



Approved 4-0
March 28, 2017

VALENCIA COUNTY PLANNING & ZONING COMMISSION

Tuesday February 07, 2017@ 3:00 pm

SPECIAL MEETING

M-I-N-U-T-E-S

Valencia County Administration Building

County Commission Chambers

444 Luna Ave, Los Lunas, NM 87031

PRESENT	ABSENT
Michael McCartney, Chairman	Steven R. Otero, Member
LeRoy Baca, Vice-Chair	
Frank A. Gurule, Member	
Sue Moran, Member	
James M. Aranda, Community Development Director	
Lina Benavidez, Public Works Director	

1) Call the meeting to order

Chairman McCartney

2) Pledge of Allegiance

Commissioner Frank A. Gurule

3) Approval of Agenda

Motion to approve by Commissioner Moran

Seconded by Commissioner Baca

Approved 4-0

4) Approval of Minutes January 24, 2017

Motion to approve by Commissioner Baca

Seconded by Commissioner Gurule

Approved 4-0

5) Swearing in of participants

Chairman McCartney

6) Action Item(s)

A) Request for Conditional Use within a C-2 (Community Commercial) Zone

Application: CU #2016485

Applicant: Carlos Carrasco

Location: 17-A El Cerro Road, Los Lunas, NM 87031

Purpose: Requesting to operate an indoor baseball/softball training facility and batting cages.



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Legal Description: T7N, R2E, Section 26, Map 72; N.M.P.M.; Subdivision: Bobson's Unit D, Inc.; Tract:1; 1.03 AC; B-5-26; 2000 Rev.; Zoned C-2; Filed in Plat Book J, Plat Number 278 of the office of the Valencia County Clerk; Also known as 17-A El Cerro Road, Los Lunas, NM. 87031

This property is located approximately 0.20 miles south of Main Street on El Cerro Road

This property falls within District V

County Commissioner Jhonathan Aragon ♦ P&Z Commissioner Michael McCartney

Chairman McCartney: Mr. Carrasco please step to the podium and sign in and state your name for the record.

Mr. Carrasco: My name is Carlos Carrasco and I am asking for a conditional use on a C-2 zoned property to open up an indoor baseball/softball training facility. It has been a dream of mine since I took over the baseball program at Valencia High school and I felt we needed a place here in the county for our youth to come and train for baseball and softball. The only place to go now is to Albuquerque and that is the main reason behind me trying to open up an indoor facility here in Valencia County.

Commissioner Gurule: If approved, when are you be able to start the operation Mr. Carrasco?

Mr. Carrasco: Hopefully as soon as this weekend.

Commissioner Gurule: And how many people might be able to use this facility?

Mr. Carrasco: My estimate is over one hundred participants. Obviously it will be open to the public. I cannot honestly tell you a closer number. We would like to think between Belen High School, Los Lunas High School, Valencia High School, YUCCA Little League, Enchantment Little League, Belen Little League as well as the other teams that are being put together in the county we are looking at about close to two hundred and fifty to three hundred kids.

Chairman McCartney: That would be staggered times Mr. Carrasco?

Mr. Carrasco: Yes. There would be appointments for the teams if they want to come in as a team to hit at the facility and also it will be open to its members. There will be a membership type like a gym where you pay a monthly fee and you come in and use the facility for as much as you like and as long as you like. There will be times when customers can make an appointment so the cage and pitching machine is reserved for them.

Chairman McCartney: And what exists in your facility as we speak right now?

Mr. Carrasco: It is just an open warehouse.



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81 **Chairman McCartney:** So everything will be inside?

82
83 **Mr. Carrasco:** Correct. There will be nothing outside.

84
85 **Chairman McCartney:** You will have netting and everything?

86
87 **Mr. Carrasco:** Yes sir. There will be three tunnels inside the building which is completely
88 enclosed. Everything will be done inside. There will not be any type of training done outside
89 the building.

90
91 **Chairman McCartney:** Away from the high schools, you talk about the other little leagues.
92 You know the parents of these kids already pay a lot of money between cleats and equipment
93 and fees. Are you going to be able to work with these kids?

