

AMENDED AGENDA

FOR THE REGULAR MEETING OF THE CITY OF BELEN PLANNING AND ZONING COMMISSION, STATE OF NEW MEXICO, COUNTY OF VALENCIA TO BE HELD ON MONDAY THE 26th OF MARCH 2018 AT 6:00 PM IN THE COUNCIL CHAMBERS AT CITY HALL, 100 SOUTH MAIN STREET, BELEN, NEW MEXICO 87002.

ALL P & Z COMMISSION MEETINGS ARE VIDEO AND AUDIO RECORDED.

A COPY OF THE AGENDA MAY BE OBTAINED FROM THE OFFICE OF THE CITY OF BELEN PLANNING & ZONING DEPARTMENT.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGENCE**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**
Minutes of March 12, 2018
- 6. PUBLIC COMMENT 3 MINUTE PRESENTATIONS:** If more time is needed for presentation, please ask to be scheduled on the next agenda.
- 7. DISCUSSION**
 - a. Becker Ave Zoning & C-R Zoning – final review
 - b. Main St. Overlay Zone/C-1 Zone
- 8. INFORMATIONAL ITEMS**
 - a. Communication from the Commission and Staff
- 9. ADJOURNMENT**

RESPECTFULLY SUBMITTED

/s/
Lisa R Miller, Planning & Zoning
Administrator

cc: Mayor & City Council
News Bulletin

Belen Chamber of Commerce
Belen Recreation Center

Belen Public Library
Belen City Hall

JERAH R CORDOVA
MAYOR
LEONA VIGIL
CITY MANAGER



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WAYNE GALLEGOS
CITY COUNCIL
DAVID CARTER
CITY COUNCIL
DARLEEN ARAGON
CITY COUNCIL
FRANK ORTEGA
MAYOR PRO-TEM

CITY OF BELEN
PLANNING & ZONING COMMISSION MEETING
MINUTES
MARCH 12, 2018

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

PRESENT: Chairman Steve Ethridge
Vice Chair Pete Armstrong
Commissioner Jim Lardner
Commissioner Claudine Montano
Commissioner Gordon Reeves

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

OTHERS: Ronnie Torres, City Council
Louis Trujillo, Citizen
Dolores Quintana, Citizen
Rob Powell, Westway Homes
Greg Anderson, Westway Homes
Mike Fietz, Westway Homes
Howard Balmer, Westway Homes
John Rivera, Westway Homes
Perfecto Garcia, Westway Homes
Monique Parsons, Westway Homes
J P Rael, Westway Homes

APPROVAL OF THE AGENDA

Commissioner Claudine Montano moved to approve the agenda as is.

Commissioner Gordon Reeves seconded the motion.

Motion Carried.

APPROVAL OF THE MINUTES

Vice Chair Pete Armstrong said that there are a few clerical errors that need to be done. He will give them to Lisa to make the corrections.

Commissioner Gordon Reeves moved to approve the Minutes of February 12, 2018 with corrections.

Vice Chair Pete Armstrong seconded the motion.

Motion carried.

Commissioner Jim Lardner moved to approve the minutes of February 26, 2018 as presented.

Vice chair Pete Armstrong seconded the motion.

Motion carried.

PRESENTATION

De La Reina Subdivision-Westway homes housing presentation.

Steven Tomita said that, first of all, he would like to welcome the new City Councilman, Ronnie Torres. The De La Reina Subdivision was purchased and the Planning & Zoning Commission has granted a variance on the front setbacks of the homes. At that time they had some minor concepts of what they would be doing there and now they have prepared some of the model homes that they plan on building so that the Commission can get an idea of how this subdivision is going to look when built out.

Mike Fietz, a managing member of Westway Homes, said that he, along with several of the people that are involved with the company, are pleased and excited to be working within this Community. He explained that, about five months ago, they decided it was time to make a change and go on their own. They then created Westway Homes. He thinks that their way of doing business will be exemplified in this Community. By changing the front setbacks it has allowed us to put in front porches. They want to create the friendly neighborhood idea of sitting on your front porch. This way you are interacting with your neighbors. Another unique factor in this community is the fact that in the front it sits right next to I-25, and so they wanted to create a barrier for the sound and create a nice presentation into the community. You will see the backs of buildings with the same architecture of the other homes in the community, but they will be the backs of storage units. Each home within this community will have their own storage unit as part of their purchase of the home. The development will also have a pocket park.

