

**MINUTES OF THE REGULAR MEETING OF THE**

**City of Carlsbad  
Planning & Zoning Commission**

**September 11, 2017, at 5:00 p.m.**

**Meeting Held in the Annex Planning Room  
114 S. Halagueno**



CITY OF CARLSBAD  
CARLSBAD, NEW MEXICO

**PLANNING AND ZONING COMMISSION**

Monday, September 11, 2017, at 5:00 PM  
Municipal Annex 114 S. Halagueno Street  
Planning Room

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Approval of Minutes from the Special Meeting held August 7, 2017.
4. Approval of Minutes from the Special Meeting held August 18, 2017.
5. Consider a recommendation to the City Council for a Zone Change located at 404 W. Church St.
6. Consider a Conditional Use Permit for chickens located at 916 Valverde St.
7. Report regarding Summary Review Subdivisions.
8. Adjourn.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, SEPTEMBER 11, 2017, AT 5:00 P.M.**

**VOTING MEMBERS PRESENT:**

**JAMES MCCORMICK  
BRIGIDO GARCIA  
LASON BARNEY  
BRAD NESSER**

**COMMISSION SECRETARY  
COMMISSIONER  
COMMISSIONER  
COMMISSIONER**

**VOTING MEMBERS ABSENT:**

**JAMES KNOTT**

**CHAIRPERSON**

**EX-OFFICIO MEMBERS PRESENT:**

**JEFF PATTERSON  
GEORGIA GOAD**

**PLANNING DIRECTOR  
PLANNING DEPUTY DIRECTOR**

**SECRETARY PRESENT:**

**PATTIE PISTOLE**

**PLANNING AND REGULATION  
DEPARTMENT SECRETARY**

**OTHERS PRESENT:**

**SHEENA DURAN  
PATSY BURCH  
UNKNOWN MALE**

**916 VALVERDE  
120 HAMILTON**

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:00 Start Recording [5:01:16 PM]

0:00:05 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present—Mr. Nesser, Mr. McCormick, Mr. Garcia; Absent— Mr. Knott, Mr. Barney. (Mr. Barney arrived at 5:05 p.m. and was present for the remainder of the meeting.)

0:00:41 **2. Approval of Agenda.**

Mr. Garcia made a motion to approve the Agenda, Mr. Nesser seconded the motion. The vote was as follows: Yes—Mr. Nesser, Mr. McCormick, Mr. Garcia; No—None; Abstained—None; Absent— Mr. Knott, Mr. Barney. (Mr. Barney arrived at 5:05 p.m. and was present for the remainder of the meeting.) The motion carried.

0:01:09 **3. Approval of Minutes from Meeting held August 7, 2017.**

**Mr. Garcia** made a motion to approve the Minutes; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. McCormick, Mr. Garcia**; **No—None**; **Abstained—None**; **Absent— Mr. Knott, Mr. Barney.** (Mr. Barney arrived at 5:05 p.m. and was present for the remainder of the meeting.) The motion carried.

0:02:01      **4. Approval of Minutes from the Special Meeting held August 18, 2017.**

**Mr. Garcia** made a motion to approve the Minutes, **Mr. Nesser** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. McCormick, Mr. Garcia**; **No—None**; **Abstained—None**; **Absent— Mr. Knott, Mr. Barney.** (Mr. Barney arrived at 5:05 p.m. and was present for the remainder of the meeting.) The motion carried.

0:02:34      **5. Consider a recommendation to the City Council for a Zone Change located at 404 W. Church St.**

**Mr. Barney** arrived at 5:05 p.m., and was present for this issue. **Ms. Goad** explained that this will not be a spot zone, since it adjoins property zoned R-1 to the north. In the past, it had been used as a home with a jeweler's shop in the front. For lending purposes, the property needs to be rezoned. As it is, if a catastrophe destroyed the property, a residence could not be built on the site, because of the zoning. Only a business would be permitted to be rebuilt there. **Ms. Burch** said they bought the property as a home for their daughter, but she has left. They don't want to rent anymore, but wish to sell. They had a prospective buyer, who could not secure lending because of the zoning, so they lost the sale. **Ms. Goad** added that the zone change would protect the property and make it easier to sell. The front part of the residence could be used in the future for a home occupation, provided a Conditional Use was secured. There was no public comment.

**Mr. Nesser** made a motion to recommend approval of the Zone Change, **Mr. Barney** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. McCormick, Mr. Barney, Mr. Garcia**; **No—None**; **Abstained—None**; **Absent— Mr. Knott.** The motion carried.

0:10:00      **6. Consider a Conditional Use Permit for chickens located at 916 Valverde St.**

**Ms. Goad** explained that under the new zoning ordinance chickens are allowed in R-1, but still require a Conditional Use Permit. **Ms. Duran** stated that her daughter is in FFA and wants to raise a maximum of three show chickens for four years. They will all be laying hens, no roosters, and will be penned up. Vet care has been lined up for them, as well. Part of her daughter's grade will be to take good care of them and keep the pens clean. There was no public comment.

**Mr. Garcia** made a motion to approve the Conditional Use. **Mr. Barney** seconded the motion. The vote was as follows: **Yes—Mr. Nesser, Mr. McCormick, Mr. Barney, Mr. Garcia**; **No—None**; **Abstained—None**; **Absent— Mr. Knott.** The motion carried.

0:15:47      **7. Report regarding Summary Review Subdivisions.**

**Ms. Goad** went over the plats that were signed for the previous month. There was brief discussion on each one.

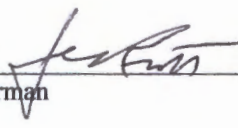
0:30:17

**8. Adjourn.**

There being no further business, the meeting was adjourned.

0:30:45

Stop Recording [5:32:02 PM]

  
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Chairman

10-2-19  
Date