

ORDINANCE NO. 2018- 19

AN ORDINANCE REZONING PART OF "R-R"
RURAL RESIDENTIAL DISTRICT TO "C-2"
COMMERCIAL 2 DISTRICT FOR AN
APPROXIMATELY 1.3 ACRE PROPERTY,
LOCATED AT 2017 SAN JOSE BLVD, LEGALLY
DESCRIBED AS PART OF TRACT 2, OLD ROSE
FARM #3, PURSUANT TO SECTION 3-21-1 ET.
SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND
56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD,
EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-R" Rural Residential
District to "C-2" Commercial 2 District, for an approximately 1.3 acre property, located at 2017 San
Jose Blvd., Carlsbad, NM, legally described as:

PART OF TRACT 2, OLD ROSE FARM #3

INTRODUCED, PASSED, ADOPTED AND APPROVED this 14th day of August, 2018.

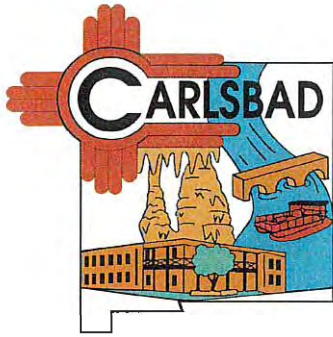
/s/Dale Janway

DALE JANWAY, MAYOR

ATTEST:

/s/Kadee Rodriguez

Deputy CITY CLERK



DALE JANWAY
Mayor

Post Office Box 1569
Carlsbad, NM 88221-1569
(575) 887-1191
1-800-658-2713
www.cityofcarlsbadnm.com

MICHAEL HERNANDEZ
City Administrator

July 5, 2018

Applicant/Owner:
David and Laverne Maley
P.O. Box 519
Carlsbad, NM 88220

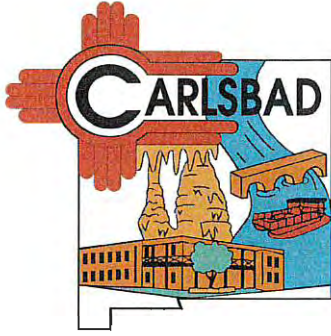
OFFICIAL NOTICE OF RECOMMENDATION-Date Correction

On July 2, 2018, the City of Carlsbad's Planning and Zoning Commission voted to recommend approval to the City Council regarding a request for a Zone Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 1.3 acre property located at 2017 San Jose Blvd., legally described as part of Tract 2, Old Rose Farm #3. The City Council will consider this request at the Tuesday, **August 14, 2018**, regular meeting. City Council meetings are held within the Council Chambers located in the Municipal Annex building at 114 S. Halagueno St. Meetings begin at 6:00 PM.

If you have further questions or concerns, please contact my office at 575 885-1185, ex 2232.

Thank you,

Trysha Carrasco
Deputy Director of Planning & Regulation



DALE JANWAY
Mayor

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1-800-658-2713
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MICHAEL HERNANDEZ
City Administrator

July 5, 2018

Attn: Property Owners

OFFICIAL NOTICE OF RECOMMENDATION-Date Correction

On July 2, 2018, the City of Carlsbad's Planning and Zoning Commission voted to recommend approval to the City Council regarding a request for a Zone Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for an approximately 1.3 acre property located at 2017 San Jose Blvd., legally described as part of Tract 2, Old Rose Farm #3. The City Council will consider this request at the Tuesday, **August 14, 2018**, regular meeting. City Council meetings are held within the Council Chambers located in the Municipal Annex building at 114 S. Halagueno St. Meetings begin at 6:00 PM.

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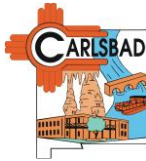
Trysha Carrasco
Deputy Director of Planning & Regulation