J. P Rael informed the Commission about the look they are working towards. Their smallest home will be 1,137 sq. ft. with a cost of \$154,000.00. All of the home will have granite in the bathrooms and kitchens. They will be well finished homes. At this time there are six floor plans that they will be offering. He then showed each floor plan for each home that steps up the square footage. There is one two story home and they will be adding additional plans for other two story homes.

Greg Anderson told the Commission that they had purchased this incomplete subdivision in May of 2017. He commented that if every City had a staff like the ones they have been working with

here in Belen would make our jobs easy. They complimented Steven Tomita and Lisa Miller. They have obtained the permit for the wall around the subdivision, they are waiting on soil tests on the work that was previously done, they will be surveying it this week, and they will flush the water & sewer lines when they start to do pad site work. Their goal is to have the roads down by the end of April. They are in the process of acquiring the ponding area for the subdivision.

Commissioner Gordon Reeves asked if they were going to be building model homes first.

J P Rael said that there immediate plans are to build six homes that will be for show and sale.

Steven Tomita said they are more along the lines of speck homes. They have made arrangements with the fire department, to have the water lines tested and the hydrants tested right when they were ready to start building the homes.

Perfecto Garcia informed the Commission that they are very excited to bring this product to Belen. He designed the homes that will be constructed in this subdivision. He is calling them a contemporary, country home. They will have a 6/12 pitch roofs on them and they were designed so that the homes look inviting. They will be top quality homes that they can be proud of and live in them for a long time. The doorways will be wider doorways to make them more handicapped accessible. They will be using tankless water heaters and r-19 insulation in the walls and r-30 insulation in the ceilings. It is exciting to bring this to his hometown.

Steven Tomita said that with the porches and the styles of the homes, it brings in some of the features of new urbanism, neo-traditional communities that he has talked to the Commission about.

J P Rael thanked the Commission for allowing them to speak to them and show them what Westway's vision is. They are really looking forward to getting this off the ground and rolling. He said that they would see some stuff flying around pretty quick.

Commissioner Gordon Reeves asked if they thought that they would be built out in a couple of years.

J P Rael said that was the hope.

Chairman Steve Ethridge asked if they have any other subdivisions in the area that they have done before.

J P Rael said they have purchased the last 69 lots of Rancho Valencia and have broken ground on their model home and anticipate that will be complete within the next 30 days. They are in the processes of building other speck homes in Mesa Del Sol. They have a total of 300 lots now and they are here to stay.

Chairman Steve Ethridge said that with the soil testing that they are doing they would be prepared to handle any kind of issues that might come up concerning the stability of the soils and homes that are going to be build. They wouldn't be having some shifting issues like some are having in another area.

J P Rael said that it was a unique situation that occurred in that area, for that builder. On the east side of I-25 they have not run into anything like that.

Chairman Steve Ethridge asked about the landscaping that will be put in.

J P Rael said that the front yard would be landscaped and the owner will be responsible for the back yard.

Vice Chair Pete Armstrong said that it sounds like they have an ambitious campaign going on and asked if they had their labor force lined up for this.

J P Rael said that they feel like they do. They have put together a great sub-base.

John Rivera said that he has two crews of all that is needed. The way that they are starting this is a very attractive incentive for these types of crews. Building more than one at a time which helps. There were some delays that they did not count on but they are being addressed. Plans will be submitted in the near future.

Steven Tomita thanked them for coming into our community. WE are really looking forward to the production of the homes. He was impressed with the previous homes that they have built and is really looking forward to seeing what these are going to be like.

DISCUSSION

a. Landscape Ordinance-Final review

Lisa Miller informed the Commission that the changes that they had done are in the document that they were provided. There were some areas that they chose to revisit at a later date.

The Commission went through each page of the Landscape Ordinance. Under General standards #10 they added the words "including drawings".

Steven Tomita advised the Commission that Lisa is amending all the application forms along with all the information and criteria that has to be met and there is going to be more information and documentation that an applicant is going to have to provide.

