

# Paradise Hills Special Zoning District Commission

## Meeting Minutes | February 22, 2024

(Meeting held over Zoom)

### Commissioners:

Elizabeth Haley, Chair  
Kimberley Fleck  
Pete Reser

Commissioners Cardenas and Vaughn are absent.

### Public Participants:

Tammy Montoya, resident (10420 Trevino Loop)  
Veronica Esparza, resident (10024 Fairfax)  
Melissa Walton, resident (10308 Jarmel)

1. Call to Order, Roll Call by the Commissioners to establish a Quorum.
  - a. The meeting was called to order at 6:32 PM. Roll call was taken, and a quorum was established except for cases in which Commissioner Haley is recused.
2. Vote by the Commissioners present to approve the agenda.
  - a. The agenda was approved.
3. Public Comments
  - a. Tammy Montoya (10420 Trevino Loop)
    - i. Concerned that neighbor has rooster that crows starting at 3:30 AM and going until about 4PM every day. She has talked to the resident of the house (Elbert Lee Hogg, 10101 Park Lane) in the past and they got rid of the rooster at that time. Since then, another rooster has appeared, and the problem has started again.
    - ii. There are also chickens (4 or 5) and a couple of geese.
    - iii. Commissioner Haley informed that the current ordinance only allows for "domestic" animals, such as dogs and cats. Bernalillo County DOES allow for that, but PHSZD does not which can present a problem because we do not have an enforcement officer and the enforcement of this ordinance would fall to PHSZD and not Bernalillo County.

- iv. In addition, our current ordinance does not clearly define “domestic animal”, which further complicates this. We are updating the nuisance part of the ordinance with the intent of publishing the changes within the next 30 days.
  - v. Commissioner Haley asked Ms. Montoya to fill out a complaint form, but she already had. She will send another one.
  - vi. The Commission will review the complaint and discuss next steps which would probably include a “Dear Neighbor” letter to ask that the rooster is removed and a site visit to examine the area.
- b. Melissa Walton (10308 Jarmel)
- i. Ms. Walton is here asking for an update on her complaint regarding her neighbor feeding the crows. Her neighbor (Leslie Rail, 10312 Jarmel) is laying out a lot of food (gallons/buckets) every morning (including human food such as popcorn, peanuts, and cashews) for the birds. She is using a birdbath in her front yard for this purpose and other feeders as well (locations not specified). As a result, Ms. Walton believes that the birds’ fecal matter within her yard is making her, her family, and her dogs ill.
  - ii. This has been going on for three or four years.
  - iii. The crows come in around 7AM and are in the area until 2 or 3PM. Ms. Walton works from home and can hear the crows making a lot of noise throughout the day.
  - iv. Commissioner Haley did a site visit on Monday, and she did see 30 or 40 crows coming in and out.
  - v. Ms. Walton is not the only neighbor with this complaint, though no other residents in that area have provided a complaint currently.
  - vi. Commissioner Haley asked for Commissioner Reser’s opinion as he used to work with the park service. He agreed that it is a potential health issue and that there are regulations for feeding the wildlife.
  - vii. Commissioner Haley recommended we could post some guidelines on the PHSZD website around feeding the wildlife.
- c. Veronica Esparza (10024 Fairfax)
- i. Ms. Esparza was told that she needed to amend her application and is here to ask what she needs to do.
  - ii. Commissioner Haley indicated that she should use the application form on the PHSZD website and upload the files there.
  - iii. Ms. Esparza said she emailed all of the Commissioners with the additional documentation and Commissioner Haley reiterated that using the application form is the best way generally to get those items submitted but that she could also email the general [contact@paradisehillsspecialzoning.org](mailto:contact@paradisehillsspecialzoning.org) address, as well
  - iv. Commissioner Fleck offered to forward Ms. Esparza’s documentation to the [contact@paradisehillsspecialzoning.org](mailto:contact@paradisehillsspecialzoning.org) address and then did so.

- v. Commissioner Haley said that the commission will review and if the project is conforming, a permit will be issued. If not, we will let her know what is needed.
- 4. Announcements and proposed New Business on the following published Agenda.
  - a. Update on LNG plant
    - i. The hearing examiner for the PRC suggested to the PRC that they do not approve the application.
    - ii. WSCONA along with 14 local representatives and 500 signatures from nearby residents were impactful to this decision.
- 5. Vote to approve any completed Minutes.
  - a. No Minutes to approve. Commissioner Haley will provide Commissioner Fleck with recordings of some of the last meetings for transcription.
- 6. Commissioner Haley will report on new and continuing 2024 expenses.
  - a. No report.
- 7. Report on PHSZD zoning permit applications in the 2023 backlog—the percentage of non-conforming, incomplete applications and the number of manual corrections.
  - a. No report.
- 8. Review of posted ordinance revisions as of Thursday, February 22, 2024.
  - a. No review. See next section.
- 9. Preliminary Review of the New and Revised Ordinance
  - a. Modeling our ordinance off of Los Alamos ordinance.
    - i. Development (for building, additions)
    - ii. Enforcement (nuisance issues)
    - iii. Policy and Procedures (admin)
  - b. Reviewed some draft ordinances:
    - i. Exterior property areas
      - 1. Garbage
      - 2. Outdoor storage
      - 3. Rodent harborage

- 4. Car ports
  - ii. Accessory structures
  - iii. Inoperable vehicles
  - iv. Pools and hot tubs
  - v. Definitions

- c. Discussion about being able to afford hiring permitting and enforcement officers.
- d. Commissioner Haley will send a preliminary draft to us for review and markup.

#### 10. Current Verified Complaints (Reports)

- a. Thomas House (10240 Belnap), hoarding situation.
- b. Rescheduled site visit with Bernalillo County for March 1.

#### 11. Assignments and Calendar for Enforcement

- a. No discussion.

#### 12. Adjourn to the next scheduled meeting.

- a. The meeting was adjourned at 8:18 PM.

Transcribed from recorded meeting on 4.10.2024.  
by Kimberley Fleck, Secretary

Approved on 4.16.2024.