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, July 2, 2018, 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, July 2, 2018 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 Meeting held June 4, 2018.
4. Consider recommendation to Council for an Annexation of approximately 5.17 acres located south of 912 Standpipe Rd.
5. Consider recommendation to Council for an Application of "R-R" Rural Residential Zoning for approximately 5.17 acres located south of 912 Standpipe Rd.
6. Consider approval or denial of a Conditional Use Permit for a Communications Tower to be located at 1102 W. Pierce St.
7. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 3815 National Parks Highway.
8. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 600 Kircher St.
9. Consider recommendation to Council for Temporary Use Permit for Temporary Housing to be located at 712 Kircher St.
10. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 1' at 801 N. Edward St., zoned "R-1" Residential 1 District.
11. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 0' at 1612 Westridge Rd., zoned "R-1" Residential 1 District.
12. Consider recommendation to Council for a Zone Change request for approximately 0.17 acres, located at 113 S. Guadalupe St., "C-2" Commercial 2 District to "R-2" Residential 2 District.
13. Consider recommendation to Council for a Zone Change request for approximately 74.14 acres, located at 3021 San Jose Blvd., "R-1" Residential 1 District to "C-2" Commercial 2 District.
14. Consider recommendation to Council for a Zone Change request for approximately 1.3 acres, located at 2017 San Jose Blvd., "R-R" Rural Residential District to "C-2" Commercial 2 District.
15. Report regarding Summary Review Subdivisions.

16. 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.

DRAFT

MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, JULY 2, 2018, AT 5:00 P.M.

VOTING MEMBERS PRESENT:

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

**CHAIRPERSON
COMMISSION SECRETARY
COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

NONE

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
RON MYERS
TRYSHA CARRASCO**

**PLANNING DIRECTOR
DIRECTOR OF UTILITIES
DEPUTY PLANNING DIRECTOR**

SECRETARY PRESENT:

JENNIFER CAMPOS

**PLANNING AND REGULATION
DEPARTMENT EXECUTIVE SECRETARY**

OTHERS PRESENT:

**GEORGE DUNAGAN
RODYNEY DAVIDSON
SUSAN M. CRENSHAW
VICTORIA A. ROMERO
KERRI DUNAGAN
WILLIAM WALKER
AMANDA MASHAW
TAMMY RUIZ
RONNIE RUIZ
BART FRINTZ
J.R. GARNER
BRIAN MCGONAGILL
NIKI LAWSON
OFFICER C. GARCIA**

**212 W. STEVENS
1801 CR 395, BROWNFIELD, TX
609 W. RIVERSIDE
609 W. RIVERSIDE
1411 W. ORCHARD LN.
401 WALKER FARM RD.
212 W. STEVENS
801 N. EDWARDS ST.
801 N. EDWARDS ST.
301 N. ALAMEDA
1812 INDIAN RD.
1612 WESTRIDGE
212 W. STEVENS
101 N. HALAGUENO**

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 [5:00:37 PM]

0:00:17 **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. Garcia, Mr. Barney, Mr. McCormick, Mr. Knott, Mr. Nesser**; Absent—None.

0:00:44

2. Approval of Agenda.

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

0:01:22

3. Approval of Minutes from Meeting held June 4, 2018.

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

0:01:54

4. Consider recommendation to Council for an Annexation of approximately 5.17 acres located south of 912 Standpipe Rd.

Mr. Patterson explained the Annexation of approximately 5.17 acres lying between the current corporate boundary and the new southerly line of Tract 1A, created by the Brian Stevens Line Adjustment Plat, located east of Standpipe Rd. and south of Lea Street. He signed the plat when they were going to move the property line down so it's not complete. **Mr. Frintz** said there's an existing RV Park to the north; the request will extend the north property to the south as phase 2, being that this property is in the county and city. **Mr. Patterson** said planning staff recommends approval based on the following findings as you see on page 12 & 13 on your packet under planning staff recommendation. There was no public comment.

Mr. Barney made a motion to recommend for an Annexation, and **Mr. Garcia** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick**; No–None; Abstained– **Mr. Nesser**; Absent–None. The motion carried.

0:09:32

5. Consider recommendation to Council for an Application of "R-R" Rural Residential Zoning for approximately 5.17 acres located south of 912 Standpipe Rd.

Mr. Patterson explained that they want to change the Zoning, corresponding with the Annexation that was just recommended. Planning staff recommends approval. **Mr. Frintz** said he would like for the board to recommend approval to this request, expanding the property to mirror image to the north of the property. There was no public comment.

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

0:11:47

6. Consider approval or denial of a Conditional Use Permit for a Communications Tower to be located at 1102 W. Pierce St.