They discussed the fence height within a Residential Zone. They added "Side or rear" to the beginning of Residential Zoning Districts #1. Under Commercial Zone Districts #6 they added "Commercial" in front of Parking and "Residential" in front of front yard, to clarify the two distinct areas.

Vice Chair Pete Armstrong said that one of the things he found, over and over again, is the word landscape and he feels that somewhere in the Ordinance they need to define the word landscape. It is meaning different things under different applications, for example, what is meant when it says that water retention areas, or berms, or things of that nature need to be landscaped.

Steven Tomita said that the definitions are located at the beginning of the Zoning Ordinance. There are two different categories of open spaces and landscaped areas. One would be a passive and one would be an active. Your passive would be your drainage areas that are not being used as active areas, such as a pocket park.

Vice Chair Pete Armstrong said that they speak of these kinds of things in the ordinance and that is why he thinks they need to, maybe not a definition but, some like, a statement saying that landscaping needs to include the following. This is so that they know the kind of vegetation that the City is looking at.

Steven Tomita said that most of the Ordinances he has worked on, refer to these areas as common or open areas, whether it is public or private. They then establish the landscape requirements based on what is put in active open space.

Vice Chair Pete Armstrong said that based on that then something should be placed in the Minimum Standards for Landscaping Design and Developed in the form of an introduction that speaks of that. The rootball sizes table needs to be removed. He brought up the fact that grasses are not included in the plants on the minimum plant sizes and he feels that they should be. There are some decorative grasses that can be used in landscaping. He felt that they could be a part of the design standards for front yard landscaping.

Steven Tomita said that he does not think that they should dictate, other than certain grasses that should not be in their yard but you cannot tell them how to design their front yard. He thought that they were listing the desirable trees and plants where the grasses can also be listed.

Vice Chair Pete Armstrong said that they did but they have also just intentionally spelled out trees, shrubs and organic ground cover and not the grasses.

Steven Tomita said that the reason this has been written this way is because, other than someone's front yard, most communities are not encouraging grasses in public areas, other than a park.

Vice Chair Pete Armstrong said that there are a lot of grasses that are xeric and he feels they need to be included. There are grasses and there are lawn type grasses, and they are two entirely different things.

Steven Tomita said that he was talking about the native vegetation. Sometime in the future you are not going to see that. The desert vegetation will be allowed but not anything that is going to require a lot of maintenance.

The Commission continued to discuss the different types of grasses used for areas along the medians and strip of land between the sidewalk and the streets. They spoke about some of the new landscaping that is happening all along HWY 314 in the Village of Los Lunas. They spoke on the different types of grass and the fact that when grass is mentioned, people automatically think it is the kind that requires mowing and watering on a regular basis. Under Minimum Plant Size letter b. They added Desert xeriscape vegetation after Shrubs. They went on to discuss the inorganic ground covers and the sizes of the crusher fines and the fact that larger crusher fines are being used for artistic accents in the landscaping. It was decided to change the ½" crusher fines to 3/8"-1" crusher fines and to change the crusher fines for trails to 3/8". They also added that larger may be used as an artistic accent within the landscape design. There was a question as to what the EMP (Employment) line on table 5.3-1 means and why it was there. It was explained that Employment is manufacturing/industrial and that is why it is labeled Employment because it is your base jobs. They decided to define it as Manufacturing/Industrial with an asterisk. They discussed the financial assurance of one and on-half times the estimated cost of the landscaping. It was mentioned that the only permit the City issues is for the public infrastructure

