

**Minutes
Planning & Zoning Commission
October 12, 2023**

The Planning & Zoning Commission met in a regular session on October 12, 2023 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:

Vice Chair Ryan Brown
Cheryl Ragsdale
Cody Waldroup
Joyce Cardon
Clete Berens
Gary Hanson

P&Z Members Absent

Chair Clint Freeman
Amber Hodge
Shay Davis

Staff Present:

Colby Gibson
Mike Safrany
Joaquin Gonzalez
Jennifer Breakell
Tami Spencer

Others Who Addressed the Commission

Francisco Gutierrez

Call to Order

Vice Chair Brown called the meeting to order at 3:00 p.m. There being a quorum present, the following proceedings were duly had and taken.

Approval of the Agenda

A motion was made by Commissioner Waldroup and seconded by Commissioner Cardon to approve the agenda of the October 12, 2023 Planning & Zoning Commission meeting. This motion passed unanimously by a 6-0 vote.

Approval of the Minutes

A motion was made by Commissioner Ragsdale and seconded by Commissioner Berens to approve the minutes of the September 28, 2023 Planning & Zoning Commission meeting. This motion passed unanimously by a 6-0 vote.

Swearing of Witnesses

Tami Spencer, Administrative Assistant swore in all parties that wished to speak.

Petition ZC 23-71 – A request for a Zone Change from Industrial to Single Family-7 to allow for the construction of a single family residence located on 2.513 acres at 615 Melba Lane. Parcel No. R0025272

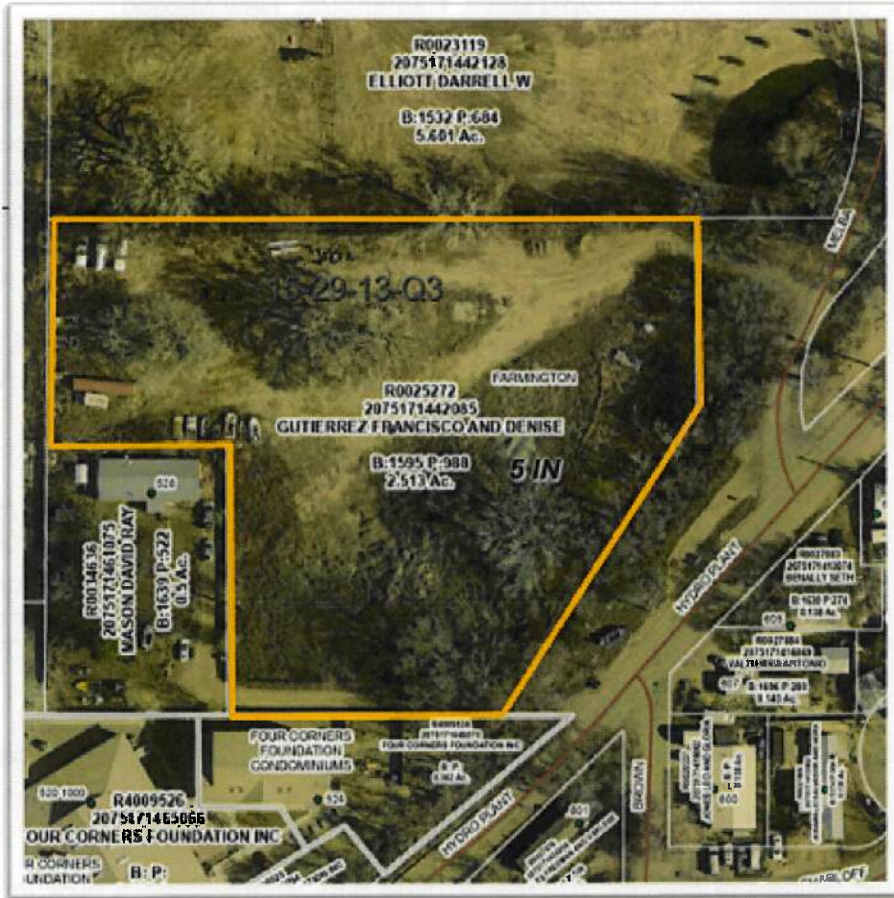
Long Range Planner Gibson Presented the Following:

Petition Information

- **Applicant:** Francisco Gutierrez
- **Location:** 615 Melba Lane
- **Existing Zoning:** Industrial
- **Existing Land Use:** Undeveloped, storage
- **Request:** Zone Change from Industrial to Single Family-7 to allow for the construction of a single family residence located on 2.513 acres.