Mr. Patterson explained this is a Conditional Use Application for a communications tower at 1102 W. Pierce Street. The applicant plans to install a 60' temporary communications tower. Planning staff recommends approval based on the following condition, if approved the project would require engineered drawings stamped by a NM licensed engineer, showing compliance with not only the Building Code but compliance with all FCC and FAA regulations. **Mr. Davidson** said he would like for the board to recommend approval to this communications tower. There was no public comment.

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

0:16:48 **7. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 3815 National Parks Highway.**

Mr. Knott said the applicant is not present; this item will be tabled for the next regular scheduled meeting.

Mr. McCormick made a motion to table the request for a Temporary Use Permit, and **Mr. Barney** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:18:13 **8. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 600 Kircher St.**

Mr. Patterson explained this application is to consider allowing Temporary Housing as a Temporary Use at 600 Kircher Street, legally described as Petroleum Park Unit Three, Lot 16, and Zoned “C-2” Commercial 2 District. He wants to have 54 spaces on this property. Planning staff recommends approval. **Mr. Walker** said he would like for the board to approve this item because oilfield people need somewhere to live. There was no public comment.

Mr. Nesser made a motion to recommend approval of a Temporary Use Permit, and **Mr. McCormick** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:21:08 **9. Consider recommendation to Council for Temporary Use Permit for Temporary Housing to be located at 712 Kircher St.**

Mr. Patterson explained this is to consider allowing Temporary Housing as a Temporary Use at 712 Kircher Street, legally described as Petroleum Park Unit Three, Lot 14 Zoned “C-2” Commercial 2 District. He would like for Mr. Walker to get with Solid Waste Dept. and find out where the dumpsters are going to be placed. This is an identical request to the previous item, Planning staff recommends approval. **Mr. Walker** said this is the same as the previous item; we just need for the oilfield people a place to live. There was no public comment.

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

0:23:32 **10. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 1' at 801 N. Edward St., zoned "R-1" Residential 1 District.**

Mr. Patterson explained this is a request for a Variance the applicant is requesting to reduce the setback to 1' rather than 10'. The applicant plans to install a 50'X24' garage at the rear of the property. This proposed location of the new garage will encroach upon the 10' required setback for a corner lot in ‘R-1’

zoning. The applicant has stated that this reduction is needed in order to make the proposed garage more feasible. **Ms. Ruiz** said she would like for the board to recommend approval for her Variance. **Mr. Patterson** said planning staff does recommend approval. There was no public comment.

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

0:27:04 **11. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 0' at 1612 Westridge Rd., zoned "R-1" Residential 1 District.**

Mr. Patterson explained this is a request for Variance the applicant is requesting to reduce the setback to 0' rather than 10' in order to install a RV carport along the west side of the property. The applicant states the carport will be even with the block fence at the property to the north, and that this reduction is needed in order to make the proposed carport more feasible. The Utilities dept. has a concern with the Variance at 1612 Westridge. The water main line is located 4 to 5 feet behind the back of the curb. Having a structure built this close may cause maintenance problems in the future. Planning Department recommends denial. **Mr. McGonagill** said he wasn't aware of the water line there when he moved to the house. **Mr. McGonagill** expressed concern that he was not told of the potential issue before coming before the board. **Mr. Patterson** said the Utilities came to him with the problem. There was no public comment.

Mr. Nesser made a motion to approve the Variance, and **Mr. McCormick** seconded that motion. The vote was as follows: **Yes–Mr. McCormick, Mr. Nesser**; No–**Mr. Garcia, Mr. Barney, Mr. Knott**; Abstained–None; Absent–None. The motion was denied.

0:41:43 **12. Consider recommendation to Council for a Zone Change request for approximately 0.17 acres, located at 113 S. Guadalupe St., "C-2" Commercial 2 District to "R-2" Residential 2 District.**

Mr. Patterson explained this is a request for Zone Change from "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 0.17 acres, legally described as Lot 13, Block 95, Stevens Second Addition, located at 113 S. Guadalupe St. The properties to the north, east, and west are zoned "C-2" Commercial 2 District. The properties to the south across Fox St. are zoned "R-2" Residential 2 District and "C-1" Commercial 1 District. This zone change would not create a spot zone. **Ms. Dunagan** said she's the realtor and they could not sell the property under C2. **Ms. Crenshaw** said she would like for the board to recommend approval for the Zone Change. **Mr. Patterson** said based on review of the application and staff comments, planning staff recommends approval of this request based on the following findings, which would be on page 123 in your packet. There was no public comment.

