



VALENCIA COUNTY PLANNING & ZONING COMMISSION

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

Tuesday November 19, 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: Joe Silva, Savannah and Jessie Graham and Gerald Orona

1) CALL THE MEETING TO ORDER

A. At 3:00 PM Chair Sublett brought the meeting to order.

2) PLEDGE OF ALLEGIANCE

B. Ryan Baca lead the Planning & Zoning Commission and the audience in the Pledge of Allegiance.

3) APPROVAL OF AGENDA

C. Planning & Zoning Commissioners reviewed the Agenda;

D. APPROVAL: Motion to approve agenda *with an addendum to action item A to change BoCC Garcia to BoCC Berry*

MOVED: Commissioner Freeman

SECONDED: Commissioner Moran

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

4) APPROVAL OF MINUTES

E. October 22, 2024 County Planning & Zoning Minutes.

APPROVAL: Motion to approve October 22, 2024 as presented.

MOVED: Commissioner Moran

SECONDED: Commissioner Freeman



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

5) STAFF REPORT: Land Use Planner **Ryan Baca** reports on the Board of County Commissioners meeting. For October and November meetings were cancelled and the December 4th meeting will also be cancelled. Five requests will go forth to BoCC on December 18, 2024. Valencia County has had some special events, a ribbon cutting for the Jarales Bridge just took place, so the bridge is now opened. The ground breaking for the Hospital will be happening tomorrow, November 20th at 2:00 p.m. the public is invited to attend. On Dec. 2nd The County's Annual Christmas Tree Lighting, the festivities will start at 4:30 p.m. and the lighting of the tree approximately at 5:30 p.m. here in front of the county courthouse. **Melissa** with OAP reports the Seniors had a turkey bingo last week and several turkeys were given away and their Thanksgiving dinner was done today. **Sublett**, asked the public when they have time to go see the new Jarales bridge, it is wonderful and he complimented the workers on a job well done. **Sublett** also mentioned to the public to come out and enjoy the County festivities

6) SWEARING IN OF PARTICIPANTS

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

7) ACTION ITEM(S)

A. Zone Change #2024-130 (District V, P&Z Commissioner Vacant, BoCC Dante Berry as amended on item 3) Joe Silva requests a Zone Change from Rural Residential District 2 (RR-2) to Neighborhood Commercial District (C-1) for potential resale. Legal Description: Subd: LAND OF TEODORO & ANTONETTE ROMERO Tract: B 1.26 ACRES MAP 79 1996 REV; located on the corner of Highway 47 and Wolfe Rd; UPC 1-011-036-140-475-000000; Zoned Rural Residential District 2 (RR-2)

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

Discussion ensued: Joe Silva requested a zone change from Rural Residential District 2 (RR-2) to Neighborhood Commercial District (C-1) because when he purchased the land it was used for farming but with no water rights it can't be farmed. He has had offers to buy the land if it was zoned commercial. The property is on Hwy. 47 and has 4 lanes in front with a turning lane, sidewalk and drive-way entrance and across the road is Valley Lutheran Church, no traffic will be going through Wolf road. He mentioned he was advised by his friend/ realtor that the land would be more profitable zoned as commercial.



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P & Z/Public Line of Questioning: **Sublett**, asked if he had a contract with any businesses and redirected to water rights sold? **Joe**, no business contracts and said yes to selling the water rights. **Sublett** requested staff to show all the surrounding areas zoned commercial. **Staff**, the nearest commercial zoning districts include a C-2 District approximately 700 feet north of this property and a C-1 District approximately 950 feet north of this property under half a mile. **Freeman**, requested staff to show all the surrounding areas zoned residential. **Staff**, there are RR-2 properties and there are a couple of legally non-conforming properties (grandfathered in) up and down Hwy. 47 are further north. No members of the public were in favor of this request, and four members of the public with standing were in opposition of this request, one member was present with standing and four letters submitted with standing were presented to the board, all in opposition of this request. All mentioned the concerns of road safety, the increase of traffic and crime, the decreasing of property value, and noise and light pollution. Rezoning to commercial will bring disruption of the tranquility of a rural area. **Freeman**, made a closing of concern on behalf of the neighborhood, if the door is opened for a commercial piece, it opens the door for the unknown business that will come in. **Moran**, made it clear to Joe that it doesn't close the door for commercial in the near future if he sells the property. **Sublett**, mentioned money was made on this property when Joe mentioned he sold off the water rights.