Subject Property

- o Property size: 2.513 acres
- o Vacant undeveloped property. Currently used for outdoor storage.

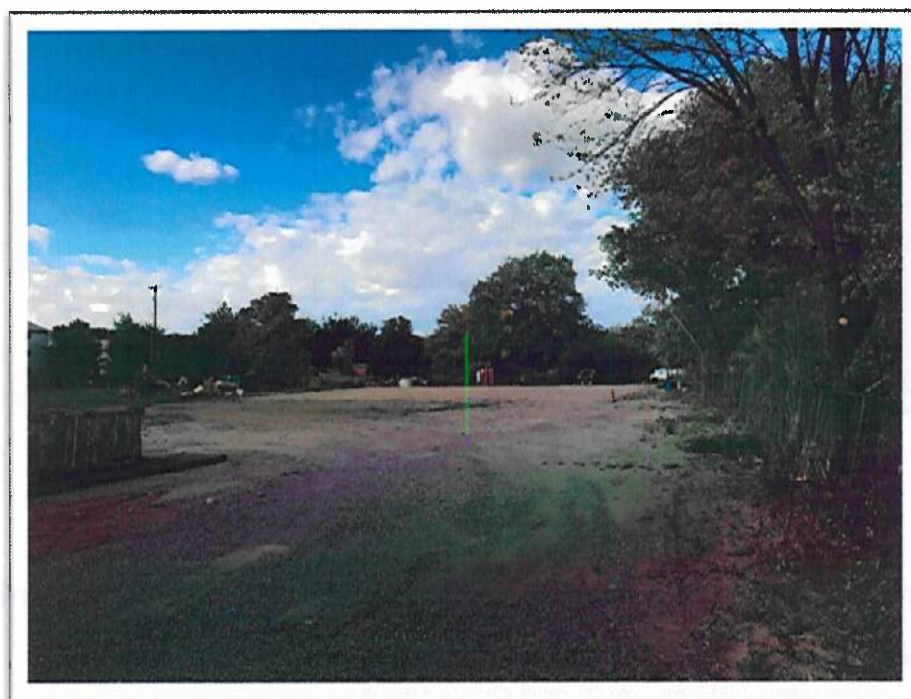


Area View

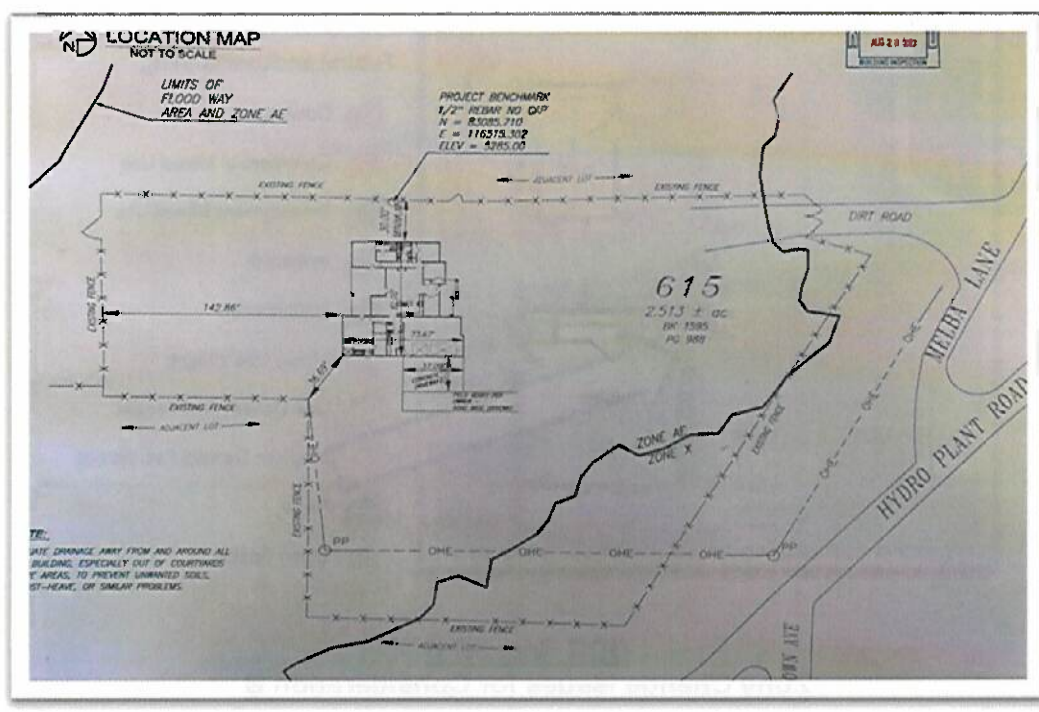




Street View

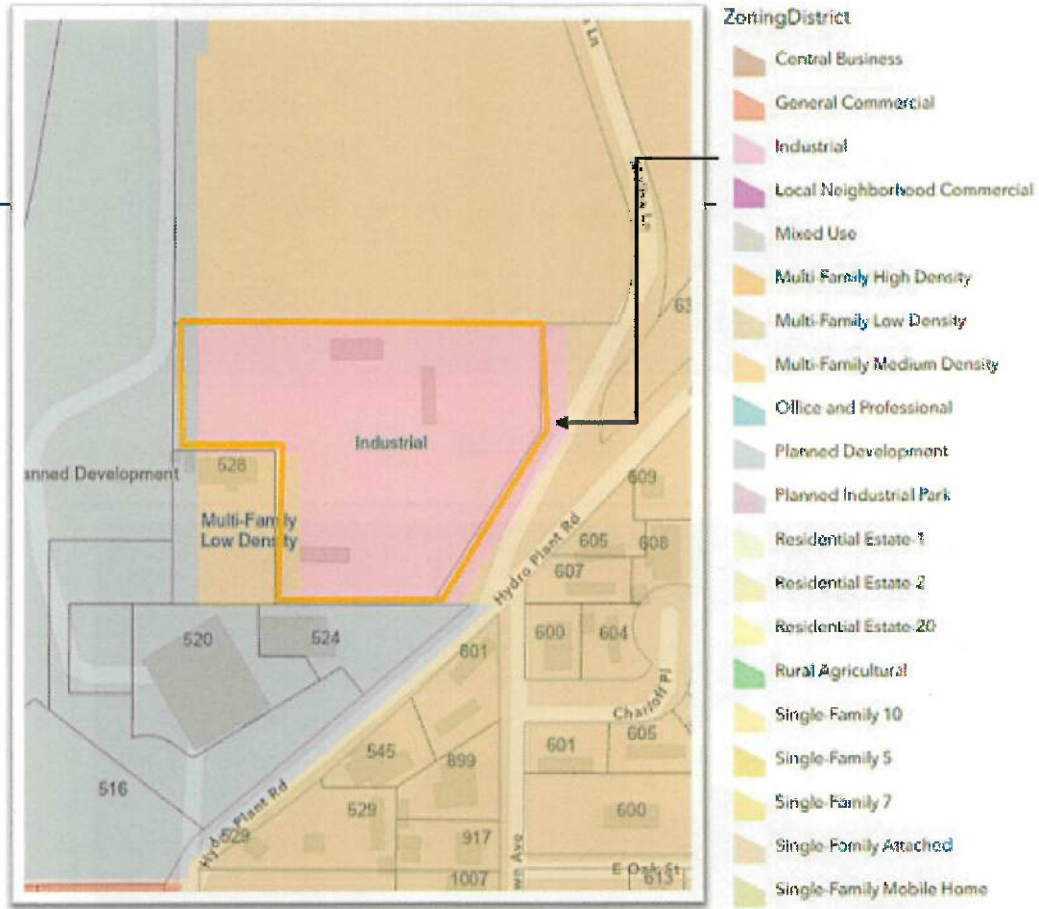


Site Plan



Zoning

- o **North:** Multifamily Low Density– Residential and agriculture uses
- o **South:** Planned Development – Residential and transitional housing uses
- o **East:** Multifamily Low Density – Residential use
- o **West:** Planned Development – Residential and recreational uses



