



## VALENCIA COUNTY PLANNING & ZONING COMMISSION AGENDA

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

Tuesday July 24, 2018 @ 3:00 pm

Valencia County Administration Building

Commission Chambers, 444 Luna Ave, Los Lunas, NM 87031

PRESENT	ABSENT
Sue Moran, Chair	
Michael McCartney, Vice-Chair	
Frank A. Gurule, Member	
LeRoy Baca, Member	
Duana Draskiewicz, Member	
	James M. Aranda, CDD
Gabriel Luna, Land Use Planner	
Brenda Alberts, Code Enforcement Officer	
Cindy E. Nevarez, Community Development Administrative Assistant	

**ALSO PRESENT WERE:** Martin Garcia; Laurie Moyer; Paul Baca; Lillie McNabb; Curt Miller; Mike Mechenbier; Annette Kaylor; Clara Rehner; Tom Sams; Dolly Wallace; Rita Varley; Matt Varley; Patricia Hemphill.

### 1) CALL THE MEETING TO ORDER

- At 3:00 PM Chair Moran brought the meeting to order.

### 2) PLEDGE OF ALLEGIANCE

- Chair Moran asked Commissioner Draskiewicz to lead the Planning & Zoning Commission and the audience in the Pledge of Allegiance.

### 3) APPROVAL OF AGENDA

- Planning & Zoning Administrator Gabriel Luna read the Agenda
- Item E Tabled

**APPROVAL:** Motion to approve the Agenda

**MOVED:** Commissioner Baca

**SECONDED:** Commissioner Draskiewicz

**CARRIED:** Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Chair Moran- YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-YES; Commissioner Draskiewicz-YES)**

### 4) APPROVAL OF MINUTES JUNE 26, 2018

- Chair Moran discussed with the board if they had a chance to review the June 2018 minutes. All Members confirmed review.

**APPROVAL:** Motion to approve Minutes as presented



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**MOVED:** Commissioner McCartney

**SECONDED:** Commissioner Gurule

**CARRIED:** Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Chair-Moran-YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-YES; Commissioner Draskiewicz-YES)**

### 5) SWEARING IN OF PARTICIPANTS

- Chair Moran swore in participants who would be speaking during the hearing.

### 6) ACTION ITEM(S)

#### **A. ZC 2018-074 (District IV, Commissioner Baca)**

PNM requests a solar field overlay zone for the Rio del Oro Solar Energy Center; Rio del Oro Subdivision, Regional Center, Unit 53, Township 6N, Range 2E; Section 36; Zoned Planned Development (PD); 109.29 ac, Filed in Cabinet C-14-126 in the Office of the Valencia County Clerk.

**Background:** The property owner(s) have requested to come before the board to request a zone change from Agricultural Preservation (AP) to Rural Residential 2 (RR-2). Department reviews were handed out on May 29, 2018. Please refer to appendix seven in your packet for those results.

**Discussion ensued.** PNM is seeking approval of a Solar Field Overlay Zone and administrative approval of a site design development plan. This is a 10 mega what tracking Solar Facility, it increases PNM's renewable generation portal.

#### **P & Z Commission Line of Questioning:**

Commissioner Baca asked for an explanation of PNM's power use, Will it be used strictly for Valencia County or will it be sold to other places such as Arizona? PNM's Lori Moyer explained that 10MW is a small amount of solar energy, it will be used locally. This is for PNM's customers use only. Commissioner Gurule was informed by Lori Moyer that once PNM obtains approval and construction begins they will build the whole field, it will not be done in phases. Chair Moran inquired about the lifespan of a Solar panel and was informed by Lori Moyer that is approximately 30 years.

**APPROVAL:** Motion to approve Solar Field Overlay Zone Change

**MOVED:** Commissioner Baca

**SECONDED:** Commissioner McCartney

**CARRIED:** Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Chair Moran- YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-YES; Commissioner Draskiewicz-YES)**

- B. ZC 2018-075 (District I, Commissioner Gurule)** Valencia County Cowboy Church to request a zone change from Outland District (OD) to Rural Residential 1 (RR-1) with a Conditional Use at Lot 37, Section 22, Township 7 North, Range 1E; Zoned Outland District (OD); Also known as 1 AT&T Rd, Los Lunas, New Mexico 87031; 10.00 ac, Filed in Cabinet M, Page 305 in the Office of the Valencia County Clerk.



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**Background:** The property owner(s) have requested to come before the board to request a zone change from Outland District (OD) to Rural Residential 1 (RR-1) with a Conditional Use. Department reviews were handed out on July 10, 2018. Please refer to appendix seven in your packet for those results.

