



VALENCIA COUNTY PLANNING & ZONING COMMISSION

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

Tuesday SEPTEMBER 24, 2024 @ 3:00 pm
Valencia County Administration Building
444 Luna Ave, Los Lunas, NM 87031

PRESENT	ABSENT
Philip Sublett, Chair	
	Ralph Freeman, Vice Chair
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: Darlene Arias, Raymond Herrera, Jose A. Baltazar and Spanish Translator Anabel Dodd

1) CALL THE MEETING TO ORDER

A. At 3:15 PM Chair Sublett brought the meeting to order.

2) PLEDGE OF ALLEGIANCE

B. Jerrie 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 Moran

CARRIED: Motion PASSED on a Vote of **3 FOR and 0 AGAINST (Commissioner Moran – YES; Commissioner Aguilar-YES; Commissioner Sublett –YES).**

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

D.

APPROVAL: Motion to Table Minutes as presented until October 22, 2024.

Commissioner Moran abstains, she was not present.

MOVED: Commissioner Aguilar

SECONDED: Commissioner Sublett

CARRIED: Motion PASSED to Table on a Vote of **3 FOR and 0 AGAINST (Commissioner Moran – YES; Commissioner Aguilar – YES; Commissioner Sublett-YES).**



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5) STAFF REPORT: Land Use Planner **Ryan Baca** reports on the Board of County Commissioners meeting. ZC#2024-079 was approved, 3 new employees were hired 2 Code Enforcement Officers Louie and John and 1 client specialist. The NMLZO Conference was informative to staff.

6) SWEARING IN OF PARTICIPANTS

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

7) ACTION ITEM(S)

A. Zone Change #2024-088 (District II, P&Z Commissioner Freeman, BoCC Richardson)

Darlene Arias requests a Zone Change from Rural Residential District 2 (RR-2) to Rural Residential District 1 (RR-1) to split the property into two lots. Legal Description: Subd: LAND OF MRS JUAN E ZAMORA Lot: 4 2.68 AC MAP 84 1984 REV C-5-14; located on Calle de Zamora south of Romero Rd; UPC 1-011-034-048-072-000000; Zoned Rural Residential District 2 (RR-2)

Background: This request is for Zone Change from Rural Residential District 2 (RR-2) to Rural Residential District 1 (RR-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 Section 154.061 of the Valencia County Zoning Code.

Discussion ensued: Darlene Arias stood before the board to request a zone change on 2.68 acres of her property. She would like to divide the acreage into two parcels, one parcel at 1.68 acres and the second at 1.0 acres. The reason for the request is that her and the husband can build a retirement home on the smaller parcel, whereas their son can build his home on the larger parcel and be a caregiver to the Father, he is handicapped and currently in a wheelchair and is facing two more surgeries and she cannot care for him by herself. The lands will be used in the same manner in an earnest effort to maintain the integrity of the surrounding communities and other property owners. She will strive to ensure that the irrigation water that flows through the properties will continue to serve the needs of the neighbors according to current rules and regulations. Mr. & Mrs. Arias are looking forward to becoming residents of Valencia County.

P & Z/Public Line of Questioning: **Aguilar**, asked why her request was tabled the first time? **Darlene**, was not aware the property taxes were in arrears. **Sublett**, is the lots going to be divided east to west? **Darlene**, yes that is the plan. The son Paul Maldonado was asked to come forth and state his intentions for part of the land. **Paul** mentioned that he would like to preserve the land for his family and on the north end of the property is an irrigation ditch that he would like to drop a culvert to keep the flow of water uncontaminated. **Aguilar**, questioned if the ditch was active. **Paul**, yes and plans on contacting the water conservation dept. for personal consumption. **Sublett**, asked if he was planning to raise animals. **Paul**, yes to only raising the animals and not for selling them. **Sublett**, asked staff to read the letters submitted for this request. Two member of the public submitted letters in opposition of the request concerned of the shared easement and one member of the public in favor.



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APPROVAL:

Motion to Approve ZC #2024-088

Approved

MOVED:

Commissioner Sublett

SECONDED:

Commissioner Aguilar

CARRIED:

Motion approved on a Vote of **3**

FOR and 0 AGAINST (Commissioner Moran—YES;

Commissioner Aguilar— YES; Commissioner Sublett—Yes).

B. Variance #2024-100 (District V, P&Z Commissioner Vacant, BoCC Garcia)

Raymond and Theresa Herrera request a Variance of fifteen feet to the access easement width requirement of forty feet. Legal Description: Subd: LAND OF VIRGINIA SANCHEZ Tract: 1A2; also known as 13 & 15 Iris Pl, Los Lunas, NM 87031; UPC 1-012-038-342-469-000000; Zoned Rural Residential District 1 (RR-1)

Background: This request is for a Variance to the access easement requirement of forty feet in the Rural Residential District 1 (RR-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 Section 154.058 of the Valencia County Zoning Code.