Mr. Barney made a motion to approve the Zone Change, and **Mr. Garcia** seconded that motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:46:01 **13. Consider recommendation to Council for a Zone Change request for approximately 74.14 acres, located at 3021 San Jose Blvd., "R-1" Residential 1 District to "C-2" Commercial 2 District.**

Mr. Patterson mentioned that there would be some corrections to this item. The applicant is requesting a Zoning Change from "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 74.14 acre property located at 3021 San Jose Blvd. (addressed as 3000 San Jose Blvd. in the Assessor's records). The properties to the north are currently zoned "C-2" Commercial 2 District. The properties to the south are zoned "R-R" Rural Residential District and "PUD" Planned Unit Development District. The properties to the east are zoned "R-1" Residential 1 District. The properties to the west are zoned "I" Industrial District. As such, this zone change would not create a spot zone. **Mr. Dunagan** said he would like for the board to recommend approval to this Zone Change. **Mr. Patterson** said planning staff recommends approval of this request based on the following findings, which you can see in your packet on page 138.

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

0:53:11 **14. Consider recommendation to Council for a Zone Change request for approximately 1.3 acres, located at 2017 San Jose Blvd., "R-R" Rural Residential District to "C-2" Commercial 2 District.**

Mr. Patterson explained the applicant is requesting a Zone Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for a portion of Tract 2, Old Rose Farm #3. This property is approximately 1.3 acres in size and lies on the west side of San Jose Blvd. The properties to the north are currently zoned "R-1" Residential District. The properties to the south, west, and north are all zoned "R-R" Rural Residential District. The property to the east is zoned "C-2" Commercial 2 District. As such, this zone change would not create a spot zone. **Mr. Dunagan** said this would also be the same request as the previous item. **Mr. Patterson** said planning staff recommends approval of this request based on the following findings, you will see in your packet on page 161.

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

0:55:41 **15. Report regarding Summary Review Subdivisions.**

There was brief discussion regarding some of the plats in the report.

1:00:05 **16. Adjourn.**

There being no further business, the meeting was adjourned.

1:00:10 Stop Recording [6:00:34 PM]

Chairman

Date

**CITY OF CARLSBAD***Planning, Engineering, and Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

2017 San Jose Blvd

ZONING CHANGE APPLICATION**Sec. 56-150(b)**

**PROCESS FOR ACCEPTANCE AND REVIEW
OF PLANNING AND ZONING COMMISSION MATTERS**

1. The Planning and Zoning Commission's regularly scheduled meetings are on the FIRST MONDAY OF THE MONTH. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.
2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and eight (8) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

- 1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.
- 2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A “notice of public hearing” is published in the Current Argus at least 30 days prior to the hearing.
- 3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100’) of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100’ of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant’s information, legal description of subject property, and the date of the hearing.
- 4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.
- 5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

**CITY OF CARLSBAD**

*Planning, Engineering, and
Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 6-8-18
Existing Zoning: R-R

Fee Paid (\$100.00): ✓ PYP
Proposed Zoning: C-2

APPLICANT INFORMATION:

David's Laverne Maley PO Box 519
NAME ADDRESS
Carlsbad NM 88221 575-361-6601 dmaley@vision
CITY STATE ZIP PHONE EMAIL
resources.com

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

David's Laverne Maley PO Box 519
NAME ADDRESS
Carlsbad NM 88221 575-361-6601 dmaley@vision
CITY STATE ZIP PHONE EMAIL
resources.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

**LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS
DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):**

2017 San Jose Blvd Pto F Tr 2 Old Rose Farm #3
ADDRESS LOT BLOCK SUBDIVISION

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

- ☐ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.
- ☒ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.
- ☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.
- ☐ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.
- ☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.
- ☐ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.
- ☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.
- ☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:**Required prior to P & Z:**

Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:

Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

**CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)**

**IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER
THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.**

APPLICATION TYPE:

☒ **ZONING CHANGE** ☐ **CONDITIONAL USE** ☐ **VARIANCE** ☐ **TEMPORARY USE**

STATE OF NEW MEXICO)

) SS

COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY:

San Jose Blvd

STREET ADDRESS

LEGAL DESSCRPTION:

Old Rose Farm #3 Pt of Tract 2

SUBDIVISION

BLOCK

LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT:

