



**AGENDA
PLANNING & ZONING COMMISSION
BERT CABINESS GOVERNMENT CENTER ASSEMBLY ROOM
3:00 PM Feb 10 2021**

DUE TO GOVERNOR LUJAN GRISHAM'S ORDER LIMITING THE NUMBER OF ATTENDEES AT GATHERINGS, THE PLANNING AND ZONING COMMISSION MEETING WILL NOT BE OPEN TO THE GENERAL PUBLIC. THE PUBLIC IS INVITED TO CALL IN QUESTIONS THEY MAY HAVE TO (575) 763-9200, WHICH WILL BE SHARED WITH THE PLANNING AND ZONING COMMISSION.

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of Minutes of Dec 9, 2020

II. OLD BUSINESS

III. NEW BUSINESS

APPROVAL OF PRELIMINARY PLAT OF THE IRIS ARBOR SUBDIVISION, A SUBDIVISION BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF IRIS ARBOR SUBDIVISION, UNIT NO. 1, BEING 1346.08 FEET N.89°51'30"W., AND 969.27 FEET S.89°58'05"W. OF THE EAST 1/4 CORNER, SECTION 5, T2N R36E;

- A. THENCE N.00°01'56"W. A DISTANCE OF 129.95 FEET; THENCE N.89°50'14"W. A DISTANCE OF 30.47 FEET; THENCE N.00°05'01"E. A DISTANCE OF 200.0 FEET; THENCE N.89°50'14"W. A DISTANCE OF 16.0 FEET; THENCE N.00°05'01"E. A DISTANCE OF 320.0 FEET; THENCE S.89°50'14"E. A DISTANCE OF 658.97 FEET; THENCE N.00°05'E. A DISTANCE OF 671.92 FEET; THENCE N.89°50'14"W. A DISTANCE OF 1014.78 FEET; THENCE S.00°16'36"W. A DISTANCE OF 58.52 FEET TO A POINT OF CURVATURE THENCE SOUTHWESTERLY, ALONG THE ARC OF CURVE TO THE RIGHT OF**

RADIUS 700.0 FEET, A DISTANCE OF 469.42 FEET; THENCE S.32°33'35"E. A DISTANCE OF 45.69 FEET; THENCE SOUTHWESTERLY, ALONG AN ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 160.0 FEET, A DISTANCE OF 114.49 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHWESTERLY ALONG AN ARC CURVE TO THE LEFT WITH A RADIUS OF 760.0 FEET, A DISTANCE OF 110.77 FEET; THENCE S.23°46'07"W., A DISTANCE OF 562.71 FEET; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 310.0 FEET, A DISTANCE OF 109.38 FEET; THENCE N.89°58'05"E. A DISTANCE OF 889.52 FEET TO THE POINT AND PLACE OF BEGINNING. SAID TRACT CONTAINS 27.901 ACRES OF LAND.

Name of Applicant: Robert C. Lydick of Lydick Engineers and Surveyors, P.O. Box 728, Clovis, NM 88101.

Name of Owner: Jane's Legacy Corporation 1167 CR 7, Clovis, NM 88101

B. APPROVAL OF ZONE CHANGE FROM [RS-170] – RESIDENTIAL SINGLE-FAMILY-170 DISTRICT TO [RS-7] – RESIDENTIAL SINGLE-FAMILY-7 DISTRICT OF THE IRIS ARBOR PRELIMINARY PLAT, SAID ZONE CHANGE TO INCLUDE A TRACT OF LAND IN THE SOUTHEAST QUARTER, SECTION 4, TOWNSHIP 2 NORTH, RANGE 36 EAST, N.M.P.M., CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO.

Name of Applicant: Mr. Robert C. Lydick of LYDICK ENGINEERS & SURVEYORS, 205 E Second Street, Clovis, NM 88101.

Name of Owner: Jane's Legacy Corporation 1167 CR 7, Clovis, NM 88101
Percentage of Protest: 0%

1V. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

V. FUTURE AGENDA ITEM

VI. DISCUSSION ITEM

VII. ADJOURNMENT

VIII. STUDY SESSION

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION –TBD at 3:00 P.M. ASSEMBLY ROOM, MUNICIPAL BUILDING.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
COUNTY OF CURRY) SS
CITY OF CLOVIS)

DUE TO GOVERNOR LUJAN GRISHAM'S ORDER LIMITING THE NUMBER OF ATTENDEES AT GATHERINGS, THE PLANNING & ZONING COMMISSION MEETING WILL NOT BE OPEN TO THE GENERAL PUBLIC. THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, OR WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITYGOVERNMENT) AND TO CALL IN QUESTIONS THEY MAY HAVE TO (575) 763-9200, WHICH WILL BE SHARED WITH THE PLANNING ZONING COMMISSION THE PUBLIC IS INVITED TO CALL IN QUESTIONS THEY MAY HAVE TO (575) 763-9200, WHICH WILL BE SHARED WITH THE PLANNING AND ZONING COMMISSION.

The Clovis Planning and Zoning Commission met at the North Annex of the Clovis Carver Public Library on Wednesday, February 10, 2021 at 3:00 pm in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of the City with the following members present:

- Present:

Chairman, Steve North
Vice Chairman, Candace Morrison
Commissioner, Thom Moore
Commissioner, Vincent Soule
Commissioner, Travis Cline
Commissioner, Marcus Smith
Commissioner, Juan Garza
- Also Present:

Justin Howalt, City Manager
Jared Morris, City Attorney
Donna Muscato, Bldg Safety Adm. Asst.
Pete Wilt, Building Safety
- Absent:

Doug Ford, Chief of Police
Clint Bunch, Public Works
Allan Silvers, Fire Dept
Daron Roach, Building Safety
Claire Burroughes, Assistant City Manager
- Visitors:

Glen Barleben, City of Clovis IT Dept.
Steve Hewett, City of Clovis IT Dept
Chad Lydick, Lydick Engineers (by phone)
Members of Jane’s Legacy Corporation (by Phone)

AGENDA ITEM I– ROUTINE MATTERS

- A.

To begin the meeting, a quorum was determined with Roll Call by Donna Muscato, Building Safety Administrative Assistant. A quorum of 7 was declared. Commissioner Juan Garza moved to approve the agenda and Commissioner Thom Moore seconded the motion. With all Commissioners voting in the affirmative, the motion passed with a vote of 7-0.

AGENDA ITEM II – OLD BUSINESS

None.

AGENDA ITEM III– NEW BUSINESS

A. APPROVAL OR PRELIMINARY PLAT OF THE IRIS ARBOR SUBDIVISION, A SUBDIVISION BEING DESCRIBED AS FOLLOWS:

Preliminary Plat approval of Iris Arbor Subdivision. A tract of land in the E. ¼ corner, Section 5 T2N R36E. N.M.P.M., CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO.

Name of Applicant: Robert Chad Lydick, 205 East Second Street, Clovis, NM 88101

Name of Owner(s): Jane's Legacy Corporation, 1167 CR 7, Clovis, New Mexico (Pages 16-25)

Chairman Steve North introduced Chad Lydick to Commission and swore Mr. Lydick in before speaking to the group. Pete Wilt spoke on how the re-zoning is consistent with the City's requirements, and there are no health or safety issues.

