

WEDNESDAY, MAY 3 - continued

2:30 - 3:45 PM

SPECIAL USES, CONDITIONAL USES & VARIANCES - *continued*

CASE PRESENTATIONS:

Special Temporary Use Permits

- Purpose
- Procedures for Filing
 - Application
 - Required Information
- Waiver
- Initiation of Request for Extension of Time
- Time of Hearing and Public Notice
- Public Hearing
- Appeals to Actions Taken
- Termination of Permit
- Completion of Temporary Use

Conditional Use Permit

- Limitations and Grounds for Conditional Use Permits
 - Authority to Grant
 - Grounds for Requesting and Granting
- Time of Hearing; Public Notice
- Public Hearing
- Presentation to Commission
- Appeals

Variance

- Meeting Limitations and Grounds for Variance
- Proving Hardship, Where the burden of proof lies.
- Time of Hearing; Public Notice
- Public Hearing
- Presentation to Commission
- Appeals

Speaker: **Clyde “C.B.” Strain, CZO, Planning Director – City of Gallup**

3:45 - 4:00 PM

BREAK & NETWORKING

4:00 - 5:00 PM

GETTIN’ OVERLAYED! ... FUN WITH OVERLAY ZONES

- What is an Overlay Zone?
- Uses of Overlay Zones.
- How to do an Overlay Zone.
- Basic Content.
- Examples in the City of Las Cruces

Speaker: **Adam Ochoa, CZO, Planner
City of Las Cruces**

5:15 - 8:00 PM

SOCIAL – Dinner & Musical Entertainment by “StaarFish”

THURSDAY, MAY 4

7:30 AM

REGISTRATION

8:30 AM - 12:00 PM

MORNING GENERAL SESSION

Presiding:

*Loretta Hatch, CZO, CFM, President-Elect, NMLZO
P & Z Administrator/Flood Plain Manager – Village of Bosque Farms*

8:30 AM - 12:00 PM

**LAND USE OFFICIALS TRAINING – Plenary Session
(For Elected & Appointed Officials, Judges, Planning & Zoning
Commissioners & interested Land Use Employees)**

INTRODUCTION

- A. Citizen Participation
- B. Commission Member Responsibilities

SERVING ON THE COMMISSION

- A. Membership on a Commission
- B. Commission Organization

COMMISSION MEMBER’S CODE OF CONDUCT

“Do The Right Thing”: Everyday Ethics For Commissioners

Speaker:

Randy Van Vleck, General Counsel - NM Municipal League

10:00 - 10:15 AM

BREAK & NETWORKING

COORDINATION WITH GOVERNING BODY, STAFF AND OTHERS

- A. Coordination with Governing Body
 - Relationship to Governing Body
 - Communications from the Governing Body
 - Communications to the Governing Body
 - Completed Commission Work
 - Governing Body Meetings and Agendas
- B. Coordination with Staff
 - Duties of Assigned Staff
 - The Relationship between Assigned Staff and the Commission
- C. Relations with Other Commissions, Outside Agencies and the General Public
 - Other Commissions
 - Outside Agencies
 - General Public
 - Individual Commissioners
 - Press and Other Media
 - The Proper Meeting Conduct
- D. Analytical Problem Solving

Speakers:

*Brennon Williams, CZO, Associate Director
Planning Department – City of Albuquerque*

*Juanita Garcia, CZO, Assistant Director
Planning & Development Services – Bernalillo County*

THURSDAY, MAY 4 – continued

8:30 AM - 12:00 PM **LAND USE OFFICIALS TRAINING - continued**

COMMISSION RULES OF PROCEDURE

- A. General Provisions
- B. Procedures
- C. Rules of Order

Speaker: **Randy Van Vleck, General Counsel - NM Municipal League**

8:30 AM - 12:00 PM **(3) BREAK-OUT SESSIONS (For Land Use Employees)**

8:30 - 9:30 AM

I. ZONING BASICS: DON'T FORGET EVERYTHING YOU NEED TO KNOW

- Historical Significance of Land Development Standards
- Understanding Your Authority
- Common Components to All Zoning Regulations
- Essential Information for Reviews and Investigations
- Producing Effective Written Notices

Speaker: **Brennon Williams, CZO, Associate Director
Planning Department – City of Albuquerque**