94
95 **Mr. Carrasco:** Absolutely. My goal is not to make this a um...this is not going to be my
96 career or the way I make a living. I am a teacher and I am a baseball coach at Valencia High
97 School. That is my job. That is my career choice. This is just a building that, obviously, I
98 have to pay the bills on it, but it is not to make money necessarily. It is not my main goal. In
99 speaking with some of the high school coaches they all recommend that you just leave the
100 baseballs and let the kids hit with the baseball. They figure it is better development for the
101 softball players to hit and actual smaller ball off the pitching machine. But we will have
102 buckets of softballs.

103
104 **Chairman McCartney:** Will it come from an underneath direction? I pitched for thirty
105 years.

106
107 **Mr. Carrasco:** Yes sir. The pitching machine I have is an Iron Mike. It is an arm that goes
108 over the top. Right now we don't have a softball pitching machine in the works.

109
110 **Chairman McCartney:** You might think about it in a year or so. I understand you use a
111 smaller ball but it's all in the motion. The ball moves different when you are throwing a live
112 ball. They don't throw that in hard ball. I think this is something we definitely need in
113 Valencia County to help the kids, the adults and the high schoolers. I would like to
114 compliment you on having the idea.

115
116 **Mr. Carrasco:** Thank you very much sir I appreciate that.

117
118 **Commissioner Baca:** It states that the owner says that you have water, that you have septic,
119 you have everything. Do you have public facilities there for the kids and everything?

120
121 **Mr. Carrasco:** Correct. The building has two restrooms for the public. Water, septic
122 electricity and all services are up and running and up to code.

123
124 **Chairman McCartney:** Are you going to have any help?



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Mr. Carrasco: Yes sir. Obviously I am expecting this to be a successful business. I also plan on using this facility to provide teen-agers with summer jobs and giving them an opportunity to make some money for them. Especially since the players schedules are so tight because we make them practice a lot and they have school and stuff like that. So a couple of hours here and there just for them to make a little money to stay out of trouble.

Commissioner Moran: Do you have a business license already?

Mr. Carrasco: I think I need to be approved before I can apply for it.

Commissioner Moran: Could he start as soon as this weekend if he got approved and moved around to getting a business license? And are you incorporated?

Mr. Carrasco: No. I have applied as a sole proprietorship and have my federal number as a sole proprietorship business.

Commissioner Moran: So you do you have to have that in order to get a business license or you don't have to have a business...?

Ms. Maes: Contingent upon the commission, he can apply for and if so issue the business registration. However there is a fifteen appeal process should anyone want to appeal the commission decision. However in light of the fact that we don't see anybody here it's up to the commission if they want to make the approval of the business license contingent upon those fifteen days I believe.

Commissioner Moran: So it doesn't matter if he has his paperwork filed with the state for any business...

Ms. Maes: No ma'am. As long as he has his New Mexico Tax ID number...and he has provided all the other necessary information to our office for that then we have everything we need and can make the decision on that.

Commissioner Gurule: Mr. Carrasco do you have adequate parking over there?

Mr. Carrasco: Yes sir there is. I don't know the best way to explain it but if you have a map or layout you can see there is parking in the front and on the side of the building. We don't expect to have the traffic through my business...we don't expect to have more than six an hour because we have three tunnels and that means that the amount of time that they can spend in the cage maximum is thirty minutes just to allow somebody else to come in so that leaves about six people per hour if we are filled up.

Commissioner Gurule: And you're required to have commercial liability insurance as well correct?

Mr. Carrasco: Yes sir and I do plan on having that.



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Chairman McCartney: Since you teach and coach baseball what are your hours of operation?

Mr. Carrasco: Monday through Friday it will be 4 pm to 10 pm. In the summer the hours will be from 11 am to 9 pm.

Chairman McCartney: You have baseball coming up here don't you?

Mr. Carrasco: Yes sir it already started last week. I will be at practice until 6 pm and my wife is going to be helping me in opening the building at 4pm.

Chairman McCartney: You're going to have some long days.

Mr. Carrasco: Absolutely.

Chairman McCartney: It is nice to see that you care about the kids.

