

VALENCIA COUNTY BOARD OF COMMISSIONERS

SPECIAL MEETING

November 1, 1999

MINUTES

The Special Meeting of November 1, 1999 was called to order by Chairman Alicia Aguilar at 10:00 AM.

PRESENT

Alicia Aguilar, Chairman
Aurelio H. Padilla, Vice-Chairman
S. T. Frank Pando, Member
Eloy Giron, Member
Helen Baca, Member
James Fernandez, County Manager
Thomas Garde, County Attorney
Kandy Cordova, County Clerk
Press and Public

ABSENT

INTRODUCTION OF COUNTY ELECTED OFFICIALS & STAFF

Chairman Alicia Aguilar introduced the County Commissioners, Elected Officials and Staff.

PLEDGE OF ALLEGIANCE

James Fernandez led the Pledge of Allegiance.

Chairman Alicia Aguilar said the Chairman of the Planning and Zoning Commission; Herman Tabet had surgery this past week. She asked that Mr. Tabet be kept in prayer and wished him well.

APPROVAL OF AGENDA

County Clerk Kandy Cordova read the agenda as presented. Chairman Alicia Aguilar requested that Agenda Items A and B be switched. Commissioner Eloy Giron made a motion to approve the agenda with the requested change. Commissioner Al Padilla seconded the motion. Motion carried.

ACTION ITEMS

(A) SELECTION OF CDBG GRANT APPLICATION

County Manager James Fernandez said, "You have received in your packet, additional copies of the three entities that applied for the CDBG Grant utilizing Valencia County. The three would be Valencia Counseling Services, Habitat for Humanity and the Tome Historical Association."

Commissioner Eloy Giron said we have heard from the three entities and he believes that one stands out. He made a motion for the Valencia County Commission to support the Valencia Counseling Services with Resolution 99-47. Commissioner Frank Pando seconded the motion.

Commissioner Giron said there were three entities that applied for this grant. They were all worthy groups. He said, "There was one that I tip my hat off to and that was the Tome Historical Association on trying to preserve their heritage. I'd like to have a way to help them out in the future with any grants or anything that comes up."

Chairman Alicia Aguilar said they did find a grant through the Local Government Division in Santa Fe for the Tome Historical Association that specifically deals with historical sites, identifying them, enhancing and educating the public. They were given that information and that grant is not limited to any time. She believes they did get help from the County and hopefully they will pursue that grant.

Chairman Aguilar said Habitat for Humanity is also doing a good job in the community. There is a criterion that is tied in to the grants. It depends on who is being serviced, the income level, there is criterion that the County has to follow. The Commission does not base it on a selection.

Commissioner Al Padilla said all of the entities were very worthy causes. He said the Tome Association is a very young association and there will be ways for them to acquire grants for their cause. He said the Habitat for Humanity can come before the Commission next year again for support and maybe they will be selected at that time.

Motion carried to approve Resolution 99-47. (See Exhibit A)

(B) PUBLIC HEARING/Valencia County Comprehensive Zoning Ordinance

Steven Chavez said this project started about nine months ago, with the existing zoning ordinance. Instead of amending the ordinance, which had some major flaws in it, they decided to rewrite the ordinance. The first draft was presented to the Planning and Zoning Commission on September 9th and on October 12th for the second time. The Planning Commission pretty much gave it a thumbs-up. They placed the first public notice in the newspaper on the 18th of September and the second public notice was on the 28th of September. The first public hearing was held on October 4th and the second public hearing was on October 18th. It was decided that more public hearings were necessary because the zoning maps were incomplete. More public notices were placed in the newspaper with the third public notice coming out October 23rd and the fourth notice may come out October 27th depending on how the Commission decides they want to proceed.

The evolution of the ordinance has brought us to the sixth amended version. They did go through all of the proposed recommendations from the community. He said Richard Chavez, Mike McCartney and himself

met with many people who had a concern at the public hearings. There were some major changes from the fifth draft to the sixth draft. They include an amendment to the Planned Development Overlay District. He said they no longer require an overlay zone, so there is no longer a floating zone. It is a district in itself. It is very similar to the Masterplanned Zoning District that the County had before; they just have the additional standards of that district. They also require in that Planned Development District a masterplan or specific language to that affect.