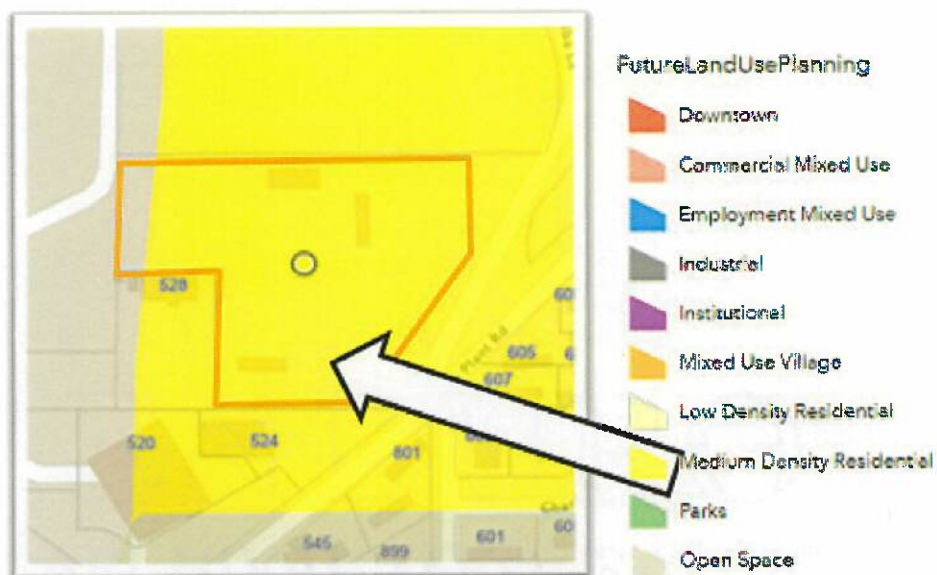
**UDC Sec. 8.7.4
Zone Change Issues for Consideration A.**

A. Is the proposed zoning consistent with the Farmington Comprehensive Plan?

Medium Density Residential

- o Variety of housing options, multi and single family.
- o Gridded street network.

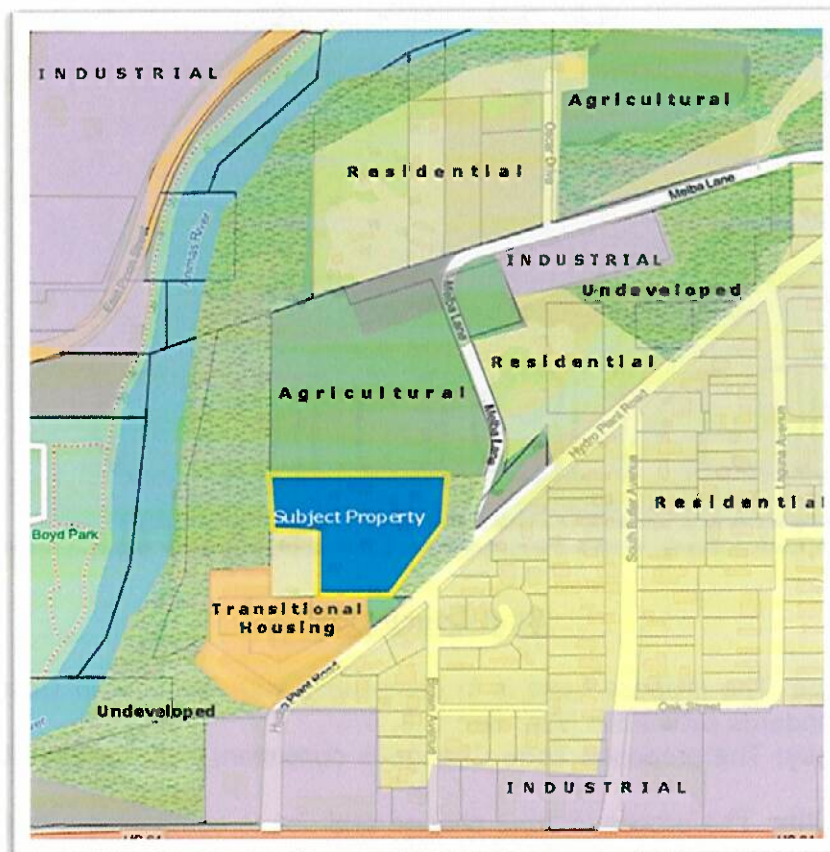
Walkable and bikeable to city amenities



**UDC Sec. 8.7.4
Zone Change Issues for Consideration B**

B. Is the proposed zoning and land use compatible with the present zoning and conforming uses of nearby property and the character of the neighborhood?