Mr. Carrasco: And that is truly my biggest passion. Baseball and helping-if you know anything about the Valencia High School program, I pride myself in giving kids the opportunity to play college baseball. There hasn't been a school in this county that sent more kids to college baseball than Valencia High School. We are up to nine kids and this is my ninth year there. Playing college baseball is such a great opportunity and I feel that this facility will help develop younger kids sooner and help more kids regardless of what school they go to, to play college baseball. This county is actually filled with baseball talent and most important baseball tradition I have heard a lot of stuff, especially about Los Lunas High school-that is where I graduated from-but even before then the history of baseball in this county is really remarkable and I hope to bring that back to this county. As much as I love football, I think baseball is rich here.

Commissioner Gurule: Two years ago the girls won the state championship didn't they?

Mr. Carrasco: Yes and it is the only state championship that has come out of this county in terms of...

Commissioner Gurule: Softball.

Mr. Carrasco: Yep our softball team. Coach Young has been helping me.

Mrs. Benavidez: Chairman if you don't mind before you proceed, if you don't mind me asking the question regarding the DOT permit we got today. We did get the driveway permit today. And I don't know if it is you or the owner of the property that will do the improvements.

Mr. Carrasco: Yes, Mr. Becker is here and he actually has done the improvements on the driveway. I just drove by it now and he has the fence.



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216 **Mrs. Benavidez:** Is DOT scheduled to inspect it?

218 **Chairman McCartney:** Mr. Anderson please step up to the podium.

220 **Mrs. Benavidez:** Will NMDOT...has that inspection already been completed or is it still in
221 the works?

223 **Mr. Anderson:** I just actually received the permit a couple of days ago and I put up the fence
224 and still have to put in some striping and then schedule the final walk through inspection with
225 DOT.

227 **Mrs. Benavidez:** Ok I just request a copy of it. Have DOT forward it to Kerrie for the file.

229 **Mr. Anderson:** I have to get it re-surveyed and re-platted showing that the driveway
230 easement has been added on to the official record. I was given six months to get it all done.

232 **Mrs. Benavidez:** Just note that if he ceases to exist at this office or facility a new driveway
233 permit will have to be re-issued to whoever comes in and gets a new business license. So the
234 driveway permit you are obtaining now is just for the batting cage business. So let's say he
235 decides to move and no longer do business there and you get a new tenant that comes in, they
236 will need to go to DOT to get a driveway permit.

238 **Mr. Anderson:** The driveway permit is actually shared between 17 and 19 and my
239 understanding was that we had to get the permit just in case one of the buildings was sold
240 that the driveway would remain part of the public record indefinitely.

242 **Mrs. Benavidez:** It shouldn't because right here it says that should the land use change or
243 ownership of the property change the access permit is no longer valid. That is the first bullet
244 on your DOT letter. And that is typical. It doesn't pertain just to your property. That is
245 typical with any driveway permit that we deal with from NMDOT.

247 **Commissioner Moran:** Even though it is permitted for the adjoining one, if one goes then
248 both of them would be no good?

250 **Mrs. Benavidez:** So the new business would have to get the driveway permit again for both
251 the existing business and the new business.

253 **Mr. Anderson:** It is just a matter of paperwork and submitting it to DOT. It wasn't that big
254 of a deal.

256 **Mrs. Benavidez:** And especially with the improvements that they are going to have you do I
257 don't foresee them continuing improvements.

259 **Commissioner Baca:** This a lease for just six months?

260 **Mr. Carrasco:** Yes.



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Mr. Anderson: It has three renewal options. We do anticipate it going a lot longer than that.

Chairman McCartney: Mr. Anderson and Mr. Carrasco will you step back for a moment please. Is there anybody in opposition to this request? (There were none). Is there anybody in favor of this request? (There were none). Are there any additional questions of Mr. Carrasco or Mr. Anderson? I cannot make a motion even though is in my district.

Commissioner Baca: I move that we approve the Condition Use in a C-2 for a baseball and softball complex there.

Chairman McCartney: Commissioner Baca would you like that for the maximum of two years or one year?

