



## VALENCIA COUNTY PLANNING & ZONING COMMISSION

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

Tuesday March 26, 2024 @ 3:00 pm  
Valencia County Administration Building  
444 Luna Ave, Los Lunas, NM 87031

| PRESENT   | ABSENT |
|---|--------|
| Philip Sublett, Chair                             |        |
| Ralph Freeman, Vice Chair                         |        |
| Mike Montoya, Member                              |        |
| Sue Moran, Member                                 |        |
| Mark Aguilar, Member                              |        |
| Ryan Baca, Land Use Planner                       |        |
| Jerrie Romero, Land Use Planner Assistant         |        |
| Melissa Jaramillo, Community Development Director |        |

Also present were: Blas Martinez, Carmen Galicia, VC Spanish Translator: MaryCarmen, John Kirkpatrick

#### 1) CALL THE MEETING TO ORDER

A. At 3:01 PM Chair Sublett brought the meeting to order.

#### 2) PLEDGE OF ALLEGIANCE

B. Jerrie Romero lead the Planning & Zoning Commission and the audience in the Pledge of Allegiance.

#### 3) APPROVAL OF AGENDA

C. Planning & Zoning Commissioners reviewed the Agenda;

APPROVAL: Motion to approve agenda

MOVED: Commissioner Aguilar

SECONDED: Commissioner Freeman

CARRIED: Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Commissioner Moran – YES; Commissioner Montoya – YES; Commissioner Aguilar – YES; Commissioner Freeman-YES; Commissioner Sublett –YES).**

#### 4) APPROVAL OF MINUTES February 27, 2024 County Planning & Zoning Minutes.

D.

APPROVAL: Motion to approve Minutes as presented.

MOVED: Commissioner Aguilar

SECONDED: Commissioner Montoya

CARRIED: Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Commissioner Moran – YES; Commissioner Montoya – YES; Commissioner Aguilar – YES; Commissioner Freeman-YES; Commissioner Sublett-YES).**



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**5) STAFF REPORT:** Land Use Planner **Ryan Baca** reports on the Board of County Commission, approved Variance #2023-095 Aaron Chavez's request.

### **6) SWEARING IN OF PARTICIPANTS**

**Chairman Sublett swore in participants who would be speaking during hearing.**

### **7) ACTION ITEM(S)**

#### **A. Zone Change #2024-018 (District II, P&Z Commissioner Freeman, BoCC Richardson)**

*Blas Martinez requests a Zone Change from Rural Residential District 1 (RR-1) to Neighborhood Commercial District (C-1) to operate a food truck on the property. Legal Description: Subd: EL CERRO MISSION RANCHETTES Tract: B Unit: 1 SPACE: M222266; also known as 144 El Cerro Mission Blvd, Los Lunas, NM 87031; UPC 1-013-036-500-020-000000; Zoned Rural Residential District 1 (RR-1)*

**Background:** This request is for a Zone Change from Rural Residential District 1 (RR-1) to Neighborhood Commercial District (C-1). Based upon the application and all available supporting information, this request does appear to meet all the applicable standards and criteria for a zone change within Sections 154.061 of the Valencia County Zoning Code.

**Discussion ensued:** Blas Martinez, Carmen Galicia presented to the board with the assistance from MaryCarmen (Spanish Translator) requested a zone change from residential to commercial to operate a food truck on their property, to provide a food service to the people that commute in a daily basis from 6 AM to 2 PM. The establishment will not affect the traffic nor add noise or any visual obstruction to the community. There will be a safe entrance in and out of the property for the customers and would be a positive impact to persuade more people to change their residential property into commercial and to invest more in Valencia County. The establishment will be a grab and go food truck with no high volumes of people on the property.