Discussion ensued: Raymond Herrera requested a variance on an easement from 40 ft. to 25 ft. The purpose of this request is to subdivide 2 acre properties into two 1 acre lots to build a home on one of the lots and before this can happen the variance must be approved.

P & Z/Public Line of Questioning: **Sublett**, asked staff if the lot split was made. **Staff**, no the split was not made, upon the review of the plat the easement must show 40ft. for the approval. **Moran**, added, this property should not be made to this standard of 40 ft. due to the density of the area, whereas other subdivisions must do so. **Sublett**, asked staff what the width of Avenida Valencia Rd. and if it was county maintained. **Staff**, yes it is county maintained and the plat was made in the 1970s. showing a 40 ft. easement. **Moran**, asked staff for the size of lots in the surrounding area. **Staff**, properties are zoned RR2 and located are one acre or more parcels and some half acre lots. **Sublett**, asked where the well was located on the property. **Raymond**, the well is located close to the electric pole. There were no members of the public in favor or in opposition of this request.

APPROVAL:

Motion to Approve Variance #2024-100

Approved

MOVED:

Commissioner Sublett

SECONDED:

Commissioner Moran

CARRIED:

Motion approved on a Vote of **2**



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FOR and 1 AGAINST (Commissioner Moran – YES; Commissioner Aguilar– No; Commissioner Sublett- YES).

C. Zone Change #2024-101 (District III, P&Z Commissioner Moran, BoCC Sparkman)

Jose A. Baltazar requests a Zone Change from Rural Residential District 1 (RR-1) to Community Commercial District (C-2) to operate a convenience store. Legal Description: Subd: HIGHLAND MEADOWS Lot: 11 Block: B Unit: 8; located on Highway 6, southwest from San Domingo, in Highland Meadows; UPC 2-016-048-215-095-000000; Zoned Rural Residential District 1 (RR-1)

Background: This request is for a Zone Change from Rural Residential District 1 (RR-1) to Community Commercial District (C-2). 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 Section 154.061 of the Valencia County Zoning Code.

Discussion ensued: Jose Baltazar with Spanish Translator Anabel Dodd requested a zone change from RR-1 to C-2 on one parcel of land containing 1.81 acres. to operate a mini mart, he mentioned this store would be beneficial to local government, business owners and the community and the mini-mart would sell household supplies, groceries, cigarettes and hot coffee, at this time there is no hours of operation, no septic/sewer exists, no water lines are required at this time, no gas lines required at this time and no grading is required. Jose mentioned he is working with NMDOT on the entrance and may use Millings and gravel. There is no potential health concerns, no noise, odors and no vehicular traffic at this time. Rezoning this parcel to C-2 would be best suited.

P & Z/Public Line of Questioning: *Moran*, questioned the proposal letter that was submitted was contradicting to what is being presented now, a discussion was made for the following; no intent for a structure, traffic impact having no vehicular traffic, and the proposed usage. All referred to the site plan submitted by the applicant showed there was a shed on the property, comments were made on the code violation on the structure that it was placed without a permit. *Jose* in response said yes there was a tuff shed on the property without a permit. *Staff*, made clarification that the applicant was here for a zone change and due to the code violation this size shed could not be on the property without a building permit. *Sublett*, asked Jose if he understood. *Jorge*, yes he understood and would from now on follow all rules and regulations and relocate the shed as soon as he can. *Sublett*, asked staff if a mini-mart could be operated a mini mart from a tuff shed? *Staff*, clarified the shed could not be placed on the property and had to be removed. *Moran*, suggested to the board to table this request until the code violation and the proposal letter could be rectified. *Aguilar*, disagreed and said everything that was heard today clearly stated the applicant knew he should have not placed an auxiliary structure on the property but still placed one, the board should continue with a vote. *Sublett*, agreed to not table the request. There were no members of the public in favor or in opposition of this request.



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APPROVAL:

Motion to Deny ZC #2024-101

Approved to Deny

MOVED:

Commissioner Moran

SECONDED:

Commissioner Aguilar

CARRIED:

Motion approved on a Vote of **3**

FOR and 0 AGAINST (Commissioner Moran – YES;

Commissioner Aguilar– YES; Commissioner Sublett-YES).

8) Next Meeting: Tuesday October 22, 2024 at 3:00 p.m.

9) Adjournment:

MOVED:

Motion to adjourn made by Commissioner Aguilar

SECONDED:

Motioned second by Commissioner Moran

CARRIED:

Motion PASSED on a Vote of **3 FOR and 0 AGAINST (Commissioner Moran - YES; Commissioner Aguilar – 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