Chairman North asked for any questions from the Commission for Mr. Lydick. Commissioner Moore asked about the pre-existing units and the upcoming zone change and whether we should consult with them first. Mr. Wilt stated that all residents within 100 feet the affected area were sent a letter explaining about the zone change and there was only one letter answered and that there was no opposition.

Mr. Lydick spoke about the history of the Iris Arbor Subdivision. Mr. Lydick met with the City Utilities and all attending were in agreement that this area can be serviced properly.

As of now, the only exit is at Royalton and there will need to be an alternate route due to the added traffic in that area, so Concord will be extended to North to connect with the proposed subdivision.

Vice Chairman Morrison asked about the trails at Goodwin Lake being relocated and Justin Howalt commented that they would be relocated.

City Attorney Jared Morris stated that there wouldn't be any changes to the zoning classification.

Commissioner Juan Garza moved to approve the Motion, and Commissioner Marcus Smith seconded the Motion. With one Commissioner Cline abstaining, the Motion passed with a vote of 6-0.

B. Zone Change from (RA) Ranchette, to (RS7) Single Family Residential. Of the Preliminary Plat of Iris Arbor, CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO, CONTAINNING 27.9 acres of land in the North ½ Section 5, T2N R36E

Name of Applicant: Robert Chad Lydick of Lydick Engineers & Surveyors, 205 East Second Street, Clovis, NM 88101.

Name of Owner(s): Jane's Legacy Corporation, 1167 CR 7, Clovis NM 88101

Pete Wilt gave comments on how the re-zoning is consistent with the City's requirements, and there were no health or safety issues. Mr. Wilt stated that all residents within 100 feet the affected area were sent a letter explaining about the zone change and there was only one letter answered and that there was no opposition.

The Commission didn't have any questions at this time.

Commissioner Moore moved to approve the Motion, and Commissioner Marcus seconded the Motion. With Commissioner Cline abstaining, the Motion passed with a vote of 6-0.

There being no further discussion to come before the Commission, the meeting was adjourned with the consensus of the Commission at 3:20 PM.

**DATE, TIME AND PLACE OF NEXT SCHEDULED MEETING OF THE
PLANNING AND ZONING COMMISSION:**

**Regular Session –March 10, 2021 at 3:00 PM
NORTH ANNEX CLOVIS CARVER PUBLIC LIBRARY
at 701 N Main St., Clovis, New Mexico 88101**

Chair

Secretary



**AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX CARVER PUBLIC LIBRARY 701 N MAIN STREET
3:00 PM APRIL 14, 2020**

THE PUBLIC IS INVITED TO ATTEND THE MEETING, HOWEVER THE NUMBER OF MEMBERS OF THE PUBLIC THAT ATTEND IS LIMITED DUE TO THE NEW MEXICO PUBLIC HEALTH ORDERS FOR SOCIAL DISTANCING. THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITY GOVERNMENT) AND TO CALL IN QUESTIONS THEY MAY HAVE TO (575) 763-9200, WHICH WILL BE SHARED WITH THE CLOVIS CITY COMMISSION.

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of Minutes of February 10, 2021

II. OLD BUSINESS

III. NEW BUSINESS

A. APPROVAL OF PRELIMINARY PLAT OF THE OLIVE BRANCH SUBDIVISION, A SUBDIVISION WITHIN THE ABACHERLI LOTS 1&2 AND ALSO SECTION-33 TOWNSHIP-03N RANGE-36E TR SE4 SE4 LESS TRACTS, N.M.P.M., CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO. SAID TRACT CONTAINS 104.768 ACRES OF LAND.

Name of Applicant: Robert C. Lydick of Lydick Engineers and Surveyors, P.O. Box 728, Clovis, NM 88101.

Name of Owner: Paul Burch, PO Box 728, Clovis, NM 88101

B. APPROVAL OF ZONE CHANGE FROM [RS-170] – RESIDENTIAL SINGLE-FAMILY-170 DISTRICT TO [RS-7] – RESIDENTIAL SINGLE-FAMILY-7 DISTRICT OF THE OLIVE BRANCH SUBDIVISION. SAID ZONE CHANGE WITHIN SE ¼, SECTION 33 T3N R36E, BLOCK 1 LOT 1-9 BLOCK 2 LOT 1-92, BLOCK 3 LOT 1-12, BLOCK 4 LOT 1-18, BLOCK 5 LOT 1-19, N.M.P.M., CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO.

Name of Applicant: Robert C. Lydick of LYDICK ENGINEERS & SURVEYORS,
205 E Second Street, Clovis, NM 88101.

Name of Owner: Paul Burch, PO Box 728, Clovis, NM 88101
Percentage of Protest: 0%

C. APPROVAL OF THE ZONE CHANGE FROM [RS-7] – RESIDENTIAL SINGLE-FAMILY DISTRICT TO [RS-7(C1)] – RESIDENTIAL SINGLE-FAMILY CARPORT OVERLAY DISTRICT. SAID ZONE CHANGE TO INCLUDE LOTS 8-14, BLOCK 10, OF BELLA VISTA SUBDIVISION.

Name of Applicant/Owner: Viola Rodriguez, 1125 Hondo, Clovis, NM 88101

IV. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

V. FUTURE AGENDA ITEM

VI. DISCUSSION ITEM

VII. ADJOURNMENT

VIII. STUDY SESSION

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION – May 12, 2021 at 3:00 P.M. NORTH ANNEX CARVER PUBLIC LIBRARY
701 N MAIN STREET.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met in regular session at 3:00 p.m., Wednesday, April 14, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Chairman Steve North
Vice Chairman Candace Morrison
Commissioner Thom Moore
Commissioner Vincent Soule
Commissioner Juan Garza
Commissioner Travis Cline

ABSENT:

Commissioner Marcus Smith

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciano, Zoning Administrator
Pete Wilt, Building Official
Jared Morris, City Attorney
Justin Howalt, City Manager
Vicki Reyes, Assistant City Clerk
Mayor Mike Morris
Chad Lydick, Lydick Engineers
Members of the public

Chairman North called the meeting to order at 3:01 p.m. and established the presence of a quorum.

Agenda Item No. I – Routine Matters

1. Approval of Agenda

Vice Chairman Morrison moved for approval of the agenda; Commissioner Garza seconded the motion, which passed by acclamation.

2. Approval of Minutes of February 10, 2021

Commissioner Moore made a motion to approve the minutes of February 10, 2021 as presented; Commissioner Garza seconded the motion, which passed by acclamation.

Mr. Roach introduced Les Ciano, Zoning Administrator, has worked with the city for a year and a half. He has been in this position for 2 months.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

- A. Approval of preliminary plat of the Olive Branch Subdivision, a subdivision within the Abacherli lots 1 & 2 and also section-33 township-03N Range-36E TR SE4 SE4 less tracts, N.M.P.M, City of Clovis, Curry County, New Mexico. Said tract contains 104.768 acres of land

Mr. Wilt advised this was zoned residential single family so the next portion of the agenda will be a zone change to residential single family 7,000 square foot lots instead of residential single family 7. The preliminary plat meets the request of the Unified Development Ordinance and is

consistent with the Comprehensive Plan. There was zero protest and no health, safety or welfare to the public.