**P & Z/Public Line of Questioning:** **Freeman** and **Montoya** questions on minimal parking allowed off of this county road and mention even though it's a grab N Go there will still be some parking? Blas, mentioned in his plans he has opened up a space on the property to park for a short time and enough space to exit. **Staff**, makes clarification there was no parking indicated on their site plan, but it will be between where the food truck will be parked and El Cerro Mission Blvd, they will have an ingress at the half point and further south will be the egress. **Freeman** to staff on NMDOT egress and ingress off this county road? **Staff**, because this is off a county road Lina Benavidez the Public Works Director will require a traffic study before operating. **Sublett**, raised a concern of traffic pile up and **Freeman** asked if tables will be outside the property? **Blas** in response, there will be no tables on the property for customers, they will not be staying on the property for long periods of time, just to order food, pick up their food and leave. **Sue**, addresses staff with some clarification if the food truck no longer is operating



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on the property, does the zone change still stand as commercial? **Staff**, yes this is a permanent zone change. **Sublett**, asked for clarification on the total acreage. **Staff**, according to the County Assessors the property is 1.27 acres. **Aguilar** to staff on the current zoning adjacent to this property? **Staff**, the surrounding properties are currently zoned RR1, just recently a zone change was made to the southeast on Arcangel street for the operations of an electrician's business zoned under C2. And to the northwest Dollar General Store zoned under C2. **Freeman**, asked presenter if he has gone through the state for permitting? **Sublett**, will the food truck be mobile if approved or will it be taken off the property? **Carmen**, they will not move the food truck if this zone change is granted. **Montoya**, asks if they are planning to have more food trucks on the property? **Camen**, yes, if it is a good business why not, but for right now they have the food truck parked on Rose Ct. commercial property, until this zone change is made on their property. There were no members of the public in favor or against this request. **One member** of the public with standing had concerns of hours of operations excessive light and noise and high traffic from an already busy road, he also mentioned he was in support of having a business just would like for this to be a harmonious one. **Sublett**, reassured that a good traffic study will be done by Lina Benavidez and there will be a good flow of traffic for the safety of the people and **Staff** also mentioned the Fire Dept. will also be submitting a dept. review in the Site Design Review for a safe entrance and exit.

### APPROVAL:

Motion to Approve Zone Change # 2024-018

**Approved**

**MOVED:** Commissioner Freeman

**SECONDED:** Commissioner Montoya

**CARRIED:** Motion approved on a Vote of 5

**FOR and 0 AGAINST (Commissioner Moran – YES;**

**Commissioner Montoya – YES; Commissioner Aguilar–**

**YES; Commissioner Freeman-YES; Commissioner Sublett-**

**YES).**

### **B. Zone Change #2024-020 (District II, P&Z Commissioner Freeman, BoCC Richardson)**

*Gilberto Carbajal requests a Zone Change from Rural Residential District 1 (RR-1) to Neighborhood Commercial District (C-1) with a Conditional Use to operate an RV park. Legal Description: Subd: MESA FARMS ESTATES Lot: N 1/2 OF 20 S: 25 T: 7N R: 3E; located on Meadowlake Rd east of Hummingbird Ln; UPC 1018038030163; Zoned Rural Residential District 1 (RR-1)*



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**Background:** This request is for a Zone Change from Rural Residential District 1 (RR-1) to Neighborhood Commercial District (C-1) with a Conditional Use to operate an RV park. Based upon the application and all available supporting information, this request does appear to meet all the applicable standards and criteria for a zone change within Sections 154.061 of the Valencia County Zoning Code.

**Discussion ensued:** John Kirkpatrick was authorized by landowner, Gilberto Carbajal to act as his agent in matters related to the zone change in conjunction with a conditional use request. **Sublett**, asked staff if a letter of authorization was signed. **Staff**, yes one was submitted. John Kirkpatrick continued with the proposal to change zoning RR1 to C1. The property is bordered by vacant tracts on the north and south and by residential lots to the west and southeast. The adjoining properties are zoned RR1 with the lot to the south zoned C2. The western edge of the proposed site is bordered by Meadowlake Road currently vacant. Mr. Carbajal would like to develop an RV Park with a small shower and laundry room. This proposal is consistent with the County's Comprehensive Land Use Plan and given the location along a prime arterial and presence of other commercial uses on Meadowlake Rd. This project would further a desirable mix of land uses in the neighborhood. Meadowlake Rd. is a potential activity center outlined in the plan. This project supports private sector development. RV park uses are unavailable in the area and could prove beneficial for the community and its economy by providing options and jobs for the residents and will benefit the county economically by adding businesses to the tax base. The proposed use and project development will provide quality constructed and planned structures with landscaping which will improve community morale and the area's overall appearance and general welfare.