**Discussion ensued.** Martin Garcia with Anchor Engineering presented on behalf of the Cowboy Church. He explained that the location was donated through a business friend in the community and how there is a great need for a church in the area. That the opportunities that the church offers are superb. Upon request of the building permit it was brought to their attention that the zoning wasn't necessarily what was needed for a church being Zoned Outland District. It was then they prepared the request for a special use, in order to get them within the compliable use for a church. It is a 10 acre site with all agricultural uses. The church as proposed, proposed the buildings in three phases, the first an approximate 4000 sqft. building which is the church itself, the second phase is the enlargement of the worship center, and the third phase, education on the property. Everything else on the property will be an agricultural type use. Commissioner Baca expressed his concern that a store could result in a commercial Zone change.

### **P & Z Commission Line of Questioning:**

Matters pertaining to the Zoning types and allowable uses were discussed between Commissioners and the applicant's representative.

**APPROVAL:** Motion to recommend to approve a Zone Change from OD to RR-2 with final approval from the BOCC.

**MOVED:** Commissioner Gurule

**SECONDED:** Commissioner McCartney

**CARRIED:** Motion PASSED on a Vote of **4 FOR and 1 AGAINST (Chair Moran- YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-No; Commissioner Draskiewicz-YES)**

**C. Variance 2018-073 (District II, Commissioner Draskiewicz)** Matt and Rita Varley request a side setback variance from 15 feet to zero lot line and back setback variance from 15 feet to 5 feet for the installation of a 2160 sq. ft. garage on the property at Lot 85, Cypress Gardens Subdivision, Section 31, Township 7 North, Range 3E; Zoned Suburban Residential (SR); Also known as 2 Rodgers Ct, Los Lunas, New Mexico 87031; 0.33 ac, Filed in Book F, Page 100 in the Office of the Valencia County Clerk.

**Background:** According to the application, the applicant(s) are requesting a variance of the side and back setbacks for the installation of a garage. Department reviews were handed out July 10, 2018

**Discussion ensued.** Rita and Matt Varley presented that this request for a setback variance is for a storage. This building will not cause any Interference with traffic in the neighborhood where they live.



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There is no future development planned for the area. Therefore no future impact to any future construction.

**P & Z Commission Line of Questioning:** Matters pertaining to Building placement and its effects where discussed with the P&Z Commission and the Applicants.

**APPROVAL:** Motion to approve a Setback Variance

**MOVED:** Commissioner Draszkiewicz

**SECONDED:** Commissioner Baca

**CARRIED:** Motion PASSED on a Vote of **5 For and 0 AGAINST (Chair Moran- YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-YES; Commissioner Draszkiewicz-YES)**

**D. Variance 2018-077 (District IV, Commissioner Baca)** Patricia Hemphill requests a side and back setback variance from 15 feet to 5 feet for the installation of a carport. The property at Lot 2, Hacienda Hills Estates Subdivision; Section 9, Township 5 North, Range 2 East; also known as 4 Ursula Dr., Belen, New Mexico 87002; Zoned Rural Residential 1 (RR-1); 1.07 ac, Filed in Cabinet F, page 138 in the Office of the Valencia County Clerk.

**Discussion ensued.** Due to advertisement verbiage being incorrect it was decided that this Item would be tabled to our next P & Z meeting August 28, 2018 to allow time to make any necessary corrections.

**APPROVAL:** Motion to Table a Setback Variance

**MOVED:** Commissioner Baca

**SECONDED:** Commissioner McCartney

**CARRIED:** Motion PASSED on a Vote of **5 For and Zero AGAINST (Chair Moran- YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-YES; Commissioner Draszkiewicz-YES)**

**E. Conditional Use Second Dwelling 2018-059 (District II, Commissioner Draszkiewicz)** Gilbert Torres requests a Conditional Use Second Dwelling at Tract 5B1A2A2B2. Section 3, Township 6 North, Range 2 East; MRGCD Map 82; Zoned Rural Residential 2 (RR-2); also known as 13 Rector Rd, Los Lunas, New Mexico 87031, 0.86 ac.

**Background:** The request before you is for a Conditional Use Permit for a Temporary Second Dwelling to care for disabled family member, specifically the applicant's father. Department reviews were sent out on May 29, 2017. The only concern is that the second mobile home will need to be assigned an address if the request is approved.

**Discussion ensued. Item Tabled**

### 7) Discussion

- Matters of the county where discussed among Commissioners and Staff.



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### 8) Next Meeting:

- Tuesday August 28, 2018 @ 3:00 pm

### 9) Adjournment

#### MOVED:

Motion to adjourn made by Commissioner Gurule

#### SECONED:

Motioned second by Commissioner McCartney

#### CARRIED:

Motion PASSED on a Vote of **5 FOR and 0 AGAINST (Chair Moran- YES; Vice-Chair McCartney-YES; Commissioner Gurule-YES; Commissioner Baca-YES; Commissioner Draskiewicz-YES)**