Mr. Chad Lydick, Lydick Engineers, advised this is a large development, 109 acres where the east/west running road is Llano Estacado and the one running north/south is Humphrey Road. This area has been dormant for a long period of time. It is going to feature several different aspects of lot size. The smallest lot will be close to 8,300 square feet and the largest will be 3 ½ acres. There are 177 lots and its 1.69 lots per acre. There are open spaces platted that the developer is not planning for residential development, but they could be developed into park areas. The 22-acre flood basin being used by the City of Clovis will connect with another upstream basin that the city also controls. They will do lot by lot retention which requires a certain type of fencing and traps any type of runoff. The streets will collect the rest and it will be discharged into the flood retention basin. The city is contracted with another contractor that is doing work on that basin.

They anticipate 708 trips per day and have contracted with a firm that specializes in traffic impact studies. There are no roadways planned across the drainage channel. The City of Clovis maintains an 18-inch trunk sewer line in the Llano Estacado right-of-way and a sanitary sewer line that runs the east line of this subdivision. They will extend a sewer line up Humphrey Road. There is not sufficient trunk line type water on a portion of Llano Estacado. Power and telephone are adjacent to the site. This subdivision lies partly within Xcel Energy and part within Farmers Electric.

There are no lots within the designated flood area. The FEMA study did not have a map for this area. The City contracted with CDM Smith to do a study so that builders and insurance would know where the houses should be placed. It was accepted by FEMA and it is what they have been using until this time. Mr. Howalt advised the City is working with Molzen Corbin to do their own map revision for the entire community.

Chairman North asked if they could combine items A & B in the motion. Mr. Morris advised they could. Vice Chairperson Morrison moved for approval; Commissioner Garza seconded the motion, which passed by acclamation.

- B. Approval of zone change from [RS-170] – residential single-family-170 district to [RS-7] – residential single-family-7 district of the Olive Branch Subdivision. Said zone change with SE ¼, section 33 T3N R36E, block 1 lot 1-9 block 2 lot 1-92, block 3 lot 1-12, block 4 lot 1-18, block 5 lot 1-19, N.M.P.M., City of Clovis, Curry County, New Mexico

Approved in the previous agenda item.

- C. Approval of the zone change from [RS-7] – residential single-family district to [RS-7(C1)] – residential single-family carport overlay district. Said zone change to include lots 8-14, block 10 of Bella Vista Subdivision

Mr. Wilt advised staff recommendations are on page 27 of the packet. It is currently a residential single-family district and they would like to change it to a residential single family C1 district that allows for carports. All adjoining property owners were notified with zero protest. Commissioner Moore thought they weren't going to make any changes on carport districts. Mr. Wilt advised not for prefab. They cannot have a prefab carport.

Vice Chairman Morrison moved for approval; Commissioner Cline seconded the motion, which passed by acclamation.

Agenda Item No. IV – Reports of Committees, Officers and Commission

None.

Agenda Item No. V – Future Agenda Items

None.

Agenda Item No. VI – Discussion Items

None.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:19 p.m.

Chairman

SEAL
(ATTEST)

City Clerk



**AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX, CLOVIS-CARVER LIBRARY, 701 N MAIN STREET
3:00 P.M., MAY 12, 2021**

THE PUBLIC IS INVITED TO ATTEND THE MEETING, HOWEVER THE NUMBER OF MEMBERS OF THE PUBLIC THAT ATTEND IS LIMITED DUE TO THE NEW MEXICO PUBLIC HEALTH ORDERS FOR SOCIAL DISTANCING. THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITY GOVERNMENT) AND TO CALL IN QUESTIONS THEY MAY HAVE TO (575) 763-9200, WHICH WILL BE SHARED WITH THE CLOVIS CITY COMMISSION.

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of Minutes of February 10, 2021

II. OLD BUSINESS

III. NEW BUSINESS

A. APPROVAL OF PRELIMINARY PLAT OF THE OLIVE BRANCH SUBDIVISION, A SUBDIVISION WITHIN THE ABACHERLI LOTS 1&2 AND ALSO SECTION-33 TOWNSHIP-03N RANGE-36E TR SE4 SE4 LESS TRACTS, N.M.P.M., CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO. SAID TRACT CONTAINS 104.768 ACRES OF LAND.

Name of Applicant: Robert C. Lydick of Lydick Engineers and Surveyors, P.O. Box 728, Clovis, NM 88101.

Name of Owner: Paul Burch, PO Box 728, Clovis, NM 88101

B. APPROVAL OF ZONE CHANGE FROM [RS-170] – RESIDENTIAL SINGLE-FAMILY-170 DISTRICT TO [RS-7] – RESIDENTIAL SINGLE-FAMILY-7 DISTRICT OF THE OLIVE BRANCH SUBDIVISION. SAID ZONE CHANGE WITHIN SE ¼, SECTION 33 T3N R36E, BLOCK 1 LOT 1-9 BLOCK 2 LOT 1-92, BLOCK 3 LOT 1-12, BLOCK 4 LOT 1-18, BLOCK 5 LOT 1-19, N.M.P.M., CITY OF CLOVIS, CURRY COUNTY, NEW MEXICO.

Name of Applicant: Robert C. Lydick of LYDICK ENGINEERS & SURVEYORS, 205 E Second Street, Clovis, NM 88101.

Name of Owner: Paul Burch, PO Box 728, Clovis, NM 88101
Percentage of Protest: 0%

C. APPROVAL OF THE ZONE CHANGE FROM [RS-7] – RESIDENTIAL SINGLE-FAMILY DISTRICT TO [RS-7(C1)] – RESIDENTIAL SINGLE-FAMILY CARPORT OVERLAY DISTRICT. SAID ZONE CHANGE TO INCLUDE LOTS 8-14, BLOCK 10, OF BELLA VISTA SUBDIVISION.

Name of Applicant/Owner: Viola Rodriguez, 1125 Hondo, Clovis, NM 88101

IV. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

MRA Update, Claire Burroughes

V. FUTURE AGENDA ITEM

VI. DISCUSSION ITEM

VII. ADJOURNMENT

VIII. STUDY SESSION

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION – June 9, 2021 at 3:00 P.M. NORTH ANNEX CARVER PUBLIC LIBRARY 701 N MAIN STREET.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met in regular session at 3:00 p.m., Wednesday, April 14, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Vice Chairman Candace Morrison
Commissioner Thom Moore
Commissioner Vincent Soule
Commissioner Juan Garza
Commissioner Travis Cline
Commissioner Marcus Smith

ABSENT:

Chairman Steve North

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciancio, Zoning Administrator
Pete Wilt, Building Official
Jared Morris, City Attorney
Justin Howalt, City Manager
Claire Burroughes, Assistant City Clerk
Vicki Reyes, Assistant City Clerk
Chad Lydick, Lydick Engineers
Kevin Wilson, ENM News
Members of the public

Vice Chairman Morrison called the meeting to order at 3:02 p.m. and established the presence of a quorum.

Agenda Item No. I – Routine Matters

1. Approval of Agenda

Commissioner moved for approval of the agenda; Commissioner Smith seconded the motion, which passed by acclamation.

