

MINUTES
ZONING CODE UPDATE FOCUS GROUP
TUESDAY, AUGUST 8, 2023

The Zoning Code Update Focus Group met on Tuesday, July 18, 2023, at 5:30 PM in the Village Council Chambers. Those present were Erin Callahan (Village of Los Lunas), Alex Ochoa (Village of Los Lunas), Sonia Walker (Village of Los Lunas), Jackie Fishman (Consensus Planning), Jonathan Turner (Consensus Planning), Giovanna Archuleta (Focus Group member), Ambros Chavez (Focus Group member), Josh Johnson (Focus Group member), and Andy Gomez (member of the public).

Item 1: Review Code Workshop outcomes

A. Ochoa began the meeting as Consensus Planning was late due to the presidential visit traffic. E. Callahan gave an update on the workshop presentation that was given to the Planning & Zoning Commission. E. Callahan mentioned the commission discussed regulations regarding the clustering of regulated uses and accessory dwelling units. A. Gomez noted that his takeaway was surprise at how deficient and outdated the code is.

Item 2: Questions or clarifications from the previous meeting on July 17, 2023

A. Ochoa provided the participants with maps and spreadsheet breakdowns of percentages and acreage for the land use, zoning, and future land uses in the Village. J. Fishman stated that commercial use percentages are low compared to other communities she has seen in the state. She stated the vacant percentage is not doing bad compared to others.

J. Fishman provided an opportunity for follow-up questions from the last meeting. A. Chavez noted that the Quality-of-Life survey was interesting because some of the participants were not from the Village, and he was not aware of when it was done. J. Fishman stated the link on the website is for an early presentation of the study and not the final report they had completed.

Item 3: Discussion on Zone Code: *Article IV. Supplementary Standards for Specific Uses*

J. Fishman provided an organized list of the supplementary standards that require specific uses and explained the different elements of the list.

The first topic was a group home. J. Fishman defined a group home as a use that houses a protected class that includes various groups. Typically, you can have six unrelated people in a home. A. Chavez asked if we have anything now to accommodate this type of use. E. Callahan stated that there are group homes but there are no current regulations for them. One reason is that our code does not define if families are related or not. J. Fishman stated there are other considerations, such as employees and where they park. J. Fishman has not seen a lot of codes that provide extra regulations for group homes, but some give distance requirements. G. Archuleta asked about the difference between a group home and the other similar categories defined in the code. J. Fishman stated the definitions are group homes but are antiquated definitions that need to be fixed. The definitions read by G. Archuleta also highlighted where there is a definition but not a connected regulation. A. Chavez stated that it would only be an issue if they had to register with the state or city. S. Walker asked how it would be regulated

if they did not have to register with the Village, for example, the state-run group homes. J. Turner stated the current definition of family is very broad. He stated that typically the definition of family has the number of five. J. Fishman stated that number came from the Supreme Court. J. Turner stated that many companies that run half-way homes look for areas that do not define families as blood-related or by marriage to fit them into the code. E. Callahan stated that group homes do not have to be licensed by the state. J. Fishman stated that would go back to requiring the group homes to register. A. Chavez stated he thinks group homes need to be regulated and a number limit on what is defined as a group home. The regulation should regulate the number of people in the home and not anything that would treat them differently.

E. Callahan asked for a spreadsheet to present the various proposed changes because there may be many minor updates mixed in with the major changes. J. Fishman stated they can create a spreadsheet but that there are so many they may not be able to numerate all of them. E. Callahan stated even a word document with track changes would be helpful.

J. Fishman moved to overnight shelters and asked if it should be added and if there should be special regulations. G. Archuleta stated she thinks it is something that must be added because it will be a need in the future. A. Chavez asked in which zone it would be allowed. J. Fishman stated that is what needs to be looked at. J. Fishman suggested that it should have extra review, such as a conditional use. E. Callahan asked for examples of what it would look like because the Village is unfamiliar with the standards, but that there is a concern regarding the unhoused within the Village. A. Chavez stated that with this type of facility, it encourages more. He stated there are various concerns and something needs to be done. E. Callahan stated there are a couple of overnight shelters in the Village currently and went over how the current code would review a proposed overnight shelter. Currently, there are no specific standards and because all uses must be allowed, it would be up to the Community Development Director to determine which zone would best fit the use. There are no other provisions for added review or regulations. It was decided this item should be reviewed by the consultants as a possible addition to the code.

E. Callahan asked about the existing supplementary uses and if they need review. J. Fishman stated that there is a need to review them. Cluster subdivisions were discussed. There was discussion about who owns; and maintains the open space. E. Callahan stated that there is not any current model in the Village for shared ownership outside of an HOA. J. Fishman that that there would be a requirement for an HOA.

J. Fishman moved to commercial uses. The first topic was adult entertainment and retail. E. Callahan explained how this use is currently regulated between the zone code and in the business registration code. J. Fishman's suggested it not be permissive in C-1, but perhaps in a more intense zone. She discussed proposed zones that would allow for more intensive uses. J. Fishman asked for suggestions of zones. A. Chavez stated M-1, which is the most intensive use currently. A. Ochoa stated that there is also discussion of separating the industrial areas into various intensive uses. A. Chavez also suggested a separation requirement. E. Callahan also asked for a definition of adult establishment and retail.

J. Fishman moved to bars and nightclubs. The discussion was about definitions and liquor license types.

J. Fishman moved to carwashes. Entrances and exits were a concern. Conservation of water was another concern. E. Callahan explained the water budget review required by the Village for the use. Cueing was a suggestion for regulations on Main Street. J. Fishman gave examples of requirements that could be included. S. Walker stated there would be a concern along Highway 314 as well, not just Main Street. E. Callahan stated that there could potentially be a buffer requirement for the use. There was a discussion about distances or screening used as a buffer. Height allowance was discussed. S. Walker stated that the C-1 currently allows for 45 ft height. A. Chavez suggested lowering the height allowance in the C-1 zone.

J. Fishman moved to drive-through facilities. There was a discussion about stacking requirements and approvals. J. Johnson asked about regulations regarding lighted signs.

J. Fishman moved to mobile food truck court. J. Fishman explained the sound issue due to generators. G. Archuleta asked about lighting for safety reasons and music for noise concerns.

J. Fishman moved to self-storage facilities. A. Ochoa asked about caretaker's units onsite for storage facilities. J. Fishman stated the traditional storage facilities typically do have caretaker's units. There was a discussion about the different types of caretakers units and potential for temporary conditional uses. The discussion was both for commercial, residential, and medical caretakers. A. Ochoa asked about potential for cumulative uses in certain zones. A. Chavez stated that in some types of commercial you need some type of living quarters and that needs to be evaluated. There was a discussion about mobile homes and caretaker structures on permanent foundations.

Item 4: Next Steps

- Next Focus Group Meeting – Tuesday, September 5, 2023.

It was 7:36 PM and the discussion about the supplementary uses ended. It was decided the consultants would provide some information about the remaining items and request feedback through email.

Item 5: Adjourn

The meeting was adjourned at 7:39 pm.