improvements. It was decided to leave that in. They discussed the site stabilization materials mentioned and decided to change it to "Slopes steeper than three to one (3:1), where revegetation and plant material alone will not hold soil in place, shall be held in place with a methodology to ensure the stability of the slope deemed appropriate by the City. They discussed the Prohibited Plants and decided to change it to Acceptable Plants. This plant list can be obtained from the City of Belen Planning & Zoning Department. It was also decided to add General Public Safety under Street Rights-Of Way Landscaping. They went on to discuss the Parking Lot Landscaping. They decided to add "Is encouraged and shall be reviewed and approved by the City of Belen Planning & Zoning Department." They are also adding "Efforts shall be taken to preserve and maintain the Bosque area" under Bosque Preservation. The open spaces table was discussed due to the fact that there was some confusion on the percentages of the active open space and the total open space. It was explained to them that the active open space is a percentage of the total open space. It was decided that this should be included so that it would not be miss-understood. The 10% total open space for manufacturing was discussed. Some of the Commission thought that it was too much for a manufacturer to have to lose 10% of their capability to expand would be unusable. It was explained that buffering can be used as part of the open space. Things that you do in front of the building to create a visual affect can also be a part of the open space. You can also use your drainage area as part of the open space if you landscape it. It isn't as hard as it seems. The open space designation was questioned. The ¼ mile distance was discussed. It was explained that the ¼ mile is the furthest distance that an active open space can be from a residential home. They decided to keep the ¼ distance and change it to read a proposed subdivision development. The size of the active open space were discussed. A lot of the subdivision that have been developed they have had one huge main park with several pocket parks and that was the reason behind the required open space area. It was decided to use the minimum of one-thousand (1,000) sq. ft. as the requirement. They questioned where it refers to the active open space areas shall be accessible to all residents of the development. It was explained that if it is available to the public then the developer is going to want to give it to the City for maintenance. It was decided to add "Private Development" at the beginning of paragraph c. of 2. Types of open space on page 14. All minor spelling corrections were pointed out and implemented.

b. Becker Ave Zoning & C-R Zoning

Steven Tomita showed the Commission what the draft design of the Block Grant, which will change the area from First St. by Reinken Ave. down to Becker Ave. then up to Second St. The plan is to widen the sidewalks and take First St. down to a one way street. Place a inlayed design of a roundhouse design in the street at Becker Ave. and Second St., place trees and landscaping to have a pleasing pedestrian friendly area. He also showed them a rendering of a development of a three story building, designed along the lines of architectural designs of the Harvey house, which would have shops and businesses on the first floor and have apartments on the other two. They will now be having public workshops for their opinions.

Lisa Miller informed the Commission that they had reviewed all but the Street Trees in the Backer Ave. zone and that they had decided to wait and go over the landscaping ordinance to see if this was addressed there.

Vice Chair Pete Armstrong said that this was addressed under the landscaping and trees in the Landscaping Ordinance.

They then discussed the height of the trees due to the fact of the delivery trucks and the fire trucks. The section F. 1-2 were addressed in the Landscaping Ordinance. They discussed the

drive lanes since that will be the area where the trucks, etc. will be using. Under number three they decided to add "..... nine (9) feet over drive lanes and shall be kept trimmed to not impede traffic. They next discussed Area Lighting and the use of fluorescent lamps. The reason behind the restriction of fluorescent lamps was explained. They decided to leave it along due to the fact that everything is going over to LED lights or neon lights. All changes to the Becker Ave Zone and the C-R Zone have been done and will go before the Commission for a final review at the next meeting.

INFORMATIONAL ITEMS

a. Communication from the Commission and Staff

Steven Tomita that the De La Reina Subdivision is moving right along, as the Commission saw with the presentation. Circle K is asking for another waiver because there is a church across the street in Henry's Shopping Center. This will be placed on the City Council agenda. Dominos is now building and DOT has messed up some of their site plan and the City now has some safety issues that we are going to have to work around because of traffic flow on LaLa St. The City is looking at making LaLa St. a one way street from the back of Walgreens going south to Reinken Ave.

Vice Chair asked about the alley behind Rutilios.

Steven Tomita said that it has been replatted so that the City can dispose of it. We are checking on what we need to do legally as far as selling it to the surrounding property owners of giving it to them.

Commissioner Claudine Montano asked about Tractor Supply.

Steven Tomita said that DFA did a good job of killing the lease option, but they are now looking at purchasing the property or there is another location that is plausible at the Del Rio Plaza. The apartments at Third and Becker are going to be completely remodeled. He thinks that part of the intent is to turn them into artist studios. He will be meeting with a company on a 125 acres parcel in Rancho Cielo.

Commissioner Gordon Reeves said that he has heard that Harbor Freight is going to be moving into the old Staples building in Los Lunas.

ADJOURNMENT

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

The regular meet of the City of Belen Planning & Zoning Commission adjourned at 8:27 p.m.