APPROVAL:

Motion to Deny ZC #2024-130

PASSED

MOVED:

Commissioner Sublett

SECONDED:

Commissioner Freeman

CARRIED:

Motion passed on a Vote of 3

FOR and 0 AGAINST (Commissioner Moran—YES;

Commissioner Freeman— YES; Commissioner Sublett-YES).

B. Zone Change #2024-131 (District IV, P&Z Commissioner Sublett, BoCC Bizzell)

Savannah Graham requests a Zone Change from Agricultural Preservation District (AP) to Rural Residential District 2 (RR-2) to construct a home. Legal Description: Subd: LAND OF VITALIA SANCHEZ Lot: 2 S: 20 T: 5N R: 2E 1.98 ACRES N-1024; also known as 38 Jaramillo Rd; UPC 1008027229139; Zoned Agricultural Preservation District (AP)

Background: This request is for Zone Change from Agricultural Preservation District (AP) to Rural Residential District 2 (RR-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: Savannah Graham presented to the board a request for a zone change from Agriculture Preservation District (AP) to Rural Residential District 2 (RR-2) for the purpose of building their family a dream farm home and owning livestock. They were under the impression based on the listing verbiage and conversations from both the sellers and their realtor that the land was zoned to build a home



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on this acreage. The proposed zoning change to rural residential is consistent with the surrounding area, current homes have similar sized lots from 1-3 acres. If this zone change is considered for an approval they will meet all that is required for RR zoning, the development of a domestic well and septic system and all setbacks will be met. And as a family they agree to uphold to preserving agriculture and a rural lifestyle

P & Z/Public Line of Questioning: *Sublett*, asked how big the house would be. *Savannah*, the house will be 3,000 sq. ft. *Freeman* asked staff about legally non- conforming properties zoned AP. *Staff*, made the clarification from the AP ordinance. There was one member of the public with standing in favor of this request and no members of the public in opposition of this request.

APPROVAL:

Motion to Approve Zone Change #2024-131
PASSED

MOVED:

Commissioner Sublett

SECONDED:

Commissioner Freeman

CARRIED:

Motion passed on a Vote of 3

FOR and 0 AGAINST (Commissioner Moran – YES;

Commissioner Freeman– YES; Commissioner Sublett-YES).

C. Variance #2024-132 (District II, P&Z Commissioner Freeman, BoCC Richardson)

Gerald and Lorena Orona request a Variance of 5 feet to the 15-foot side yard setback for an accessory structure. Legal Description: Subd: LANDS OF ORONA Lot: 2A S: 2 T: 6N R: 2E 2.40 ACRES PLAT M-478; also known as 11 Otero Rd, Los Lunas, NM 87031; UPC 1011036203420; Zoned Rural Residential District 2 (RR-2)

Background: This request is for a Variance to the side yard setback requirement of fifteen feet in the Rural Residential District 2 (RR-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 154.058 of the Valencia County Zoning Code.

Staff made clarification that the applicant applied for a building permit and the permit was not approved.

Discussion ensued: Gerald Orona presented to the board a request for a variance to the 15 foot required easement and reduce it to 10 ft. to build a 24x25 metal building for personal use. The placement of the structure would block the gate to the field which is used for pasture for horses. In addition, it would restrict large farm equipment access to the only entry point to the field property. The field is used for agriculture use, horses, cattle and other livestock, It is a better fit within the 10 ft. parameter. He mentioned the neighbor next to their property line is in support of the request and has submitted a letter. The distance between the home and the structure has been met.



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P & Z/Public Line of Questioning: *Freeman*, asked about the acres to the field and the pre-existing structures. *Gerald* in response, they are metal buildings, a covered patio and a basketball court and the metal buildings are not permanent they are temporary and can be moved. There was one member of the public in favor with standing and no members of the public in opposition of this request.

APPROVAL:

Motion to Approve ZC #2024-132

PASSED

MOVED:

Commissioner Freeman

SECONDED:

Commissioner Sublett

CARRIED:

Motion passed on a Vote of **3**

FOR and 0 AGAINST (Commissioner Moran – YES; Commissioner Freeman– YES; Commissioner Sublett-YES).

8) Next Meeting: Tuesday December 17, 2024 at 3:00 p.m.

9) Adjournment:

MOVED:

Motion to adjourn made by Commissioner Freeman

SECONDED:

Motioned second by Commissioner Moran

CARRIED:

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