George Dunagan of Amanda Maxwell

NAME

575-706-2951 (G)

PHONE

Dunagan Assoc 212 W. Stevens St

ADDRESS

575-302-0382 (A)

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY:

David Maley

SIGNATURE

BY:

David Maley

PRINTED NAME

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

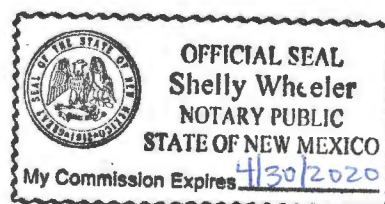
to before me this 1st day of June,

20 18, by David + Laverne Maley.

Notary Public Shelly Wheeler

My commission expires: 4/30/2020

**(ADDITIONAL OWNERS:
ATTACH SEPARATE SHEETS
AS NECESSARY)**




NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.


APPLICANT SIGNATURE


DATE

Sign issued by: 
Staff Member

Date: 6/1/18

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: David & Laverne Maley PO Box 519 Carlsbad 575-361-6601
Name Address Phone
Subject Site Location: PT of Tract 2 Old Rose Farm #3

The proposed action is a: R-R to C-2 in accordance with Sec. 56-150(b).
☒ Zoning Change from R-R to C-2

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
☐ Home Occupation: _____
☐ Other Use: _____

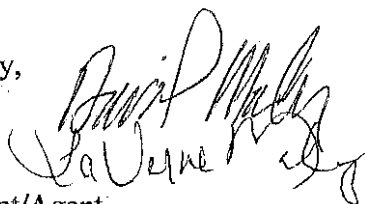
The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: 7/2/18Time: 5:00pm

Place: **City Annex Planning Room**
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at
575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant/Agent

Please call Amanda Mashaw 575-302-0382 or
George Dunagan with any questions.
575-706-2951

HOFF, DARREN	PO BOX 519	CARLSBAD	NM	882210519	(✓)
LONGORIA, PETE & A DOMINIC (JT)	PO BOX 428	CARLSBAD	NM	882210428	(✓)
MALEY, DAVID & LAVERNE	PO BOX 519	CARLSBAD	NM	882210519	(✓)

7017 1070 0000 6430 3241

7017 1070 0000 6428 5998

7017 1070 0000 6428 6001

7017 1070 0000 6428 6018

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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
 Postage \$0.50
 Total Postage and Fees \$3.95

Sent To: HOFF, DARREN
 Street and Apt. No., or PO BOX 519
 City, State, ZIP+4® CARLSBAD, NM 88221-0519

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 1070 0000 6428 6025

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☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
 Postage \$0.50
 Total Postage and Fees \$3.95

Sent To: LONGORIA, PETE & A DOMINIC (JT)
 Street and Apt. No., PO BOX 428
 City, State, ZIP+4® CARLSBAD, NM 88221-0428

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
 Postage \$0.50
 Total Postage and Fees \$3.95

Sent To: MALEY, DAVID & LAVERNE
 Street and Apt. No., or PO BOX 519
 City, State, ZIP+4® CARLSBAD, NM 88221-0519

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

=====

CARLSBAD
 301 N CANYON ST
 CARLSBAD
 NM
 88220-9998
 3411970615
 06/14/2018 (800)275-8777 9:31 AM

=====

Product Sale Final
 Description Qty Price

First-Class 1 \$0.50
 Mail
 Letter

(Domestic)
 (CARLSBAD, NM 88221)
 (Weight: 0 Lb 0.40 Oz)
 (Estimated Delivery Date)
 (Saturday 06/16/2018)

Certified 1 \$3.45
 (®USPS Certified Mail #)
 (70171070000064286018)

First-Class 1 \$0.50
 Mail
 Letter

(Domestic)
 (CARLSBAD, NM 88221)
 (Weight: 0 Lb 0.40 Oz)
 (Estimated Delivery Date)
 (Saturday 06/16/2018)

Certified 1 \$3.45
 (®USPS Certified Mail #)
 (70171070000064286025)

First-Class 1 \$0.50
 Mail
 Letter

(Domestic)
 (CARLSBAD, NM 88221)
 (Weight: 0 Lb 0.40 Oz)
 (Estimated Delivery Date)
 (Saturday 06/16/2018)