2. Approval of Minutes of February 10, 2021

Commissioner Soule made a motion to approve the minutes of February 10, 2021 as presented; Commissioner Smith seconded the motion, which passed by acclamation.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

- A. Approval of preliminary plat of the Olive Branch Subdivision, a subdivision within the Abacherli lots 1 & 2 and also section-33 township-03N Range-36E TR SE4 SE4 less tracts, N.M.P.M, City of Clovis, Curry County, New Mexico. Said tract contains 104.768 acres of land

Name of applicant: Robert C. Lydick of Lydick Engineers and Surveyors, P.O. Box 728, Clovis, NM 88101. Name of owner: Paul Burch, PO Box 728, Clovis, NM 88101.

Vice Chairman Morrison asked if there were any comments from staff. Mr. Wilt advised there were not. Commissioner Garza moved for approval; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

- B. Approval of zone change from [RS-170] – residential single-family-170 district to [RS-7] – residential single-family-7 district of the Olive Branch Subdivision. Said zone change with SE ¼, section 33 T3N R36E, block 1 lot 1-9 block 2 lot 1-92, block 3 lot 1-12, block 4 lot 1-18, block 5 lot 1-19, N.M.P.M., City of Clovis, Curry County, New Mexico

Name of applicant: Robert C. Lydick of Lydick Engineers and Surveyors, P.O. Box 728, Clovis, NM 88101. Name of owner: Paul Burch, PO Box 728, Clovis, NM 88101.

Vice Chairman Morrison asked if there were any comments from staff. Mr. Wilt advised there were not. Commissioner Garza moved for approval; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

- C. Approval of the zone change from [RS-7] – residential single-family district to [RS-7(C1)] – residential single-family carport overlay district. Said zone change to include lots 8-14, block 10 of Bella Vista Subdivision

Name of applicant/owner: Viola Rodriguez, 1125 Hondo, Clovis, NM 88101.

Vice Chairman Morrison asked if there were any comments from staff. Mr. Wilt advised there were not. Commissioner Garza moved for approval; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. IV – Reports of Committees, Officers and Commission

MRA Update

Ms. Burroughes advised the draft MRA has been released and will be on the city's website. Staff have emailed the commission a copy and Mr. Soule has suggested some changes. She thanked EPCOG for helping with the grant application. It identifies MRA 1 and MRA 2 between Connelly and MLK between 7th and the railroad and Pile to Norris. Commissioner Garza has been involved with the MRA steering committee and they will meet next Tuesday, May 18 in the North Annex at 5:30 p.m. Jackie Fishman, Consensus Planning, will be available to walk them through the plan.

Agenda Item No. V – Future Agenda Items

None.

Agenda Item No. VI – Discussion Items

None.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:11 p.m.

Chairman

SEAL
(ATTEST)

City Clerk



**AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX, CLOVIS-CARVER LIBRARY
3:00 PM July 7, 2021**

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of minutes of Joint City Commission/Planning & Zoning Commission Study Session of June 30, 2021

II. NEW BUSINESS

- A. REQUEST FOR APPROVAL OF RECOMMENDATION TO THE CLOVIS CITY COMMISSION REGARDING A REVISION TO THE UNIFIED DEVELOPMENT ORDINANCE ADDRESSING CANNABIS REGULATIONS IN THE CITY OF CLOVIS**

III. ADJOURNMENT

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION –JULY 14 at 3:00 P.M. NORTH ANNEX, CLOVIS-CARVER LIBRARY

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met at 3:00 p.m., Wednesday, July 7, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Chairman Steve North
Vice Chairman Candace Morrison
Commissioner Thom Moore
Commissioner Juan Garza
Commissioner Travis Cline
Commissioner Marcus Smith

ABSENT:

Commissioner Vincent Soule

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciancio, Zoning Administrator
Jared Morris, City Attorney
Justin Howalt, City Manager
Vicki Reyes, Assistant City Clerk
Commissioner Fidel Madrid
Mayor Pro Tem Chris Bryant
Mayor Mike Morris
Members of the public

Chairman North called the meeting to order at 3:01 p.m. and established the presence of a quorum.

Agenda Item No. I – Routine Matters

1. Approval of Agenda

Commissioner Cline moved for approval of the agenda; Commissioner More seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Approval of the joint City Commission/Planning & Zoning Commission Study Session, June 30, 2021

Commissioner Garza made a motion to approve the minutes of June 30, 2021 as presented; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. II – New Business

A. Request for approval of recommendation to the Clovis City Commission regarding a revision to the Unified Development Ordinance addressing cannabis regulations in the City of Clovis

Attorney Morris advised he sent a proposed ordinance to the commission based upon the study session from last week. The proposed ordinance is also based upon them prescribing certain zones in which establishments can operate in. An overlay district is something they could accomplish, but he would just have to reword some of the ordinance.

Commissioner Cline advised he was good with 500 feet. He asked about the rehab centers being added. Commissioner Moore advised some churches have rehabs. Attorney Morris advised they did discuss that but he didn't add it to the draft ordinance. Several of the other cities they looked at prescribed distances between rehabilitation centers. Chairman North asked if they were going to consider Celebrate Recovery as a rehab. Mr. Howalt advised they could add rehabilitation centers under the definition of 300 feet. Attorney Morris advised he would want to add a definition as to what a rehab was.

Commissioner Cline asked about days of the week. Attorney Morris advised he worded it so that there are no day restrictions and the only restrictions he added were for the hours.

Vice-Chairman Morrison asked if they discussed 500 feet from a zoned residential. Attorney Morris advised there is 500 feet from the border of any residential zone and the possibility of prescribing a distance from an existing residence. They would be grandfathered in if someone built a house next to a dispensary.

Vice-Chairman Morrison advised on the maximum restrictions map it says there were 550 available parcels. That doesn't take into account what is on the property or if it is available for rent or sale. Based on that there is a 5%-7% vacancy rate in Clovis so that would be 38 options for these businesses to go. The medium with 800 parcels would give 56 options. Looking at the maximum restrictions, Mabry is the only place they will be able to locate. Mr. Howalt advised it doesn't consider the distance in between. They took the offset restrictions that were discussed during the joint study session and applied those. Theoretically it could be less if they apply the offset distances between establishments.

Chairman North advised the more restrictive they make this the more difficult it is for the businesses. He suggested 300 feet. Mr. Howalt advised regulating zones would be easier to regulate than based off a residence. Commissioner Garza advised the county has no zoning regulations so there is nothing stopping businesses from going into the county. They need to be careful how they regulate the ordinance.

Commissioner Cline advised he likes living in Clovis because of the small town feel and 56 locations seems like a lot more establishments than he would like to see. Commissioner Smith asked if anyone had any objection to the medium restriction map. He advised he didn't see 56 businesses being established. He asked if they went to 300 feet all the way around, would they need to discuss the 500 feet in-between establishments. Chairman North advised this was only a

recommendation to the city commission. Commissioner Smith asked if they would keep 500 feet between establishment do they move to 300 feet.