Commissioner Baca: I think it has to be probably for a year because they have the option right?

Chairman McCartney: You can go two years if you want.

Commissioner Baca: What do you guys want? Two years?

Mr. Carrasco: Yes please.

Commissioner Baca: Ok we will make it then for two years.

Chairman McCartney: Commissioner Baca made a motion to approve their conditional use for the maximum allowable for two years. Do I have a second?

Commissioner Moran: I will second.

Chairman McCartney: Lina please call for the vote.

Roll Call Vote:

Commissioner Gurule	Yes
Commissioner McCartney	Yes
Commissioner Baca	Yes
Commissioner Moran	Yes

Motion passed 4-0

Chairman McCartney: The motion has been approved. Let me ask you this. The item came up in regards, Kerrie, to the waiver for getting a business license. Can we rule on that?

Mr. Aranda: According to Section 154.062 (B) (1) there is the fifteen day period within which an appeal can be filed to the County Commission. It has always been practice and is a



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little more prudent to at least wait out that period so you don't jump the gun and start getting things done and then have an appeal and then halt in the middle. I know it is an inconvenience to have to wait that time but it may make sense to allow that period to pass.

Chairman McCartney: James is right. Are you okay with that Mr. Carrasco.

Mr. Carrasco: I am okay with it but I ask that you consider waiving it just for the fact that the season has begun and it will put me back even further because I can't start.

Chairman McCartney: (Could not understand first few words) opposition and Mr. Aranda. I think that what you explained is absolutely correct, but can he continue to make improvements?

Mr. Carrasco: Hasn't it been longer than fifteen days since the original hearing was scheduled?

Mr. Aranda: Technically a decision was not rendered sir. So that is the only reason. I understand.

Chairman McCartney: We don't want to jeopardize the future of your endeavor.

Mr. Carrasco: The six month trial that I am trying to see whether this business is going to succeed is now in the peak of the baseball season.

Chairman McCartney: I sympathize with you, but with all due respect Carlos and the nature of this environment now all you need is one person to find out you didn't follow the rules and it will throw a bolt in your whole endeavor and it will all be for not. I understand the inconvenience and we wish you nothing but the best. I feel Mr. Aranda is correct-follow the rules as they are written then you have nobody to question you. I don't think you will have any opposition or any appeal. I was just trying to help out but Mr. Aranda is exactly correct. He has been here, done that and you never know whenever somebody steps out of the blue.

Mr. Carrasco: No doubt.

Chairman McCartney: And then it gets appealed to the County Commission and then you have more months before you can start. This way, we are talking two weeks and a day and you are ready to rock.

Mr. Carrasco: Not to do an about face but is there any kind of accommodation we do such as at least begin processing the business license. That way the minute the fifteen days are up we can then grant an approval?

Chairman McCartney: Yes we can do that.



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Mr. Carrasco: Thank you.

B) Request for Zone Change from RR-2 (Rural Residential-2) to C-1 (Neighborhood Commercial)

Application: ZC #2017003
Applicant: Thomas Dollahite
Location: 2105 Highway 314 NW, Los Lunas, NM 87031
Purpose: Requesting zone change to allow for the operation of a coffee shop along with existing produce stand.

Legal Description: T7N, R2E, Section 16, Map 68; N.M.P.M.; Lands of George & Pansy Mae Sichler; Tract A1A1A; 2.40 Acres; 2012 Rev.; Zoned RR-2; Filed in Plat Book M, Plat Number 199 of the office of the Valencia County Clerk; Also known as 2105 Highway 314 NW, Los Lunas, NM 87031

This property is located approximately 1.64 miles North of Main Street on Highway 314 NW

This property falls within District I

County Commissioner Helen Y. Cole ♦ P&Z Commissioner Frank A. Gurule

Chairman McCartney: Please sign in and state your name for the record please.

Mr. Dollahite: Thomas James Dollahite.

Chairman McCartney: Just go ahead and explain basically what is entailed.

