

ORDINANCE #2023-02

CITY OF BELEN

Chapter 2.44 PLANNING AND ZONING BOARD

2.44.010 Short title.

This chapter may be cited as the "Planning and Zoning Board Ordinance."

2.44.020 Creation of planning board.

There is hereby created the Planning and Zoning Board for the city pursuant to NMSA §§ 3-19-1 through 3-19-4 and §§ 3-21-1 through 3-21-11.

2.44.030 Purpose.

The purpose of this chapter is to establish a municipal organization of appointed officials in order to promote and carry out a continuing process of comprehensive planning and zoning within the jurisdiction of the city.

2.44.040 Member appointment.

- A. The Planning and Zoning Board shall consist of five (5) members, who shall be appointed by the mayor with the consent of the governing body.
- B. The terms of appointment for the members of the Planning and Zoning Board shall be terms of four (4) years, staggered for overlapping terms.
- C. Vacancies shall be filled for the remainder of any unexpired term by the mayor with the consent of the city council.
- D. After a public hearing and for cause stated in writing and made part of the public record, the mayor with the approval of the city council may remove a member of the Planning and Zoning Board for cause.

2.44.050 Powers and duties.

The Planning and Zoning Board shall have such powers and duties as may be delegated to it by the governing body of the city and other such power, authority, jurisdiction and duty incidental and necessary to carry out its purpose.

2.44.060 Responsibilities.

1. Responsibilities. The Planning and Zoning Board shall have the following responsibilities:

(a) The Planning and Zoning Board shall promote a comprehensive planning process with the general purpose of guiding and accomplishing a coordinated, adjusted, aesthetically appealing and harmonious development of the city;

(b) The Planning and Zoning Board shall make careful and comprehensive surveys and studies of existing conditions and probable future growth of the city and shall make recommendations on means of protecting and improving the environment;

(c) The Planning and Zoning Board shall prepare for adoption by the Governing Body a master plan for the physical development of the city and the area within the planning, platting, and zoning jurisdiction of the city;

(d) The Planning and Zoning Board shall prepare for adoption by the Governing Body regulations governing the subdivision of land within the planning, platting, and zoning jurisdiction of the city.

(e) The Planning and Zoning Board shall review and approve or disapprove any proposed subdivision platting, re-platting, or vacation of plats, conditional use permits, variance requests, zoning change requests, sign exceptions, and appeals taken from decisions or actions of the City Development Department. The Board's decisions on these matters shall be final, unless appealed. Other decisions of the Board are non-final recommendations to the Governing Body, as provided in Chapter 2.40.

(f) The Planning and Zoning Board shall prepare for adoption by the Governing Body zoning ordinances applicable to the territory within the boundaries of the city; and

(g) The Planning and Zoning Board may recommend to the Governing Body of the city programs for public improvements and their financing; and

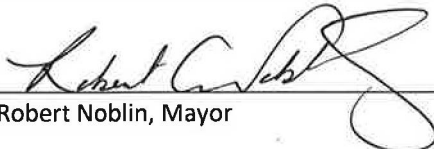
(h) The Planning and Zoning Board is authorized to confer with other municipal, county, regional, state, or federal agencies as it deems necessary; and


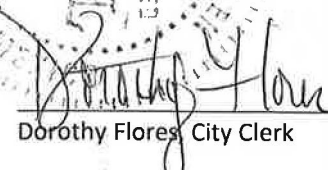
(i) All appeals of final Board decisions or review of recommended decisions will be decided by the Governing Body only after a de novo hearing in which any aggrieved party may appear. An aggrieved party does not have to appear before the Board to participate in the Governing Body's de novo hearing.

2.44.070 Planning board procedures.

- A. The Planning and Zoning Board shall elect from its members a Chair and a Vice-Chair for one-year terms. Officers may be re-elected for an indefinite number of years.
- B. The Planning and Zoning Board shall adopt and publish the rules, regulations and procedures for the conduct of business. A quorum shall be a majority of the membership of the Planning and Zoning Board.
- C. The Planning and Zoning Board shall hold regularly scheduled meetings at least once a month. All meetings of the planning and zoning board must conform to the Open Meetings Act NMSA 1978, §§ 10—15.
- D. A public record shall be kept of all actions and considerations undertaken by the Planning and Zoning Board. The records shall be filed with the City Clerk and kept available for public inspection, in accordance with the Inspection of Public Records Act NMSA 1978, Chapter 14, Article 2, in the City Clerk's office during normal office hours.

PASS, APPROVED, AND ADOPTED this 3rd day of Jan 2023


Robert Noblin, Mayor



Dorothy Flores, City Clerk