Attorney Morris advised there were mixed opinions about whether they were allowed to prescribe distances between other landmarks besides schools. The prevailing opinion is that they are not allowed to. If they stick with the 300 feet it gives them more protection because they have already prescribed 300 feet between schools. They have a lot of leeway with distances between establishments. Chairman North advised he would lean more to the 300 feet and 500 feet in-between. Mr. Howalt advised in the definitions they said cannabis establishments which makes it an umbrella for dispensaries and producers. Chairman North asked if medical dispensaries were included in that. Attorney Morris advised if they were already in place, they would be grandfathered in.

Commissioner Moore asked what the trend was. Attorney Morris advised the ones he looked into allowed establishments to set up anywhere. Some were more restrictive in their downtown area. Colorado was given a huge amount of authority on these facilities and that was taken away from New Mexico.

Commissioner Smith advised commercial, industrial and CBD (commercial business district) was his suggestion. Mr. Howalt advised if they would like to make a motion to allow them only in commercial, general and industrial zones that would give direction. Commissioner Smith made a motion to keep the zone within commercial, general, industrial and CBD; Commissioner Cline seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Commissioner Moore asked if they could adjust the distance for the schools. Mr. Howalt advised 300 feet is a maximum. Attorney Morris advised they could reduce the distance. Commissioner Smith made a motion for 300 feet from residential, churches, parks and schools and 500 feet from licensed establishments.

Commissioner Moore asked if anyone had concerns about them being a block away from churches. Commissioner Cline advised he did and was fine with 500 feet. Mr. Howalt advised currently they have churches and places of worship lumped in with schools. They could create another item to separate them. Commissioner Moore advised he would be more comfortable with 500 feet. He asked what the distance was for package liquor stores to churches. Attorney Morris advised it was 300 feet. Commissioner Cline advised if that was the regulation for alcohol then it is a lawsuit waiting to happen if they change it. Commissioner Smith suggested leaving it at 300 feet. Commissioner Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Mr. Howalt recommended approving the text amendment as recommended with the changes. Attorney Morris advised there may be discussion on items E-J.

Commissioner Smith asked if medicinal marijuana is allowed to advertise off premise. Attorney Morris advised he was unsure of what state statute allows currently, but beginning July 1 when the Cannabis Act took effect they have to abide by that. They are allowed to advertise on

premises and the city cannot restrict that. The current sign code doesn't prohibit any cannabis advertising. Chairman North asked if there are guidelines on the type and style of onsite signage. Attorney Morris advised those are some of the guidelines that RLD is supposed to come up with.

Commissioner Cline advised the only one he went back over was the hours, but it goes back to alcohol sales. He thought they should have them closing sooner than 8:00 p.m. Attorney Morris advised there has to be some sort of rationale behind changing times. Commissioner Garza advised he found 8:00 a.m. a little problematic. He suggested 9:00 a.m. – 8:00 p.m. Commissioner Moore advised restricted hours in the city may make some of the businesses move to the county. Chairman North asked if they could change this at a later date. Attorney Morris advised they could change anything from E-J in the ordinance.

Commissioner Smith made a motion to change the times to 9:00 a.m. – 8:00 p.m.; Commissioner Moore seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Commissioner Smith made a motion to accept the text amendment with proposed changes; Commissioner Moore seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:48 p.m.

Chairman

SEAL
(ATTEST)

City Clerk



**AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX, CLOVIS-CARVER LIBRARY, 701 N MAIN STREET
3:00 P.M., JULY 14, 2021**

THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITY GOVERNMENT).

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of Minutes of May 12, 2021
4. Approval of Minutes of July 7, 2021

II. OLD BUSINESS

III. NEW BUSINESS

A. APPROVAL OF REPLAT OF WICKS HEIGHTS ADDITION. TRACT BEING DESCRIBD AS FOLLOWS:

WICKS BLOCK 9.

Name of Applicant: G4 New Generation, LLC., 1155 Kimberly Lane, Clovis, NM 88101.

Name of Owner: G4 New Generation, LLC., 1155 Kimberly Lane, Clovis, NM 88101.

IV. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

V. FUTURE AGENDA ITEM

VI. DISCUSSION ITEM

VII. ADJOURNMENT

VIII. STUDY SESSION

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION – August 11, 2021 at 3:00 P.M. NORTH ANNEX CARVER PUBLIC LIBRARY 701 N MAIN STREET.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met at 3:00 p.m., Wednesday, July 14, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Vice Chairman Candace Morrison
Commissioner Thom Moore
Commissioner Juan Garza
Commissioner Travis Cline
Commissioner Marcus Smith

ABSENT:

Chairman Steve North
Commissioner Vincent Soule

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciancio, Zoning Administrator
Vicki Reyes, Assistant City Clerk
Chad Lydick, Lydick Engineers

Vice Chairman Morrison called the meeting to order at 3:00 p.m. and established the presence of a quorum.

Agenda Item No. 1 – Routine Matters

1. Approval of Agenda

Commissioner Smith moved for approval of the agenda; Commissioner Moore seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Approval of minutes of May 12, 2021

Commissioner Smith made a motion to approve the minutes of May 12, 2021 as presented; Commissioner Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

3. Approval of minutes of July 7, 2021

Commissioner Cline made a motion to approve the minutes of July 7, 2021 as presented; Commissioner Moore seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

A. Request for approval of replat of Wicks Heights Addition

Mr. Ciancio advised this meets the standards of Chapter 17.65, specifically 17.65.70. It is consistent with the City's Comprehensive Plan. All adjoining property owners within 100 feet were notified and there as zero responding protest. Mr. Chad Lydick advised this was one of the older additions in town. They will build multi-family units which will be good for the city. It was originally platted in 1985. They met with city staff and the only recommendation was from the fire chief to install one additional fire hydrant, which they will do. The streets and utilities are in and there is no infrastructure involved, other than the fire hydrant.

Agenda Item No. IV – Reports of Committees, Officers and Commission

None.

Agenda Item No. V – Future Agenda Items

None.

Agenda Item No. VI – Discussion Item

None.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:05 p.m.

Chairman

SEAL
(ATTEST)

City Clerk



**AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX, CLOVIS-CARVER LIBRARY, 701 N MAIN STREET
3:00 P.M., SEPTEMBER 8, 2021**

THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITY GOVERNMENT).

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of Minutes of July 14, 2021

II. OLD BUSINESS

III. NEW BUSINESS

- A. APPROVAL OF A CONDITIONAL USE FOR VACANT LOT TO BE OCCUPIED WITH MINIATURE HORSES IN THE AREA OF CURRY LOT 32 LOT 10**

WICKS BLOCK 9.

Name of Applicant: Steven Mullins, 209 Hall, Clovis, NM 88101.

Name of Applicant: Steven Mullins, 209 Hall, Clovis, NM 88101.

IV. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

V. FUTURE AGENDA ITEM

VI. DISCUSSION ITEM

VII. ADJOURNMENT

VIII. STUDY SESSION

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION – October 13, 2021 at 3:00 P.M. NORTH ANNEX CARVER PUBLIC LIBRARY 701 N MAIN STREET.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met at 3:00 p.m., Wednesday, September 8, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Vice Chairman Candace Morrison
Commissioner Juan Garza
Commissioner Travis Cline
Commissioner Marcus Smith
Commissioner Vincent Soule

ABSENT:

Commissioner Thom Moore

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciancio, Zoning Administrator

Vice Chairman Morrison called the meeting to order at 3:05 p.m. and established the presence of a quorum.

