking at passing a law that there will no longer be any new septic's allowed in the State. This has to do with the fact that the Rio Grande River is getting really polluted. This could be a good side for us in as much as that will allow us to annex a lot and establish a regional sewer solution which would get us the funding to rebuild our sewer treatment plant and expand it to be able to handle the extra load.

Chairman Tom Greer said that when you look at our boundary may you can see that there is a whole lot of things that we need to do to straighten the boundary out.

Steven Tomita informed the Commission that his recommendation is for the Commission for a Committee made up of two Commission members, the P & Z Staff, some business people, possible Council member, etc. Meeting dates and times need to be set and members notified so that things can get under way.

Chairman Tom Greer said that he would continue to spearhead the art and noise ordinance and would like help with this. He asked for volunteers to be on the Boundary Consolidation Committee.

Lisa Miller said that Peter and Hollyanna needs to be notified because they have been the two who have stayed with it.

Chairman Tom Greer said that he would like to keep them because of the time and experience that they have.

Commissioner Steven Ethridge volunteered to help with the Boundary Consolidation Committee.

Chairman Tom Greer said that he would like to notify the two that were on it, get a Council member to be involved and start this process.

Steven Tomita said he would look into it.

OPEN COMMENTS/REQUESTS

Steven Tomita said that we would be starting on the Metropolitan Redevelopment Plan and the Downtown Master Plan which will take about a year to complete and once these are done it will be a huge impact on our codes.

Chairman Tom Greer said that there is a meeting to be held on the 4th of March concerning the Ecoconics on the 16 acres over by Cemco. This is a project that he has been working on for quite a while and invited everyone to attend. The meeting will be held at the Harvey House and he will email the time of the meeting to everyone.

Steven Tomita informed the Commission that a \$50,000 grant has been issued by the NM Finance Institution for the feasibility study for that project.

Chairman Tom Greer said that it is a public/private partnership between Ecoconics and the City of Belen.

Steven Tomita said that as this gets done the Comprehensive Plan will be done and redevelopment plans that will take other areas of Belen to be looked at. The key to this thing is that the Downtown Masterplan establishes different criteria for the City of Belen to participate in Economic Development and the Metropolitan Redevelopment Plan is crucial. Without the Metropolitan Redevelopment Plan being in place our hands are pretty much tied on what we can do on our properties, what we can do to pass taxes and bonds and whatever. It specifically defines areas and specific buildings that we can develop.

Chairman Tom Greer said it also keeps us from applying for almost any kind of funding that is available. The Metropolitan Redevelopment Plan is a component and being requested on all applications.

Steven Tomita informed the Commission that he is attending the Albuquerque Development Meetings and they are bringing together Valencia County, Belen, Los

Lunas and surrounding areas to market Economic Development. He is on the different transportation meetings with MRCOG and is part of the New Mexico Department of Economic Alliance also. That group involves PNM, AED, NAIOP in Albuquerque, the NM Gas Co., etc. They are putting together a marketing program for the State focused on going out and getting businesses to come into the State. He is now on their Board and feels that will be a big help for us also.

ADJOURNMENT

There being no further business to come before the City of Belen Planning & Zoning Commission, Vice-Chair Gordon Reeves moved to adjourn.

Commissioner Selma Martinez seconded the motion.

Motion carried.

The regular meeting of the City of Belen Planning & Zoning Commission adjourned at 7:52 pm.

/s/
Tom Greer, Chairman

ATTEST:

/s/
Steven P. Tomita, Planning and Zoning Director