Chairman Steve Ethridge

ATTEST: _____
Steven Tomita, Planning & Economic Development Director

Chapter 17.30 - BECKER AVENUE ZONE

Sections:

17.30.010 - Intent.

The purpose of this zone is to promote the revitalization of historic Becker Avenue and to maintain a special character of mixed-use development for the properties along the street. This zone is also intended to provide a pedestrian-friendly atmosphere and a gathering place for the community. To the extent possible, historical and cultural elements of the properties along Becker Avenue shall be preserved and enhanced.

(Ord. No. 2015-14, 11-16-2015)

17.30.020 - General provisions.

- A. The Becker Avenue Zone shall be delineated on the Belen zone atlas. All properties that have frontage along Becker Avenue and Dalies Avenue from Main Street to First Street shall be included in the Becker Avenue Zone.
- B. The Becker Avenue Zone shall be administered as an additional zone district with special requirements. Any development within the Becker Avenue Zone shall be subject to the administrative procedures and regulations provided in this section.

(Ord. No. 2015-14, 11-16-2015)

17.30.030 - Regulations.

- A. Building Height. No building or structure shall exceed forty-five (45) feet in height.
- B. Building Design. In order to preserve and enhance the special character within the Becker Avenue Zone, buildings shall be designed using the following guidelines:
 1. Painting or decorating buildings with bold patterns or large graphics, or using buildings as signs shall be reviewed and approved by the City of Belen Planning & Zoning Commission ~~is prohibited.~~
 2. Thin skin "curtain wall" buildings including aluminum siding, metal panels, and mirrored or otherwise dominating glass, are prohibited.
 3. In order to continue a visual pattern of historic architectural elements reflected through brick building construction, ~~at least fifty (50) percent of the total facade on all new or reconstructed buildings fronting Becker Avenue shall be composed of brick.~~ shall carry on the mixture of existing Southwest styles, such as Southwest Vernacular, Brick, Queen Ann, Western Territorial, etc.
 4. Exterior mounted mechanical and electrical equipment, including solar hardware and satellite dish antennas, shall be architecturally screened.
- C. Signs. All signs in the Becker Avenue Zone shall conform to sign regulations provided in chapter 17.58 of the Belen Municipal Code.
- D. Pedestrian Walkways. A minimum of twelve (12) feet measured from the curb line into abutting properties shall be reserved and developed for pedestrian activity of which six (6) feet shall be clearly dedicated for pedestrian walkways. There shall be no obstruction within a pedestrian walkway which would impede pedestrian circulation. ~~The minimum width of pedestrian walkways shall be six (6) feet, to allow for wheelchair access.~~

- E. Off-Street Parking. The off-street parking requirements defined in chapter 17.56 of the Belen Municipal Code may be reduced by a maximum of fifty (50) percent of the total number of spaces pertaining to the list of land uses in section 17.56.010. The reduction of spaces required for land uses in the Becker Avenue Zone shall be subject to the administrative procedures provided in this chapter.
- F. Street Trees. **Provided in 17.54.???** of this title. ~~Within five (5) feet of the curb line of Becker Avenue, trees shall be planted approximately every thirty (30) linear feet of street frontage. General policies for street trees are as follows:~~
- ~~1. Whenever possible, street trees shall be placed between the curb and pedestrian walkways.~~
 - ~~2. Suitable street trees for Becker Avenue are mostly hardwood, non-fruit-bearing, deciduous trees. Low water consumption and nonallergenic trees are preferable.~~
 - ~~3. Adequate vertical clearance below street tree branches shall be maintained at no less than eight (8) feet over pedestrian walkways and nine (9) feet over streets.~~
- G. Area Lighting. The lighting of buildings and parking lots within the Becker Avenue Zone shall conform to the following guidelines:
1. The exterior lighting of any buildings, structures and surrounding grounds shall provide illumination for safety **and/or security purposes**, and shall be placed and screened such that it does not shine directly or reflect into any adjoining residential properties or streets.
 2. Fixtures used in exterior lighting shall be selected for functional and aesthetic value and shall not contain fluorescent lamps.
 3. Parking lot lighting shall provide for adequate security but must be shielded to prevent light from shining directly onto abutting residential lots.
- H. Drainage. In areas where a centralized stormwater collection system is not available, on-site stormwater retention shall be **required**. Where buildings are located farther back from the sidewalk **the stormwater shall be directed to the back portion of the lot as much as particle and/or possible**.