Mr. Dollahite: The desire is to have a coffee shop that would be part of our existing produce stand. My grandfather sold produce there for long periods of time and he passed away a few years ago and I have been selling produce there for a while. We raise organic cattle, eggs, etc. We thought about a cute little farmers market and you see people having their coffee and these sorts of things and we thought this might be a nice thing to accompany and dove tail off of them and maybe somebody will come for pastry and buy some produce or somebody will come for produce and buy some coffee. That is the desire to have that there. And the reason to do it in the country rather than a space down here on Main Street is a desire to connect the buyer with the farm. So as they are having their coffee they look out and say "There is beef". That is the desire to put the two together on the farm so the customer can see the product.

Commissioner Baca: This has been in existence for a long time right? All you are going to do is just add more to it right?

Mr. Dollahite: The produce stand itself has been around since about the fifties. This is the end of that building and we have been working for quite a while actually on the building we understood that we were able to start on. We have done a lot of work on the building on the end. We haven't changed the thumbprint or fingerprint of that building but yes it is within that existing structure.

Commissioner Gurule: Are you able to tie into the Village water or sewer system?



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Mr. Dollahite: Yes it would be water and sewer with the Village. We have water already to hook up. The sewer-we are still waiting for the State to give approval because it's next to Highway 314.

Commissioner Gurule: Are you going to seat that many people in there? How many people can fit in there? Twelve people?

Mr. Dollahite: It is very small because as I went through each of these steps the coffee shop area has had to increase to meet certain requirements so there is probably twelve to fifteen seats. There were originally eleven parking spaces but in just meeting with the State and the way they will have to come I have had to remove four of those. We are actually only going to have seven parking spaces at this point in time.

Commissioner Gurule: What are your hours of operation?

Mr. Dollahite: At this point in time Monday through Saturday from 6 am to 2 pm. If things went really well and we had a decent amount of flow we would consider increasing those hours to get those after work people, but at this point in time 6-2 Monday through Saturday is the plan.

Commissioner Gurule: Has the fire department been out to inspect your building?

Mr. Dollahite: No.

Commissioner Gurule: That will come with the business license registration.

Mr. Dollahite: We still have to put up our emergency exit signs. This coming week we should be at the point where we can call for a final inspection on the building and at that point I am assuming we will be ready to have the fire marshal and etc.

Chairman McCartney: Just for the record Commissioners- this gentleman was approved administratively and that is why he has been working on the building. And just for the record, he has come back and had to go through the process, which he did, so he has gone above and beyond.

Commissioner Baca: I couldn't visualize exactly where this is at. Are there any businesses located adjacent to your place?

Mr. Dollahite: There is a church that is the next...so there is a house and this produce stand, and then there is a big field and then there is a church and next to that there is another church and then there is a roofing company and then it used to be Baca's Wrecking Service. It is out in the country.

Mr. Aranda: It really is right as you...just south of the Pueblo.



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Commissioner Gurule: How long will it take you to get going? When will you start?

Mr. Dollahite: We have two obstacles. The building would be ready to open within two or three weeks. The big question we have now is in talking to the State Highway Department we need to have an approach that is asphalted up to our property line and I don't know if we can start using that prior to the approach under a temporary or if we have to wait until the approach is done. If it waiting until the approach is done, I talked to Star Paving and they are telling me that it is going through all the... talking to the city, the county, I mean the state, and that it can take up to two months before they would be able to pave an entrance in there so I don't know.

Mrs. Benavidez: I think that would typically be up to DOT. When they turn in the permit they give them about six months. I think we are okay issuing the permit as long as we see the construction and DOT see's the construction moving forward we have no problem issuing the business license immediately. And we have temporarily issued him a business license because I know he wanted to get started.

Mr. Dollahite: Which I have not been by to get yet.

Mrs. Benavidez: He has one pending the approval of this.

Commissioner Chairman: Mr. Foster would you like to step to the podium to comment on this?

(Mr. Foster-from the audience-stated no)

Chairman McCartney: Ok sir if you would like to take a step back please. There is only one person here. Do you want to speak on this sir?

Audience member stated no.

Chairman McCartney: Do we have any discussion Commissioners or any other questions for this gentleman? (There were none).

