



VALENCIA COUNTY PLANNING & ZONING COMMISSION

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

Tuesday December 19, 2023 @ 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	
MaryCarmen Calderon Administrative Assistant	
Melissa Jaramillo, Community Development Director	

Also present were: Ms. Marez and Rick Torres

1) CALL THE MEETING TO ORDER

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

2) PLEDGE OF ALLEGIANCE

B. MaryCarmen 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 Montoya

SECONDED: Commissioner Freeman

CARRIED: Motion PASSED on a Vote of **4 FOR and 0 AGAINST (Commissioner Montoya – YES; Commissioner Freeman – YES; Commissioner Moran- YES; Commissioner Sublett –YES).**

D. 4) APPROVAL OF MINUTES November 28, 2023 County Planning & Zoning Minutes.

APPROVAL: Motion to approve Minutes as presented.

MOVED: Commissioner Freeman

SECONDED: Commissioner Montoya

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



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5) STAFF REPORT: Land Use Planner **Ryan Baca** had nothing to report on behalf of the BoCC for last month, he reported that Jerrie Romero will be out of the office for a few days and staff is covering for what she is typically responsible for.

6) SWEARING IN OF PARTICIPANTS

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

7) ACTION ITEM(S)

A. Zone Change #2023-094 (District IV, P&Z Commissioner Sublett, BoCC Bizzell)

LEMAR Properties LLC requests a Zone Change from Planned Development District (P-D) to Neighborhood Commercial District (C-1). Legal Description: Subd: RIO DEL ORO Lot: 8 Block: 51 Unit: 63 .25 AC +/-; Located at the corner of Sutherland Blvd and Highway 47, in Belen, NM 87002; UPC 1-009-029-380-355-000087; Zoned Planned Development District (P-D)

Background: This request is for a Zone Change from Planned Development District (P-D) 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. And during the department review on this case, for the proposed use the applicant will be requesting a conditional use, this was identified after the agenda and the public notices went out, this meeting will be for the request of a zone change and at the next meeting will be for the request of a Conditional Use, contingent upon the approval by the BoCC of the Zone Change. And upon reviewing what was legally platted this is closer to .46 acres.

Discussion ensued: Ms. Marez reintroduced herself and thanked the board for another opportunity to present and as per the board's request on the last meeting, she mentioned this request was better suited for a C1 property. She resubmitted an application and is now requesting for C1 zone change. And as staff mentioned the conditional use was overlooked and this will now be considered as a two-part request for a conditional use and a zone change, but tonight's presentation is only for a zone change.

P & Z/Public Line of Questioning: **Sublett**, requested from Marez to go over her plan for the public. **Marez** in response, the plan is to sell the lots, changing it to rural and that one lot mentioned by staff specifically falls in line with the C1 use. South of the property is commercial property a methadone clinic, to the right of the property is a towing yard that is C1. **Freeman**, Is this the property that you had an individual purchasing who wanted to put his trucks there? **Marez** in response, yes we are trying to sell and get this zoned correctly so he is in compliance with the county. **Sublett**, asked for clarification this property will be up for sale for this individual. **Marez** in response, correct and this will be the conditional use for him to purchase the property and to do what he likes with this property and if he doesn't purchase, this property just needs a zone change. **Sublett**, asked staff to bring up the map and to indicate the zoning around the property. **Staff** indicated the color legend on the map of zoning on all the surrounding areas. **Sublett** mentioned C1 properties are in the east and northwest area and said



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Marez is honest of this zone request and has returned with all the right information. There were no members of the public in favor or in opposition of this request.

APPROVAL:

Motion to Recommend Zone Change# 2023-094

Approved

MOVED: Commissioner Sublett

SECONDED: Commissioner Freeman

CARRIED: Motion approved on a Vote of **4**

FOR and 0 AGAINST (Commissioner Montoya – YES;

Commissioner Moran – YES; Commissioner Freeman– YES;

Commissioner Sublett-YES).

B. Zone Change #2023-095 (District IV, P&Z Commissioner Sublett, BoCC Bizzell)

Roberto Torres requests a Zone Change from Agricultural Preservation District (AP) to Rural Residential District 2 (RR-2) for future development. Legal Descriptions:

- Subd: LANDS OF FRANK SANCHEZ Tract: A2 S: 19 T: 6N R: 2E; UPC 1007033221443;
- Subd: LANDS OF FRANK SANCHEZ Tract: A3 S: 19 T: 6N R: 2E, UPC 1007033210405;
- Subd: LANDS OF FRANK SANCHEZ Tract: B S: 19 T: 6N R: 2E; UPC 1007033312425;

Located on Seabell Rd west of Cut Tree Ln, in Los Chavez, NM 87002; Zoned Agricultural Preservation District (AP)

Background: This request is for a 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 Sections 154.061 of the Valencia County Zoning Code.

Discussion ensued: Rick Torres also known as Roberto Torres introduced himself to the board and started the discussion on the properties requesting a zone change, throughout the discussion clarification was made by Rick Torres that these properties were his son's properties. **Sublett**, asked if his son was present, **Staff** redirected to the board that after reviewing the warranty deed the Son is the potential owner and recommends an owner authorization would have to be submitted by his son before having the Father continue with the request. **Sublett** recommends this request be tabled until the next meeting pending an authorization form signed by his son, with the understanding that no additional fees will be charged to his son to resubmit his request.

No more discussion



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P & Z/Public Line of Questioning: *None*

APPROVAL:

Motion to table Zone Change# 2023-095

Approved

MOVED: Commissioner Sublett

SECONDED: Commissioner Freeman

CARRIED: Motion approved on a Vote of **4**

FOR and 0 AGAINST (Commissioner Montoya – YES;

Commissioner Moran – YES; Commissioner Freeman– YES;

Commissioner Sublett-YES).

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

9) Adjournment:

MOVED:

Motion to adjourn made by Commissioner Montoya

SECONDED:

Motioned second by Commissioner Freeman

CARRIED:

Motion PASSED on a Vote of **4 FOR and 0 AGAINST (Commissioner**

Montoya - YES; Commissioner Moran- YES; Commissioner Freeman –

YES; Commissioner Sublett-YES).