The other second major changes are in the Nonconforming Use Section. They amended the entire section to include only uses as nonconforming. Lots, preexisting as of January 1, 1988 are an exception to that section. You can have a lot that is nonconforming; you can pretty much do what you planned to do with it before. It is only the existing use that is nonconforming. If a house burns down and it was a nonconforming mobile home, you have to replace it with something that is conforming. If you don't meet the criteria, there is a one-year deadline. Any lot that existed prior to the adoption of this ordinance, is not a nonconforming use and it is not a nonconforming lot. The pre-existing lots of record are legal if they were done between January 1, 1988 and to date.

The zoning maps are complete. Steven Chavez commended Richard Chavez for the work he has done on the maps. He worked with the Council of Governments and they have made changes based on the records of the County and the knowledge of what went on the past twelve years. Many people have reviewed the maps and they expect comments on them. They are not perfect maps and still have minor mistakes, but perfect maps are unattainable at this time because there has been so many faulty records in the past twelve years. They did the best they could with the records they had to work with.

Discussion was held on the draft of the Valencia County Comprehensive Zoning Ordinance. Those participating in the discussion were the County Commissioners, County Attorney Tom Garde, Steven Chavez, Mike McCartney, Rosie Lee James, Irene Lee, Michael Lundmark, Harvey Yates, Dale Jones, Jack Huning, Jim Strosger, Steve Crawford, Bob Davey, Ambrose Chavez, Marcel Reynolds, Tony Williams, Elliott Mabe, James Servis, George Sichler, Steve Medina and Carol Romero.

Michael Lundmark made a presentation to the Commission on his recommendations.

John Salazar, representing Bonito Land & Livestock, presented a copy of the Geology of Albuquerque Basin, New Mexico for the record as well as portions of the Bernalillo County Comprehensive Zoning Ordinance.

Vincent Chavez presented photographs to the Commission for the record.

Documents presented to the Commission regarding this draft of the ordinance are on file in the Office of the County Clerk and can be viewed at anytime.

Chairman Alicia Aguilar addressed this statement to Steven Chavez, "This Commission supports this whole effort of updating our zoning ordinance and addressing growth management and trying to address everything that affects us. I know that it has been difficult, but I do appreciate all that you have done. Not everyone will know about it and not everyone will be happy, but it is something that hasn't been updated since 1987 and with the growth that we have had in this county, it has to get done. Thank you."

Steven Chavez said, "I'd like to thank this Commission. I think this is the only Commission that has shown the courage to do this in a long time. I don't think we would have been able to do it without this Commission's full support because you are the ones that are making the hard decisions."

Chairman Aguilar said this hearing would continue on November 8th at 10:00 AM. Any concerns should be phoned in to Mr. Chavez or faxed to him.

NEXT MEETING

The next Regular Meeting of the Valencia County Board of County Commission will be held on November 8, 1999, at 10:00 AM, with Executive Session to begin at 8:30 AM in the County Commission Room at the Valencia County Courthouse.

ADJOURNMENT

Commissioner Eloy Giron made a motion to adjourn the November 1, 1999, Special Meeting of the Valencia County Board of County Commissioners. Commissioner Frank Pando seconded the motion. Motion carried.

<p>NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the November 1, 1999, Special Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.</p>
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VALENCIA COUNTY BOARD OF COMMISSIONERS

SS
ALICIA AGUILAR, CHAIRMAN

SS
AURELIO H. PADILLA, VICE-CHAIRMAN

SS
S. T. FRANK PANDO, MEMBER

ELOY GIRON, MEMBER

SS
HELEN BACA, MEMBER

ATTEST: ss

KANDY CORDOVA, COUNTY CLERK

DATE: Nov 3, 1999

For an official copy of these minutes and attachments see Commission Book 35 Page 945