

MINUTES

Village of Los Ranchos
6718 Rio Grande Blvd NW
Board of Trustees **Special Meeting - Draft Zoning Code**
6:00 P.M.
April 17, 2002

Present

John Hooker, Mayor
Penny Rembe, Trustee/Mayor Pro Tem
Pablo Rael, Trustee
Don Lopez, Trustee
David Siegel, Trustee

Annabelle Silvas, Clerk
Hank Rosoff, Administrator
David Mathews, Attorney
Jessica Wilkins, Planning Assistant

1. CALL TO ORDER

The Village of Los Ranchos Governing Body held a Special Meeting on Wednesday, April 17, 2002, in the Warren J. Gray Hall. The meeting was called to order at 6:00 p.m.

A. Approval of Agenda

Motion: Trustee Lopez moved approval of the agenda. Trustee Rael seconded the motion.

Vote: The motion carried unanimously.

2. PUBLIC COMMENT PERIOD

There were no public comments.

3. OLD BUSINESS

A. Discussion and Comment on Draft Zoning Ordinance (dated January 19, 2001)
DEFERRED FROM THE APRIL 10, 2002 PUBLIC HEARING as follows:

Administrator Rosoff presented background information. The Board of Trustees discussed and made changes, additions or deletions to the following sections:

Section 1 - General Provisions

C. PURPOSE AND INTENT

Motion: Trustee Siegel moved approval to **delete** the current language in "**Section C**", and **add** the following language:

“Los Ranchos de Albuquerque is an incorporated historic Village in the Rio Grande valley corridor. Its North Valley location provides a unique environment that includes trees, open ditch irrigation systems, small agricultural plots that allow for livestock, diverse neighborhoods and businesses, all in a relaxed, peaceful and friendly environment. The purpose and intent of this Ordinance is to implement the goals and objectives of the adopted Master Plan.”

Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

D. STANDARDS

Motion: Trustee Siegel moved to **delete** the language in "**Section (D) paragraphs 1 thru 8**", and **add** the following language from the 2010 Master Plan:

- (1) Reflect the village character through relatively low density and diversified residential land uses; density and intensity of Village scale commercial development appropriate to Village needs and primarily focused on 4th Street; continued agricultural uses, including animal husbandry; preservation of historic or archeologically significant features, traditional land use patterns and identifiable familiar vernacular characteristics (such as tripas, acequias, Buffalo Curve, and old buildings)**
- (2) Create and promote the Village as a destination point where visitors and residents alike want to be and can take part in the Village lifestyle.**
- (3) Plan for the future of the area based upon its three major corridors: Rio Grande Boulevard, Guadalupe Trail and 4th Street; to preserved the unique character of each and to maintain and enhance the richness of architectural and land use types within a range appropriate to village scale.**
- (4) Preserve and enhance the history and “valley” character of the village neighborhoods, roadways, mixed-use centers, and corridors.**
- (5) Recognize the importance of agriculture to the history and character of this valley area and in recognition of a limited and diminishing amount of land suitable for agricultural uses, a primary goal of the Village is to encourage agriculture.**
- (6) Recognize the importance and uniqueness of the ditch irrigation system in providing a renewable supply of water that sustains the diversity of life in the valley and its agriculture, and preserve and enhance the ditch irrigation system.**
- (7) Recognize the value of visually accessible open expanses to the character, atmosphere, and welfare of this valley area; identify and encourage the preservation of open expanses, vegetation and wildlife to the greatest extent possible and in a manner appropriate to each sector of the Village.**
- (8) Recognize and preserve Village history and culture and their importance within the Rio Grande Valley.**
- (9) Maintain residential development in keeping with the rural and diverse character of the village.**
- (10) Revitalize the 4th Street area as the Village’s major commercial and mixed use corridor through both public and private efforts.**
- (11) Ensure the existence and availability of all services necessary to the health, safety, and welfare of all Village citizens, while recognizing the scale and resource limitations of the Village government.**

(12) Preserve the Village scale and valley nature of the roadways and enhance possibilities for pedestrian, equestrian, bicycle, mass transit, and other alternatives to vehicular traffic.

Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

E. AUTHORITY

Motion: Trustee Rembe moved to **delete** the current language of "**Section E**", and insert the following language:

"The Governing Body is the planning authority of the Village of Los Ranchos de Albuquerque and hereby delegates authority to the Planning and Zoning Staff and the Planning and Zoning Commission to interpret and implement this ordinance subject to review and consent of the Governing Body." Trustee Siegel seconded the motion.

Vote: The motion carried unanimously.

Section 3 - General Regulations

A. DRIVEWAY ACCESS TO STRUCTURE

Motion: Trustee Siegel moved to **add** the following language: "**on parcels in the 4th Street Corridor**" to paragraph (A). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Lopez moved to **add** the following language: "**shared access shall be encouraged between parcels wherever practicable**" to paragraph (1). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **delete** the following language "**by landscaping, walls and/or fences**" to paragraph (3). Trustee Lopez seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **add** a new paragraph (5) with the following language "**any driveway within seventy-five (75) feet of an intersection must be approved by the Village Engineer**" to Section 3 (A). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **add** a new paragraph (6) with the following language: "**driveway curve radius shall be no greater than fifteen (15) feet. Sidewalks shall be constructed in a continuous horizontal plane across driveways**" to Section 3 (A). Trustee Lopez seconded the motion.

Vote: The motion carried unanimously.

B. WATER AND WASTEWATER REQUIREMENTS

Motion: Trustee Lopez moved to **change** the word "**buildings**" to "**structures**" on paragraph (B). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

D. PRESERVATION OF SOLAR ACCESS

Motion: Trustee Rembe moved to **delete** paragraph (E) that states "**no structure shall be placed any way to completely obstruct an existing dwelling's access to sunlight**". Trustee Rael seconded the motion.

Vote: The motion carried unanimously.

H. LIGHTING REQUIREMENTS

Motion: Trustee Siegel moved to **delete** the language of "**does not adversely affect neighboring property**", **add** the language of "**is in compliance with the Village Dark Sky regulations in Section 18,** and **delete** paragraph (2) entirely. Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

K. DITCH PRESERVATION

Motion: Trustee Siegel moved to **add** the language "**and encourage continued irrigation**" to section (K). Trustee Lopez seconded the motion.

Vote: The motion carried unanimously.

M. HEALTH AND VECTOR CONTROL

Motion: Trustee Rembe moved to **delete** the language "**due to animal food improperly stored, disposal of kitchen or other household waste improperly, or accumulation of standing water or discarded household items or junk.**" Trustee Rael seconded the motion.

Vote: The motion carried unanimously.

N. FIRE HAZARD

Motion: Trustee Siegel moved to **add** the language "**as defined by applicable State and Village Fire Codes**" and **delete** the language of "**by the accumulation of weeds and other vegetative material, accumulation of discarded household items or junk or improper storage of flammable materials and/or chemicals**" in Section N. Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

O. UTILITY EASEMENT RESTRICTIONS

Motion: Trustee Lopez moved to **delete** the language "**telephone or electrical power**" and **add** the word "**utility**" to section O. Trustee Rael seconded the motion.

Vote: The motion carried unanimously.

Section 4. Establishment and interpretation of Zones

D. MULTIPLE ZONED LOT

Motion: Trustee Siegel moved to **delete** the language "**V C and N C**" zones. Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Rembe moved to **delete** the word "**property**" add the words "**any parcels**", and **change** the word "**is**" to "**are**". Trustee Siegel seconded the motion.

Vote: The motion carried unanimously.

Section 6. A-1 Agricultural/Residential Zone (1 Unit/Acre)