- Proposed zoning and land use is compatible with present zoning and conforming uses.
- Single and multi-family uses in the area



UDC Sec. 8.7.4

Zone Change Issues for Consideration C-D-E

C. Will there be adverse impacts; and can any adverse impacts be adequately mitigated?

- No adverse impacts identified.
- The proposed zoning is considered down zoning with a significantly lower impact than existing.

D. Is the proposed density and intensity of use permitted in the proposed zoning district?

- The proposed density and intensity meet UDC Sec. 2.8 standards of 7,000 SQFT / Dwelling Unit and 7,000 SQFT lot size minimum for the SF-7 zoning district.

E. Is the site physically suitable for development of uses and density permitted by the proposed zoning district?

- One dwelling unit on a 2.513 acre lot is suitable for the development.

UDC Sec. 8.7.4

Zone Change Issues for Consideration F-G

F. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone?

- Access provided from Melba Lane.
- Utilities available from Hydro Plant Road

G. Does the proposed change constitute "spot zoning" as defined in Article 11, definitions?

- Proposed Zone Change does not constitute spot zoning.
- Zone change is in pursuance of the Comprehensive Plan, Medium Density Residential designation.

Public Notice

- This petition has been properly noticed.
- Letters were sent to 12 surrounding property owners.
- Staff has not received any community input to date.



Staff Conclusion

- **Compliance:** The proposed use is in compliance with the Unified Development Code density standards outlined in UDC Sec. 2.8.
- **Consistency:** The proposed Zone Change is consistent with the 2040 Comprehensive Plan.
- **Compatibility:** The proposed zone change and use is compatible with the surrounding area and nearby uses.

Staff Recommendation

The Community Works Department recommends approval of Petition ZC 23-71, a request from Francisco Gutierrez, for a Zone Change from Industrial to Single Family-7 to allow for the construction of a single family residence located on 2.513 acres at 615 Melba Lane, with the following conditions of approval:

- 1) Site shall be developed in the general conformance to the submitted site plan.

Discussion

The Commission asked for a clarification on the current use and zoning. Long Range Planner Gibson explained that the parcel to the north of the subject property is zoned Multi-Family and is being used as Agricultural.

Petitioner Francisco Gutierrez, 817 S. Butler Ave., Farmington NM

Mr. Gutierrez stated that he has owned the property for about 15 years. It was used as storage for his business. He added that he bought a business on Murray Dr. and had moved his equipment to the new location. He would like the zone change so he can build his family a single story home on this lot.

The Commission had no other questions for Mr. Gutierrez.

With no further public comments Vice Chair Brown closed the public comment portion of the meeting for petition ZC 23-71.

With no Commission discussion needed. Vice Chair Brown called for a motion.

Motion

A motion was made by Commissioner Waldroup and seconded by Commissioner Cardon to **Approve** Petition ZC 23-71 with the condition as recommended by staff.

- 1) Site shall be developed in the general conformance to the submitted site plan.

AYE: Vice Chair Brown, Commissioner Berens, Commissioner Hanson, Commissioner Ragsdale, Commissioner Cardon and Commissioner Waldroup
NAY: None
ABSTAIN: None
ABSENT: Chair Freeman, Commissioner Hodge and Commissioner Davis

APPROVED 6-0


Business from the Floor: There was no business from the floor.

Business from the Chair: There was no business from the Chair.

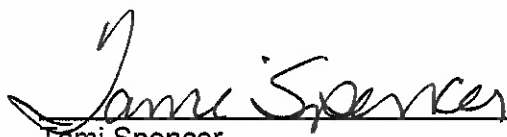
Business from the Members: There was no business from the members.

Business from Staff: Senior Planner Safrany informed the Commission that Petition ZC 23-61 was tabled until the October 24, 2023 City Council meeting.

Adjournment: With no further business, a motion to adjourn was made by Commissioner Cardon and seconded by Commissioner Berens. The motion carried unanimously 6-0 and the meeting was adjourned at 3:16 p.m.



Ryan Brown
Vice Chair



Tami Spencer
Administrative Assistant