9:30 - 9:45 AM

BREAK & NETWORKING

9:45 – 10:45 AM

II. ORDINANCE AND POLICY DRAFTING; HOW TO AVOID MAKING A PROBLEM WORSE

- I. Preparation is more Important than Drafting
 - A. Learn your current Ordinance structure and make sure you know what has to be changed and repealed.
 - B. Talk to experts; Municipal League, your lawyer, and planner
 - C. Do not reinvent the wheel if you can help it.
 - D. Do not create a new Ordinance if you can enforce what you have.
- II. Drafting is like washing your dog in a mud slide
 - A. It is hard to create a clean Ordinance.
 - B. Define important concepts and make sure they are used consistently.
 - C. Keep your hierarchy of governance in mind.
- III. KISS
- IV. Amortize? Grandfather?
- V. Do the Process Right.

Speaker: **Randy Autio, Esq., Of Counsel, Robles, Rael & Anaya**

10:45 - 11:00 AM

BREAK & NETWORKING

THURSDAY, MAY 4 – continued

8:30 AM - 12:00 PM **BREAK-OUT SESSIONS (For Land Use Employees) - continued**

11:00 AM – 12:00 PM **III. THE ROADS LESS TAKEN: CREATIVE CHOICE OF FORUMS FOR ENFORCING LAND USE AND ZONING REGULATIONS**

- Learn how to choose between criminal and civil enforcement of zoning laws, and when to do both at the same time.
- The difference between metro/magistrate courts and district courts with an eye toward the advantages and disadvantages of both.
- Unique remedies that you may not know were possible.
- The ins and outs of court authorized liens.
- The advantages of a civil nuisance suit.
- Building a record for a civil nuisance suit through the criminal courts.
- Injunctive actions – how to plead them and how to win them.
- Permanent Injunctive Orders – the right to forever clean and lien.

Speaker: *John E. Dubois, Assistant City Attorney, City of Albuquerque*

12:00 - 1:00 PM **LUNCHEON/AWARDS CEREMONY**

Presiding: *Michael Garcia, CZO, CFM, President, NMLZO*

1:15 - 5:00 PM **AFTERNOON GENERAL SESSION**

Presiding: *Clyde “C.B.” Strain, CZO, Immediate Past President, NMLZO
Planning Director – City of Gallup*

1:15 - 5:00 PM **LAND USE OFFICIALS TRAINING (All Attendees) - continued**

COMPLYING WITH BATTERSHELL

- A. Battershell v. City of Albuquerque 108 N.M. 658, 777 p.2d 386 – Due Process Requirements
- B. Swearing of Witnesses
- C. Cross Examination
- D. Ex Parte Communications
- E. Sample Provisions
 - a. Testimony Under Oath
 - b. Manner of Presentations to the Commission
 - i. Applicants
 - ii. Opponents
 - iii. Members of the Public
 - iv. Evidence

FINDINGS OF FACT AND CONCLUSIONS OF LAW

- A. The Requirement that the Order Be In Writing
- B. The Requirements of Findings of Fact and Conclusions of Law
- C. Preparation of Findings of Fact and Conclusions of Law
- D. Adoption of Findings of Fact and Conclusions of Law
- E. Filing the Decision of the Commission
- F. Service of the Decision

OPEN MEETINGS ACT/INSPECTION OF PUBLIC RECORDS

Speaker: *Randy Van Vleck, General Counsel - NM Municipal League*

THURSDAY, MAY 4 – continued

3:00 - 3:15 PM

BREAK & NETWORKING

∞ EVENING FREE ∞

FRIDAY, MAY 5

9:00 - 11:30 AM

MORNING GENERAL SESSION

*Presiding: Stella Rael, CZO, Vice President, NMLZO
Planning & Zoning Administrator – City of Alamogordo*

9:00 - 11:30 AM

TEST YOUR KNOWLEDGE WITH JEOPARDY

*Facilitators: Brennon Williams, CZO, Associate Director
Planning Department – City of Albuquerque

Randy Van Vleck, General Counsel - NM Municipal League*

10:15 - 10:30 AM

BREAK & NETWORKING

11:30 AM - 12:00 PM

BUSINESS MEETING

Presiding: Michael Garcia, CZO, CFM, President, NMLZO

12:00 PM

**DISTRIBUTION OF ATTENDANCE CERTIFICATES
& ADJOURNMENT**

URGENT: To obtain credit/points toward certification, attendance at all sessions is required and will be monitored. Points for any missed sessions will need to be made up.