(Ord. No. 2015-14, 11-16-2015)

17.30.040 - Administrative procedures.

- A. Site Plan Required. All development, redevelopment, and major improvements to property within the Becker Avenue Zone shall be constructed in accordance with a site plan which shall be reviewed and accepted by the **Planning & Zoning Department**, to establish compliance with the regulations provided herein. The site plan shall contain the following:
1. A plat or property map plan showing the location, dimensions, height, and setback of all buildings and structures on the development site;
 2. Location and description of all signs, lighting, parking and loading areas, traffic access and circulation routes, and pedestrian areas;
 3. Preliminary sketch drawings or elevations of proposed buildings;
 4. A landscaping plan showing location and type of street trees and other proposed and existing vegetation of the development site.
- B. Plan Review and Acceptance. In order to obtain acceptance for any proposed development within the Becker Avenue Zone, the required site plan shall be submitted to the **Planning & Zoning enforcement officer** who shall determine compliance with the provisions and intent of the Becker Avenue Zone. A written decision of acceptance or non-acceptance shall be rendered by the **Planning & Zoning Department enforcement officer** within thirty (30) days following receipt of the required site plan. Such written decision shall provide any special conditions of acceptance, or reasons for non-acceptance if applicable. Appeal of any decision of the **Planning & Zoning Department enforcement**

~~office~~ may be carried out through the provisions established by the appeal process in the comprehensive zoning ordinance of the city of Belen. This does not mean it has been approved for construction.

(Ord. No. 2015-14, 11-16-2015)

Chapter 17.28 - C-R COMMERCIAL/ RESIDENTIAL

Sections:

17.28.010 - Intent.

The purpose of this zone is to permit a limited mixture of residential and retail commercial activities. This zone establishes and preserves areas for those commercial facilities which are essentially useful in close proximity to residential areas, while minimizing the undesirable impact of such commercial uses on the neighborhoods which they service. Any commercial establishment, other than a home occupation, located in this zone shall contain a total floor area no greater than four thousand (4,000) square feet.

(Ord. No. 2015-14, 11-16-2015)

17.28.020 - Accessory uses.

All accessory uses in this zone shall be the same as those listed in the R-2 zone district.

(Ord. No. 2015-14, 11-16-2015)

17.28.030 - Supplementary regulations.

All supplementary regulations in this zone shall be the same as those listed in the R-2 zone district, except that signs indicating a commercial or business establishment may not exceed forty (40) square feet per sign with a minimum width of two (2) feet.

(Ord. No. 2015-14, 11-16-2015)

17.32 - C-1 GENERAL COMMERCIAL

Sections:

17.32.010 - Intent.

The purpose of this zone is to provide for those commercial uses which serve the community on a day-to-day basis such as retailing, financial, and personal services.

(Ord. No. 2015-14, 11-16-2015)

17.32.020 - Accessory uses.

All accessory uses in this zone shall be the same as those listed in the R-2 zone district.

(Ord. No. 2015-14, 11-16-2015)

17.32.030 - Supplementary regulations.

- A. Area. Any lot under a residential use shall have a minimum ground area of seven thousand (7,000) square feet and a minimum width of seventy (70) feet.
- B. Setback. Any lot under a residential use shall have the same setback requirements as those prescribed in the R-2 zone district. Any lot in commercial use shall have a front setback of six (6) feet.
- C. Height. No building or structure shall exceed forty-five (45) feet except as otherwise provided in this title.
- D. Off-Street Parking. Provided in chapter 17.56 of this title.

(Ord. No. 2015-14, 11-16-2015)

Chapter 17.36 - MAIN STREET OVERLAY ZONE

Sections:

17.36.010 - Intent.

The purpose of this zone is to promote and protect a special character and human scale of development along Main Street in the city of Belen. This zone is also intended to improve the safety and desirability of walking along Main Street.

(Ord. No. 2015-14, 11-16-2015)

17.36.020 - General provisions.

- A. This overlay zone shall apply to any lot within the city of Belen which is contiguous to Main Street, from the northerly boundary of the city to the southerly boundary of the city.
- B. The Main Street Overlay Zone shall appear on the Belen zone atlas superimposed on other zones, and its regulations shall supplement those of the underlying zones.