Agenda Item No. 1 – Routine Matters

1. Approval of Agenda

Commissioner Smith moved for approval of the agenda; Commissioner Cline seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Approval of minutes of July 14, 2021

Commissioner Cline made a motion to approve the minutes of July 14, 2021 as presented; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

- A. Approval of a conditional use for vacant lot to be occupied with miniature horses in the area of curry block 32 lot 10

Mr. Ciancio advised there is no compelling evidence that there would be a threat to public health, safety or welfare. All adjoining property owners within 100 feet of the proposed conditional use were notified and was 0% protest filed.

Mr. Howalt advised this would be the first conditional use that was brought to this board for consideration. Attorney Morris advised this is a way to get a variance for a land use. The criteria to grant a conditional use are in subsection 8 and there are five of them. There is also the additional requirement that whatever the commission decides it has to go back to the City Commission for final approval. The conditional use can be granted by the commission, it could be denied or granted with exception.

Also, unlike a variance, a conditional use does not stop with the applicant it runs with the land. It will be attached to that land forever. Commissioner Garza asked if someone else purchases the property and they want to put something other than miniature horses they would have to come back to this commission. Attorney Morris advised it doesn't have to be a blanket approval.

Commissioner Garza asked how many horses he had. Mr. Howalt advised they were doing code enforcement in the area when they came across the horses which is out of compliance. In conversations with Mr. Mullins, he has had the miniature horses there for an unknown amount of time. He said he was granted permission to keep the horses there. After researching they could not find any documentation where he was given permission to keep the horses on the land. Mr. Ciancio advised he has found four horses. Mr. Howalt advised they could approve a conditional use of the property being limited to four miniature horses.

Attorney Morris advised if this had been a livestock overlay district the current UDO authorizes only one animal unit per acre of lot area. Commissioner Garza advised since he already has four there and there were no complaints then they could put a limit to those four.

Commissioner Smith asked if this set a precedence of letting numerous animal farms to come in. Mr. Howalt advised this has been in place for long time compared to someone new coming in and starting something. They wouldn't want to start a precedence where they are allowing something new to continuously happen. Attorney Morris advised as long as they are utilizing the criteria in the UDO to weigh these he didn't see any liability issues.

Vice Chairman Morrison asked if he only owned the one lot. Mr. Ciancio advised he owns that lot and one to the north. He advised this is in a commercial district and in that district, someone could have animal services. He had a business license from 2012 where he was using the horses to pull a cart that sold ice cream. Mr. Howalt advised rather than saying he could keep four miniature horses they could say he could keep these four miniature horses so he doesn't replace them. Commissioner Smith asked if they could make a condition where they have these four until they expire and then it goes away. Attorney Morris advised it would need to read "any existing miniature horses not to exceed four in number until they pass away."

Commissioner Smith made a motion to approve the conditional use allowing the four miniature horses until they expire; Commissioner Cline seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. IV – Reports of Committees, Officers and Commission

None.

Agenda Item No. V – Future Agenda Items

None.

Agenda Item No. VI – Discussion Item

None.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:20 p.m.

Chairman

SEAL
(ATTEST)

City Clerk



AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX, CLOVIS-CARVER LIBRARY, 701 N MAIN STREET
3:00 P.M., NOVEMBER 10, 2021

THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITY GOVERNMENT).

I. ROUTINE MATTERS

1. Declare Quorum
2. Election of Chairman
3. Approval of Agenda
4. Approval of Minutes of September 8, 2021

II. OLD BUSINESS

III. NEW BUSINESS

- A. APPROVAL OF ZONE CHANGE FROM [RS-7] – RESIDENTIAL SINGLE FAMILY DISTRICT MOBILE HOME OVERLAY TO [CG] COMMERCIAL GENERAL DISTRICT. ADDRESS OF ZONE CHANGE: 220 WEATHERFORD.

Name of Applicant: Sammye May

- B. APPROVAL OF ZONE CHANGE FROM [RS-7] – RESIDENTIAL SINGLE FAMILY DISTRICT MOBILE HOME OVERLAY TO [CG] COMMERCIAL GENERAL DISTRICT. ADDRESS OF ZONE CHANGE: 912 E. GRAND.

Name of Applicant: Maria Martinez

C. DISCUSSION AND RECOMMENDATION REGARDING REVISIONS TO
CHAPTER 17.45 OF THE CITY CODE – JARED MORRIS.

IV. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

V. FUTURE AGENDA ITEM

VI. DISCUSSION ITEM

VII. ADJOURNMENT

VIII. STUDY SESSION

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING
COMMISSION – December 7, 2021 at 3:00 P.M. NORTH ANNEX CARVER PUBLIC
LIBRARY 701 N MAIN STREET.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met at 3:00 p.m., Wednesday, November 10, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Chairman Vincent Soule
Vice Chairman Candace London
Commissioner Juan Garza
Commissioner Travis Cline
Commissioner Marcus Smith
Commissioner Thom Moore
Commissioner Cody Stewart

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciancio, Zoning Administrator
Justin Howalt, City Manager
Jared Morris, City Attorney

Vice Chairman London called the meeting to order at 3:00 p.m. and established the presence of a quorum.

Agenda Item No. 1 – Routine Matters

2. Election of Chairman

Commissioner Smith made a motion to elect Commissioner Soule as the Chairman; Commissioner Moore seconded the motion. Upon a roll call vote, with all voting in the affirmative with the exception of Commissioner Soule who abstained, the motion carried.

3. Approval of Agenda

Commissioner Garza moved for approval of the agenda; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

4. Approval of minutes of September 8, 2021

Commissioner Garza made a motion to approve the minutes of September 8, 2021 as presented; Commissioner London seconded the motion, which was approved by acclamation.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

A. Approval of zone change from [RS-7] – Residential Single Family District Mobile Home Overlay to [CG] – Commercial General District. Address of zone change: 220 Weatherford

Mr. Cianco gave a background on the zone change. Commissioner Garza advised the paperwork says the applicant is Christopher Finch, but the homeowner is Sammie May. He asked why someone else was applying for the zone change. Mr. Finch advised he was there on behalf of Shane May, the son of Sammie May, who has power of attorney on the property. Mr. May was willing to step forward on their behalf to change the property to Commercial because he is doing business there. Commissioner Garza asked if it was going to be a lawnmower repair shop. Mr. Finch advised it was going to be a parts repair shop. Commissioner Garza asked Mr. Finch why he was doing this. Mr. Finch advised he was doing this on behalf of Mr. May because he couldn't make it (to the meeting).

Commissioner Garza advised on Page 1 of the application there is a list of residents that signed a petition that states "I have no objection to the street name change". He asked if this was an error. Mr. Howalt advised that was an error they found on the form and has since been corrected. He advised he did not know if the people that signed it though knew that it was for a zone change and not a street name change. Mr. Cianco sent the notifications via mail to the property owners that would be affected. Mr. Finch advised they spoke with each property owner on the block and notified them on the zone change.