**P & Z/Public Line of Questioning:** **Freeman** on the septic system infrastructure. **Kirkpatrick**, the owner will be given the proper requirements and permitting by NMED (New Mexico Environment Dept.) to make it convenient for RV Owners to directly hook up to a septic system, proper plumbing rather than having a dump station. **Freeman**, will the RV Park have water, Electricity and gas? **Kirkpatrick**, yes plenty of power. **Freeman**, the RV Park would be off of a county road off a curb? **Staff** mentioned Lina will require a county traffic study. **Aguilar**, will there be plans for an onsite office? **Kirkpatrick**, there are plans for a laundry area but unsure if it will be fully staffed, the owner operates businesses next door but may manage close by. **Aguilar**, on security and fencing around the RV Park? **Kirkpatrick**, yes the owner would want fencing but there will be a limitation on how long a customer can stay, this is not a permanent residence only for workers passing through and campers temporarily. **Aguilar**, to staff who will monitor the tenants and are we equipped with enough code officers to assist with these stays? **Montoya**, asked staff for clarification on the RV ordinance for permanent residence. **Staff**, there was a recent repeal of ordinances that eliminated the time limit for RV's to be allowed on an RV park and now RVs are allowed on Mobile Home Parks. And Valencia County staff will do the very best with the resources they have but as for monitoring their stays, since there is no time limit to a time frame for an RV, there will be no need for code officers to monitor anymore. **Aguilar**, are RVs classified under a permanent residence? **Staff**, only within the confines of an RV Park or a mobile home park. Rural Residential districts do not allow RVs a permanent residence. **Montoya**, by approving this we are approving a permanent residence in an RV Park? **Staff**, this is approving all standards and requirements for the current ordinance of RV parks, to go into commercial and also for the conditional use for RV Parks. **Moran**, questions the presenter's business plan for limited parking for two months. **Staff**, it



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would be up to the owner and the tenant's agreement how long that individual can stay the county has no authority over that. **Montoya**, on Hardwire connection for the units, electrical and sewer a permanent connection? **Kirkpatrick**, the plan for electrical is to have a 30 amp. service for each station and a permanent connection will also be for the septic, if allowed by NMED. **Sublett**, mentioned if this request to C-1 is recommended and passed with a conditional use and after two years if this RV Park is not kept up and gets denied by the county this would be a large investment to the owner and would be at a loss. **Kirkpatrick and Grandson** mentioned that when Mr. Carbajal plans a development, it will be a success. One Member of the public with standing in favor of this request commented on how Meadowlake needs the development. There were three members of the public with standing against the request with concerns of not having enough police protection, flooding in the area, increase of traffic, and added noise to the area. **Aguilar** mentioned RV parks do not bring high volumes of traffic. **Sublett**, mentioned that a site design review will be done before the operation of this RV Park including a traffic study. And as far as lack of police patrols in that area, the County and Sheriff dept. are working very hard to get those staffing problems resolved. And the County Fire Dept. and Emergency Services have made successful collaborations with municipalities to better serve the people. **Kirkpatrick**, on flooding mentioned the owner already dug a pond to temporary store the water and it is on Mr. Carbajal's property. **Aguilar**, also mentioned that the property is identified under Flood Zone X and that is a low threat of flooding.

### APPROVAL:

Motion to Approve Zone Change # 2024-020

**Approved**

MOVED: Commissioner Freeman

SECONDED: Commissioner Moran

CARRIED: Motion approved on a Vote of **5**

**FOR and 0 AGAINST (Commissioner Moran – YES;**

**Commissioner Montoya – YES; Commissioner Aguilar–**

**YES; Commissioner Freeman-YES; Commissioner Sublett-**

**YES).**

**8) Next Meeting: Tuesday April 23, 2024 at 3:00 p.m.**

### **9) Adjournment:**

MOVED:

Motion to adjourn made by Commissioner Aguilar

SECONDED:

Motioned second by Commissioner Freeman

CARRIED:

Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Commissioner**

**Moran - YES; Commissioner Montoya- YES; Commissioner Aguilar –**

**YES; Commissioner Freeman-YES; Commissioner Sublett-YES).**

*Minutes are not verbatim. The complete audio file from this meeting can be requested from P&Z Dept. contact Jerrie Romero at (505) 866-2054*