(Ord. No. 2015-14, 11-16-2015)

17.36.030 - Regulations.

- A. **Setback.** A minimum setback of ten (10) feet is required and shall be measured from any building on the premises to the lot line contiguous with Main Street. Varied setback on abutting lots is encouraged.
- B. **Building Height.** No building shall exceed forty-five (45) feet in height.
- C. **Building Design and Maintenance.** In order to minimize blight and to preserve the small town character within this overlay zone, buildings shall be designed and maintained using the following guidelines:
 - 1. Buildings shall be designed to appear more as an aggregation of smaller building blocks rather than a single large block or box.
 - 2. Exterior facade of buildings shall be constructed and maintained to exhibit earth tone materials. Brick, stone and/or painting to reflect brick and stone facade is encouraged. Painting or decorating buildings with bold patterns or large graphics, or using buildings as signs shall be at the approval of the city.
 - 3. Thin-skin curtain wall buildings, including aluminum siding, metal panels, and mirrored or otherwise dominating glass, are prohibited.
 - 4. Exterior mounted mechanical and electrical equipment, including solar hardware and satellite dish antennas, shall be architecturally screened.
- D. **Signs.** As per the Municipal Code dealing with sign regulations.
- E. **Pedestrian Walkways.** A minimum of ten (10) feet from the curb line into the abutting properties shall be reserved and developed for pedestrian activity. There shall be no obstruction within a pedestrian walkway which would impede pedestrian circulation.
- F. **Off-Street Parking.** To the extent possible, required off-street parking shall be located behind buildings with access to Main Street. When parking areas are visible from Main Street, they shall be screened from view by vegetation, planters, or other similar means.
- G. **Street Trees.** Within ten (10) feet of the curb line of Main Street, trees shall be planted approximately every thirty (30) linear feet of the street frontage. General policies for street trees are as follows:
 - 1. Wherever possible, street trees shall be placed behind the curb and sidewalk;

2. Suitable street trees are mostly hardwood, non-fruiting, deciduous trees;
 3. Adequate vertical clearance below street tree branches shall be maintained at no less than seven (7) feet over pedestrian walkways and eight (8) feet over streets;
 4. Maintenance and trimming of street trees and replacement of dead trees is the responsibility of the abutting lot owner;
 5. Street trees shall be located so as to not interfere with the function for any underground utility lines.
- H. Area Lighting. The lighting of buildings and parking lots within this overlay zone shall conform to the following guidelines:
1. The exterior lighting of any buildings, structures and surrounding grounds shall provide illumination safety purposes, and shall be placed and screened such that it does not shine directly or reflect into any adjoining residential properties or streets;
 2. Fixtures used in exterior lighting shall be selected for functional and aesthetic value and shall not contain fluorescent lamps;
 3. Parking lot lighting shall not emit light beyond the development;
 4. Must conform with the Night Sky Protection Act on outdoor night lighting fixtures to preserve and enhance the state's dark sky while promoting safety, conserving energy and preserving the environment for astrological views.
- I. Drainage. As per the Municipal Code drainage regulations.

(Ord. No. 2015-14, 11-16-2015)

17.36.040 - Procedures.

- A. Plan Required. All development and improvements to property within the Main Street Overlay Zone shall be constructed in accordance with a site plan approved by the city. Such site plan shall include the following:
1. A plot plan showing the location, dimensions, height, and setback of all buildings and structures on the development site;
 2. Location and description of all signs, lighting, parking and loading areas, traffic access and circulation routes, and pedestrian areas;
 3. Preliminary sketch drawings or elevations of proposed buildings;
 4. A landscaping plan showing location and type of street trees and other proposed and existing vegetation on the development site.
- B. Plan Review and Approval. In order to obtain approval for any proposed development within the Main Street Overlay Zone, the required site plan shall be submitted to the planning and zoning officer which shall determine compliance with the provisions and intent of the Main

Street Overlay Zone. An appeal of any decision by the zoning officer shall be carried out through the provisions established by the appeal process in the comprehensive zoning municipal code of the city of Belen.

(Ord. No. 2015-14, 11-16-2015)