Certified 1 \$3.45
 (®USPS Certified Mail #)
 (70171070000064286032)

Total \$11.85

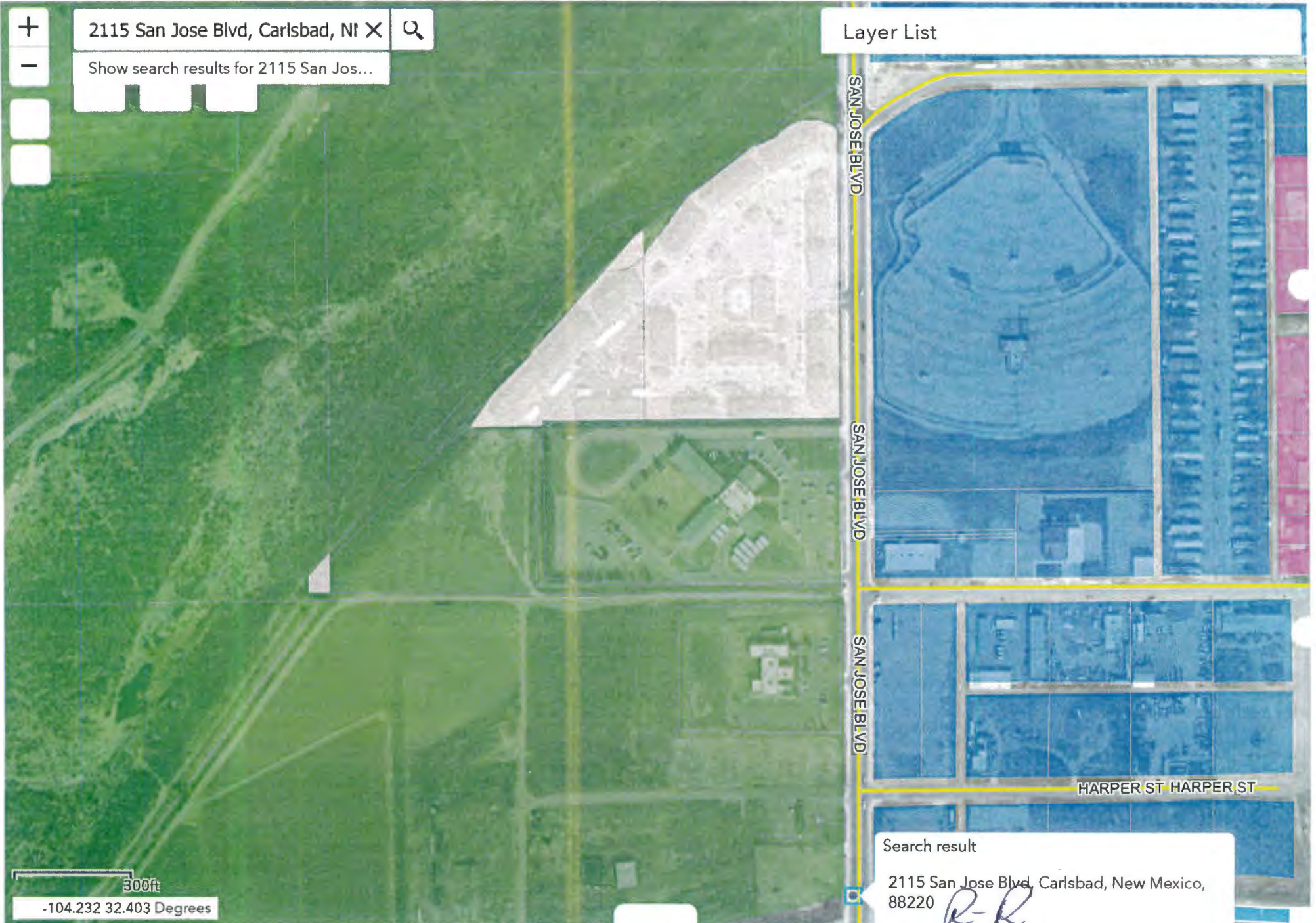
Debit Card Remit'd \$11.85

(Card Name: VISA)
 (Account #: XXXXXXXXXXXX1336)
 (Approval #:
 (Transaction #: 942)
 (Receipt #: 017854)
 (Debit Card Purchase: \$11.85)
 (Cash Back: \$0.00)
 (Entry Mode: Chip)
 (AID: A0000000980840)
 (Application Label: US DEBIT)
 (PIN: Verified by PIN)
 (Cryptogram: 7FE2FCE58E4869CB)
 (ARC: 00)
 (CVR: 420000)
 (IAD: 06010A03608000)
 (TSI: 6800)
 (TVR: 8080048000)