Commissioner Smith asked if it was okay that the applicant doesn't match the owner. Mr. Cianco advised it was because he was speaking as their agent. Commissioner Smith asked if there were any other residents on the street. Mr. Cianco advised there were mobile homes on both sides of the street.

Mr. Cianco advised in transparency they should divulge what is going on. This is a zone change for a cannabis business directly south of 2nd Street. This (application) would bring them into regulation for the 300 foot separation from residential areas. Commissioner Garza advised Mr. Finch stated it would continue to be a repair shop. Mr. Cianco advised it was Mr. May, the actual applicant.

Commissioner Garza advised he had a problem with the request. Mr. Shad Defoor, 109 E. Manana, advised he was familiar with what was being done for zoning surrounding cannabis. The 300-foot residential almost kills every part of Clovis when trying to come in anywhere in the city. He would support changing one area so that someone could change their existing property and be in compliance with the regulations that are a little extreme. Commissioner Garza advised if they start doing zone changes for cannabis dispensaries, they are going to have them everywhere. He advised he didn't have a problem with the business, but he has a problem with the process. If they approve this then they are going to set a precedent and will have a problem in the future. Commissioner Moore agreed and wished they had known this from the beginning.

Commissioner Smith advised this piece of property would become a piece of patchwork if they do the zone change. He agreed with the precedence and having the applicant there, but needed more

explanation. He asked if the property to the left was the repair shop. Mr. Ciancio advised that would be the west side of Weatherford. He advised 220 is the applicant's address so that would be the northwest corner.

Mr. Defoor advised if they didn't want to rezone districts there should have been an allowance for variances in the licensing process. Commissioner Smith advised variances were not allowed per state statute. Attorney Morris advised variances to the ordinances are allowed by amendment. Mr. Defoor advised that would fix most of it and then they could decide on a case-by-case basis and there could be a public hearing. There aren't a lot of addresses that fit the requirements and there is no way around it outside of what Mr. Finch is doing. There are a lot of things they need to change with the ordinance.

Mr. Howalt advised the Planning & Zoning Commission is making a recommendation to the City Commission, so the final action and decision will be made by the City Commission. Vice Chairman London made a motion to approve the request; Commissioner Cline seconded the motion. Upon a roll call vote, with Commissioner Moore, Chairman Soule, Commissioner Garza, Commissioner Smith and Commissioner Cline voting against and Vice Chairman London and Commissioner Stewart voting in favor the motion failed with a vote of 5-2. Mr. Howalt advised the recommendation would be heard at the November 18th City Commission meeting.

B. Approval of zone change from [RS-7] – Residential Single Family District Mobile Home Overlay to [CG] – Commercial General District. Address of zone change: 912 E. Grand

Mr. Ciancio gave a brief description on the zone change. Commissioner Garza asked the applicant, Ms. Maria Martinez, if she was going to put a dealership on the property. Ms. Maria Martinez advised it would be a used car dealership. Commissioner Garza asked if there was anything similar in the area. Ms. Martinez advised there was a church on one side and a vacant mobile home on the other. Commissioner Cline moved for approval; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative with the exception of Commissioner Garza who abstained, the motion carried. Chairman Soule advised this recommendation would go before the city commission at their next meeting (November 18th).

C. Discussion and recommendation regarding revisions to chapter 17.45 of the city code

Attorney Morris advised they received feedback from the Planning & Zoning Commission and the general public (regarding the proposed changes to the sign code). At the direction of the City Commission, they started engaging the local business community and the Clovis Sign Coalition, which was a group formed and spearheaded by Brandon New, owner of Clovis Sign. The initial draft was extremely restrictive, and was meant to be as a starting place. The Planning & Zoning Commission has been given the current sign code and the most recent proposed draft. Everything in the current draft has been agreed upon and compromised by the Sign Coalition and some other members of the community with the exception of free-standing signs.

The first section regarding residential signs didn't have too many differences between the original and current draft. They received feedback from Ms. Gayla Brumfield who is a realtor, regarding

the way they worded how long someone could leave their sign up after closing. They cleaned up that language to indicate that the sign would be removed at the closing. They also allowed signs for open houses at their direction and two signs for each corner.

They originally put commercial general and central business districts together and had a separate section for industrial. They did this because they had come up with a way to allow signs and to quantify the size and height of sign based on zone and street frontage. They have done away with that and now they are regulating signs based on the type of street and if the street is arterial, residential or US 60/84. They grouped commercial, general, industrial and central business districts together.

The first draft regarding attached signs had one per wall, one square foot for each linear foot of wall. The new draft has five per wall and signs can cover 15% of the wall. They also had omitted a section for canopy signs so they have now allowed three on each side of the canopy with no sign being larger than 50 square feet.

In the old code for free standing signs, were very restrictive. The largest was 100 square foot and under the new code they allow one per lot unless they have more than 600 feet of street frontage. The size solely depends on the type of the street. They are going to include a colored map to show the collector and arterial streets and will do the same for street size. If someone is on a residential street, they can have a 20-foot high and 120 square foot size. A collector and arterial street can have a sign 30 feet high and 120 square feet in size. On Highway 60/70/84 those businesses will get 35-foot size and up to 200 square feet. The Business Owners Coalition are requesting, under Table 2, residential height, 35 feet; under collector and arterial, 35 feet for collector streets and 40 feet for arterial streets; and 60 feet for Highway 60/70/84. In terms of size the Code has 120, 120 and 200, the Coalition is requesting 200, 300 and 400. Attorney Morris advised he and Mr. Howalt felt they couldn't get to those numbers especially considering the maximum height for billboards is only 35 feet and 300 square feet in size.

Temporary signs and flags were not changed and directional signs were added. They were informed that there was no provision for small directional signs marking entrances and exits at businesses. They added two for each property no larger than 8 square feet for each sign. They increased premises signs and billboards and came to the compromise of 300 square feet in size, minimum spacing of 500 square feet between billboards and 40 feet would be the new proposed size.

Vice Chairman London made a motion to approve the recommendations as written; Commissioner Cline seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously

Agenda Item No. IV – Reports of Committees, Officers and Commission

None.

Agenda Item No. V – Future Agenda Items

None.

Agenda Item No. VI – Discussion Item

None.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:37 p.m.

Chairman

SEAL
(ATTEST)

City Clerk



AGENDA
PLANNING & ZONING COMMISSION
NORTH ANNEX, CLOVIS-CARVER LIBRARY, 701 N MAIN STREET
3:00 P.M., DECEMBER 8, 2021

THE PUBLIC IS INVITED TO VIEW THE MEETING ON SUDDENLINK CHANNEL 10, WWW.CITYOFCLOVIS.ORG AND FACEBOOK AT CITY OF CLOVIS, NM (CITY GOVERNMENT).

I. ROUTINE MATTERS

1. Declare Quorum
2. Approval of Agenda
3. Approval of Minutes of November 10, 2021

II. OLD BUSINESS

III. NEW BUSINESS

- A. APPROVAL OF ZONE CHANGE FROM [RS-7] – RESIDENTIAL SINGLE-FAMILY DISTRICT TO [RM] – RESIDENTIAL MULTI-FAMILY DISTRICT. SAID ZONE CHANGE TO INCLUDE LOT 2, BLOCK 1, SUNSET ACRES. ADDRESS OF ZONE CHANGE: 3317 CHERRY.