Commissioner Gurule: I move that we approve the request for a zone change from Rural Residential-2, RR-2, to Neighborhood Commercial, C-1 for Mr. Dollahite for the operation of a coffee shop.

Chairman McCartney: Do we have a second?

Commissioner Moran: I will second.

Chairman McCartney: Commissioner Moran has seconded the motion. James call for a vote.



Approved 4-0
March 28, 2017

VALENCIA COUNTY PLANNING & ZONING COMMISSION

Roll Call Vote:

Commissioner Gurule Yes
Commissioner McCartney Yes
Commissioner Baca Yes
Commissioner Moran Yes

Motion passed 4-0

Chairman McCartney: This is just a recommendation to the Board of County Commissioners. Our interest here is just making a recommendation. They have the final say on any zone change. You can get with Mr. Aranda to see when you will be scheduled for the County Commission.

Mr. Aranda: Correct. We will work to get it on as soon as possible. You will have a public hearing in front of the commission and then they will have a business meeting where they make the decision. So you have two more.

Mr. Dollahite: Do I need to wait until all of that is done before we would open any sort of business even with the...

Mr. Aranda: Yes because your zone change technically would not be approved until they make their final action.

Mrs. Benavidez: We did give him a temporary use and business license contingent upon approval by the Board of County Commissioners. So if the Commission denies it he knows that he cannot open that coffee shop.

Mr. Aranda: Okay that makes sense. Do you understand what she just said?

Mr. Dollahite: That does mean the temporary is still in effect?

Mrs. Benavidez: Check the date on it but it should still be in effect. We will double check it for you and it should still be in effect.

Mr. Aranda: So barring a denial, you should be okay to continue.

Mr. Dollahite: And what will my next step be?

Mr. Aranda: Does he actually need to come in or will we get it on to the next Board of County Commissioners?

Mrs. Benavidez: We will get it on to the next Board of County Commission meeting that it is available to do the notifications again. Possibly March, I will have to count the days, I don't know what the deadline for March is.



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Commissioner Gurule: Are you going to name it?

Mr. Dollahite: The farm is Peculiar Farms. It has been. That is the LLC we are operating under. The coffee shop will be named “Europa”. It is under the LLC for Peculiar Farms. And you can see the sign. It is already up.

Mr. Aranda: Thank you. If you have any questions please feel free to contact our department.

7) Discussion

Chairman McCartney stated he had been receiving numerous calls from the Tome group wanting to change the meeting in April to either the 11th or the 18th. In essence, what the Attorney Mr. Pato said was “Don’t get into the habit of changing meetings”. I think personally-and I believe Commissioner Gurule can attest to this-the reason they are requesting this change is because that is when irrigation starts and the Torres Family has a huge wedding in California. We don’t do this often, but I think the 11th or the 18th is only two weeks or week apart from the actual date of the regular meeting.

Mrs. Benavidez: I think the attorney was just concerned with not setting a precedent.

Chairman McCartney: Based on the request and the number of people that just can’t make it and they want to be here, I think James can attest to the fact that we need to involve the public.

Commissioner Baca: I would go with it but I think it has to be acknowledged by the second or the third party that it needs to be change because obviously there are some attorneys involved. I would hate to say change it and they are not ready for it.

Chairman McCartney: (could not understand)

Commissioner Baca: But they have the prerogative to have a say so because it is not only one party that is involved it is both parties.

Chairman McCartney: Right now Commission Baca since we are under discussion, Kerrie do you want to add some fuel to this and what your understanding is at this present time in regards to Mr. Romero?

Kerrie Maes: Mr. Romero may or may not want to go forward with the zone change because of the verification that the front part of the property is C-1, so we don’t know whether that zone change is going to happen or not. I also feel that if the Commission allows one group to speak before Mrs. Braman and Mr. Romero have had a chance to present their case they are biasing you. That is my opinion. I can definitely contact Mrs. Braman and Mr. Romero to see if they are willing...



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Chairman McCartney: To see which date is better for them-the 11th or the 18th.

Mrs. Benavidez: I think we need to reach out to them and find out if they are going to move forward or not. I think that is the best thing and I think she is still in town so let James and I reach out to her and let her know that we are having issues and we need to know if she is going to move forward or not.