Carlsbad, NM Information

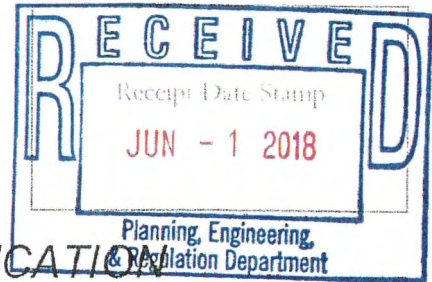
Imagery - Imagery Metadata





CITY OF CARLSBAD
Planning, Engineering, and Regulation Department

Phone (575) 885-1185
Fax (575) 628-8379



ADDRESS ASSIGNMENT APPLICATION

THIS IS A REQUEST FOR:

- ☒ New Address
☐ Address Change
☐ Additional Address

USE OF PROPERTY:

- ☐ Single-Family Residence
☐ Residential Duplex
☐ Multi-Family Residence
☐ Commercial Property
☐ Industrial Property
☒ Other (describe) R-R zoning

NOTE TO APPLICANTS

1. Properties are assigned both a street address, for the purpose of general location, and geodetic coordinates that are used for E 9-1-1 emergency response. Consequently, specific details are required to define the location of the primary structure and access to each property.
2. Addresses will not be assigned to vacant properties, unless they are located in a subdivision and further subdivision is not possible, or unless development is imminent.
3. Addresses are only assigned to property defined as developable under the Carlsbad Code of Ordinances.
4. The address number shall conform to Ordinance No. 2008-08 regarding Chapter 46, Article V, of the Code of Ordinances, City of Carlsbad, concerning posting of address numbers.
5. The Property owner is responsible for installing and maintaining address numbers. An occupancy permit will not be issued unless the address numbers are properly installed.

CHANGE OF ADDRESS: (CHECK REASON FOR CHANGE)

- ☐ Existing address is out of sequence or range.
☐ Property is on a corner lot, and primary access is referenced to the wrong street.
☐ Existing address is a duplicate of another address or street name.
☐ Problems exist receiving emergency or other city services.
☐ Other: (Describe on other side of application)

LOCATION OF PROPERTY AND PROPOSED ACCESS:

Universal Parcel Code - UPC (Assigned By Eddy County Assessor): 4-157-129-164-065
Current Address (If Applicable): pt of 2021 San Jose Blvd #A
Property Location: Old Rose farm No. 3 pt of Tr 2
Subdivision Name Block Lot

REQUIRED DOCUMENTATION:

- ☐ Copy of the recorded plat of the property, if not located in a platted and recorded subdivision.
☐ Site plan or sketch which shows the property lines, the footprint of the new building(s), and location of the entrance dimensioned from the property lines along street frontage.

APPLICANT INFORMATION:

Name: David & Laverne Maley Firm: _____
☒ Property Owner ☐ Developer ☐ Tenant ☐ Architect/Engineer ☐ Contractor ☐ Other : _____
Address: PO Box 519 Telephone: 575-361-6601
Carlsbad, NM 88220 Facsimile: _____

OWNER APPROVAL:

Signature of Owner: David & Laverne Maley Telephone: 575-361-6601
Printed Name: David & Laverne Maley
Address: PO Box 519
Carlsbad, NM 88220

City Review Action: ☐ Not Approved ☒ Address Assigned: 2017 San Jose Blvd Date: 6/1/18

1:1,560

1 inch = 130 feet

Address Assignment
2017 San Jose Blvd

Map # 1526_ed01

Date: 6/1/2018



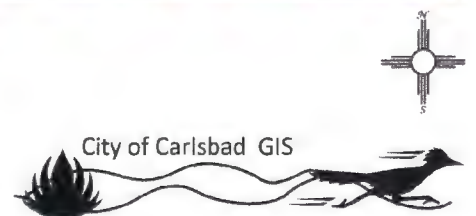
● Address

— Roads

▭ Parcel

0 55 110 220
Feet

IMPORTANT: Maps, products and
data are NOT surveyor quality and
are only to be used as a reference.