Name of Applicant: Michael Gonzales/ Steven A. Chavez, Jr.

- B. APPROVAL OF ZONE CHANGE FROM [RM] – RESIDENTIAL MULTI-FAMILY DISTRICT TO [RM(C1)] – RESIDENTIAL MULTI-FAMILY CARPORT OVERLAY DISTRICT. SAID ZONE CHANGE TO INCLUDE LOT 1-5, BLOCK 39, CLOVIS ORIGINAL SUBDIVISION. ADDRESS OF ZONE CHANG: 402 RENCHER.

Name of Applicant: Alisia Gutierrez

- C. DISCUSSION AND RECOMMENDATION FOR A TEXT AMENDMENT TO THE CANNABIS SECTION OF THE UDO – JARED MORRIS.

IV. REPORTS OF COMMITTEES, OFFICERS AND COMMISSION

V. FUTURE AGENDA ITEMS

VI. DISCUSSION ITEMS

VII. ADJOURNMENT

DATE AND TIME OF NEXT SCHEDULED MEETING OF THE PLANNING AND ZONING COMMISSION – January 12, 2022 at 3:00 P.M. NORTH ANNEX CARVER PUBLIC LIBRARY 701 N MAIN STREET.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The Planning & Zoning Commission met at 3:00 p.m., Wednesday, December 8, 2021 at the North Annex, Clovis-Carver Library, 701 N. Main, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Chairman Vincent Soule
Vice Chairman Candace London
Commissioner Juan Garza
Commissioner Travis Cline
Commissioner Marcus Smith
Commissioner Thom Moore
Commissioner Cody Stewart

ALSO PRESENT:

Daron Roach, Building Safety Director
Les Ciancio, Zoning Administrator
Justin Howalt, City Manager
Jared Morris, City Attorney
Members of the public

Vice Chairman London called the meeting to order at 3:00 p.m. and established the presence of a quorum.

Agenda Item No. 1 – Routine Matters

2. Approval of Agenda

Commissioner Moore made a motion to approve the agenda; Vice Chairman London seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried.

3. Approval of minutes of November 10, 2021

Vice Chairman London made a motion to approve the minutes of November 10, 2021 as presented; Commissioner Smith seconded the motion, which was approved by acclamation.

Agenda Item No. II – Old Business

None.

Agenda Item No. III – New Business

- A. Approval of zone change from [RS-7] – residential single-family district to [RM] – residential multi-family district. Said zone change to include lot 2, block 1, Sunset Acres. Address of zone change: 3317 Cherry

Mr. Ciancio advised all adjoining property owners were notified. He has a letter that was given to him today with 40% of the 10 lots protesting.

Mr. Michael Gonzales, 1905 Miller St., advised they want to provide quality housing in the form of a fourplex or duplex on the property. Commissioner Garza asked if he was not sure what they were going to do. Mr. Gonzales advised their goal was to build 2-4 fourplexes due to the lot size. Commissioner Smith asked what they would look like. Mr. Gonzales advised they would be about 1,000 square feet each with 2 bedrooms and 2 bath.

Commissioner Moore asked about the protest. Mr. Ciancio advised he didn't have any responses prior to today. He has nine signatures, but only the four in the 100-foot radius count. Attorney Morris advised the protest petition only comes into play in the City Commission level and it has to be filed 24 hours prior to Commission meeting. If there is a 20% protest it changes the dynamic of the vote, such that they need $\frac{3}{4}$ majority.

Commissioner Moore asked how long he has owned that parcel of land. Mr. Gonzales advised they have it under contingency until they know the result of the zone change.

Ms. Judy Morrow, 3324 Cherry Drive, advised she lives across the street and their neighborhood is very quiet. They don't want a lot of outsiders brought in to disturb that. They also have a childcare facility nearby that could be impacted due to traffic. Commissioner Cline moved for approval; Vice Chairman London seconded the motion. Upon a roll call vote, with Vice Chairman London, Chairman Soule and Commissioner Garza voting in favor and Commissioner Moore, Commissioner Smith, Commissioner Cline and Commissioner Stewart voting against, the motion failed.

Mr. Howalt advised the final authority making body is the City Commission so this will be presented to them at their December 16th meeting with the recommendation from the Planning & Zoning Commission.

- B. Approval of zone change from [RM] – residential multi-family district to [RM(C1)] – residential multi-family carport overlay district. Said zone change to include lot 1-5, block 39, Clovis Original Subdivision. Address of zone change: 402 Rencher

Mr. Ciancio advised the 400 block of Rencher would allow the west side of the block to have carports extending to their property line towards the street. Commissioner Garza moved for approval; Commissioner Smith seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

- C. Discussion and recommendation for a text amendment to the cannabis section of the UDO

Attorney Morris advised if there is an amendment it has to start with this commission. The City of Clovis was the first to enact an ordinance and there are two minor changes and one significant change. The original ordinance started out pretty restrictive but there was a realization that someone could sue the municipality because this ordinance does not fall in line with the

Cannabis Regulation Act. One significant change is to do away with the 300-foot distance requirement that significantly hinders the number of available locations for businesses. He advised that it should be taken out and it would leave them in safe position. He has a restrictive sign provision in the ordinance, which prohibits off premises advertising signs. After further review they need to remove it because it is not enforceable. 90% of the ordinances have such provisions.

Cannabis establishments that are not open to the public, growers or producers, are not restricted to the hours of operation. The language that states “cannabis establishments may not display products engaging consumers or consummate sales outside of a fully enclosed building” meant cannabis products. That also prohibits the selling of t-shirts, sweatshirts, etc. and they can’t do that. There is still a provision that they must operate and sell their merchandise in an enclosed facility.

Commissioner Cline asked about the potential to a \$2 million recovery. Attorney Morris advised the NM Civil Rights Act eliminated qualified immunity and it put a cap on damages. It created a situation where the city could be liable for violating someone’s civil rights even though they didn’t do anything. Before that act a lawsuit would require changing the ordinance.

Commissioner Smith asked if the offsite advertising was in the state ordinance. Attorney Morris advised the state had no rules when the city generated their ordinance. They prohibited signage aimed at children. Commissioner Smith asked if they could display products and not sell it. Attorney Morris advised they couldn’t have cannabis products, which are defined as cannabis concentrate and products that are composed of cannabis and other ingredients that are intended for use and consumption including edible products and ointments, which was taken from the State CRA.

Vice Chairman London asked if some of those are more restrictive than what was initially put out by the state. Attorney Morris advised the model ordinance from the NMML only has 300 feet from a school or preschool. More than half of the cities that have adopted ordinances have included daycares, rehabs, military installations, etc. Vice Chairman London made a motion recommend changes to the text amendment; Commissioner Stewart seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. IV – Reports of Committees, Officers and Commission

None.

Agenda Item No. V – Future Agenda Items

None.

Agenda Item No. VI – Discussion Item

None.

Agenda Item No. VII – Adjournment

There being no further business to come before the commission the meeting adjourned at 3:26 p.m.

Chairman

SEAL
(ATTEST)

City Clerk