Chairman McCartney: And let us know.

Mrs. Benavidez: Not only that we are spending a lot of time and resources going back and forth. They need to make a decision and I think now that James is here we can sit down with them and find out “are you going to go forward or not because if you are we need to change the meeting date”.

Chairman McCartney: Our next meeting date is February 28th so you can let us know by then right?

Mr. Aranda: We can try to make leeway between now and then and figure out if they are going to go forward or not.

Chairman McCartney: Now that James is on board full time, I still think that Lina should continue to come to the P&Z meetings in case there is anything about roads.

Mrs. Benavidez: Sure no problem.

Commissioner Moran: Regarding the coffee shop and the produce stand if he already has a driveway into the produce farm, why does he need to have another permit at the coffee shop?

Mrs. Benavidez: Because it is a different use and it is going to cause more traffic turning off of the DOT Highway. A good example would be the Belen Café in Belen. It has change property owners several times and every time DOT makes the new owner get a new permit. It doesn't makes sense, but DOT makes them get a new permit every time.

Commissioner Moran: So let's say the coffee shop doesn't take off and he closes the coffee shop, does that change?

Mrs. Benavidez: The driveway permit goes away and then whoever opens ups the new use...

Commissioner Moran: So he still has his produce so that is not a problem.

Mrs. Benavidez: It will just stay with him unless another business opens up in the coffee shop and then they have to go get another driveway permit.



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Commissioner Moran: I didn't think it was a good idea to marry those adjoining properties with one common driveway permit because if one sells or somebody changes hands or ...

Commissioner Baca: I am hoping once James gets settled in we can have some kind of a workshop because there are some issues and questions in my mind that I have, particularly when there is a Type A and it's a department decision. Do we have the right to bring that back and say "we are opposed to that". It is things like this I would like to clarify.

Chairman McCartney: We just voted at the end of last year there are no more administrative approvals. Everything should be brought before us to give the public the opportunity to speak.

Mr. Aranda: It does take pressure off of the administrator, and not to say I am not supportive, I am fully supportive of public input-the only challenge, I would say opportunity is that we would actually have to change the Ordinances to allow for that to happen.

Chairman McCartney: (Inaudible) Comprehensive Plan.

Mr. Aranda: That is one of my main objectives that I have been tasked with in coming here. Personally what I would like to do is spend a year talking to people-communities, neighborhoods, agencies, elected decision maker in the county-to get a good ground work for what is working, what is not and what do we want to see. Year two would then commence a year long process of upgrading the Comprehensive Plan. Generally, I have done this throughout the state-that is what I did when I left-and what I learned is the processes and the processes are very critical to the end result and how that plan functions. So for me-it may sound crazy to say it is going to take a year to upgrade the plan- but the reality is that it takes that long to actually physically get out and talk to everybody, come to some semblance of agreement on concepts, analyze the data and put together the plan. Year three will then be using that plan as the framework to then totally revamp all of our land development ordinances. So we are looking at about a three to four year process that we are about to undertake. It is a matter of how supportive the Commission really is to take that much time. For me and in my discussions with the County Commissioners, that is the desire, to really turn things around. I will rely on you as advocates. Let's start talking and laying the ground work for what you really want to do that way you can advocate on behalf of this process because it has to be more than just James saying "here is what we need to do". It has got to come from within-from everybody. I am supportive of anything that is going to educate you in terms of what we can and can't do legally right now based on the book and then also laying the foundation for what we want to do so that we can make the laws reflect that. As far as administrative review, it has been a while and I need to go back to every letter in the code but I do believe that even administrative decisions are subject to appeal. Whether it is the P&Z or the BOCC I would have to get further clarification, but every decision does have the opportunity to be appealed just so you are aware of that.

8) Next Meeting:

Tuesday- February 28, 2017 @ 3:00 pm



**Approved 4-0
March 28, 2017**

VALENCIA COUNTY PLANNING & ZONING COMMISSION

- 666 **9) Adjournment**
667 Motioned by Commissioner Gurule
668 Seconded by Commissioner Baca
669 Motion carries 4-0