B. PERMISSIVE USES

Motion: Trustee Siegel moved to **delete** the language "**one caretaker unit with a second kitchen within the primary dwelling unit may be approved as a (Variance). Note: The Variance provision is not appropriate for allowing more than one dwelling unit per parcel. It should be a Conditional Use or a Special Use, deliberated in a public hearing**" of paragraph (1). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Lopez moved to **delete** the language of "**provided that there shall be at least 10,000 square feet of open lot area for each cow, horse, mule, or donkey and at least 2,000 square feet of open lot area for each sheep, llama, alpaca, goat, or pig. Animals less than six (6) months of age are not counted**" on paragraph (4). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **delete** paragraph (5) stating "**keeping and raising of animals for non-commercial purposes not named in paragraph B.4 of this Section as permitted and regulated by the Animal Welfare and Control Ordinance**", of paragraph (5). Trustee Rembe seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Rembe moved to **delete** the language "**provided that all vehicles, which are not parked inside a building are operative**" of paragraph (6). **Trustee Siegel** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **delete** paragraph (8) from "**permissive uses**" and **add** it to "**conditional uses**". **Trustee Rembe** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Rembe moved to **delete** the "**guest house section**" on paragraph 10 and **add** it to "**conditional uses**". **Trustee Siegel** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Rembe moved to **delete** the current language and **add** the language of "**materials incidental to agricultural uses is permitted as long as it is orderly and not a threat to health, safety and welfare up to one thousand (1,000) square feet in area per acre**" to paragraph 11. **Trustee Siegel** seconded the motion.

Vote: The motion carried unanimously.

Administrator Rosoff noted that the language in paragraph 12 was overly restrictive as written, and as had been brought up previously by former Trustee Barbara Chavez, did not make allowances for such things as farm equipment disabled in the field and awaiting parts. He suggested changing the language to include only motor vehicles, and to include an exemption for agricultural vehicles. Without objection, the Board directed staff to write such language into the paragraph.

Trustee Rembe moved to **delete** the language "**Tupperware, Mary Kay, Shaklee, etc** " and the language of "**In the case of a garage sale or estate sales, a sign no larger than six (6) square feet in area may be placed on the premise for the duration of the sale**" on paragraph 13. **Trustee Lopez** seconded the motion.

Vote: The motion carried with Trustee Siegel voting no.

Motion: Trustee Rembe moved to **delete** paragraph 14, that states "**personal vehicle or equipment**". **Trustee Siegel** seconded the motion.

Vote: The motion carried unanimously.

C. CONDITIONAL USES

Motion: Trustee Rembe moved to **add** the word "**traffic**" to paragraph (1). **Trustee Seigel** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Rembe move to **delete** "paragraph (4)" from "**conditional uses**" and add it to "**special uses**". **Trustee Rael** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Rael moved to **add** the language “**or as approved by the Planning and Zoning Commission per Section 23**” to paragraph (5), as proposed by the Planning & Zoning commission
Trustee Lopez seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **delete** “**paragraph (7)**” and add it to the “**AC Zone**”. **Trustee Rael** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **delete** the entire “**paragraph (8)**”. **Trustee Rael** seconded the motion.

Vote: The motion carried unanimously.

Motion: Trustee Siegel moved to **add** the language “**with 4 or fewer guestrooms**” as conditional use and “**five or more**” to be included in the AC along with guest ranch to paragraph (9). **Trustee Rael** seconded the motion. **Trustee Rembe** abstained from voting.

Vote: The motion carried with Trustee Rembe abstaining from voting.

Motion: Trustee Siegel moved to **delete** “**paragraph (12) wineries**” and add it to the “**AC zone.**” **Trustee Rembe** seconded the motion.

Vote: The motion carried unanimously.

E. AREA REGULATIONS.

Motion: Trustee Lopez moved to **change** the language of “**one-hundred feet**” to “**seventy-five feet**”, minimum lot width on paragraph (1). **Trustee Rembe** seconded the motion.

Motion: Trustee Lopez moved to amend his motion to **delete** the language “**and minimum lot width shall be a minimum of one-hundred feet**” leaving the language of “**The minimum lot area shall be one (1) acre.**” **Trustee Rembe** seconded the motion.

Vote: The motion carried unanimously.

The Board of Trustees stopped discussion at the point of Area Regulations to be discussed at another scheduled meeting.

4. ADJOURNMENT

Motion: Trustee Lopez moved to adjourn at 10:40 p.m. **Trustee Rembe** seconded the motion.

Vote: The motion carried.

APPROVED by the Board of Trustees of the Village of Los Ranchos this _____ day of _____, 2002.

ATTEST:

Annabelle Silvas, CMC