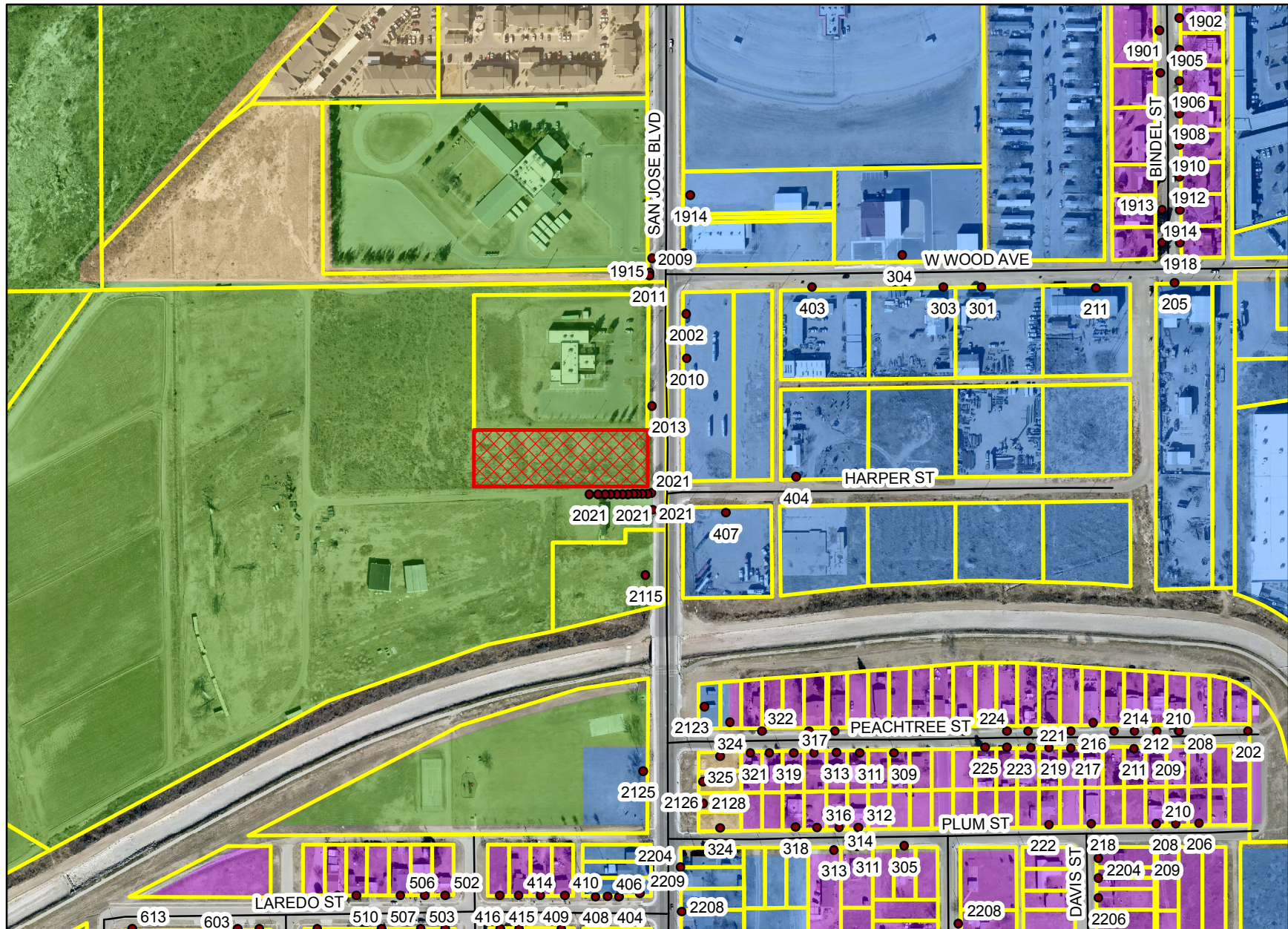




Zone Change Request - R-R to C-2 - 2017 San Jose Blvd.

Carlsbad Zoning

C-1	I	R-1
C-2	PUD	R-2
		R-R



0 375 750 1,500 Feet



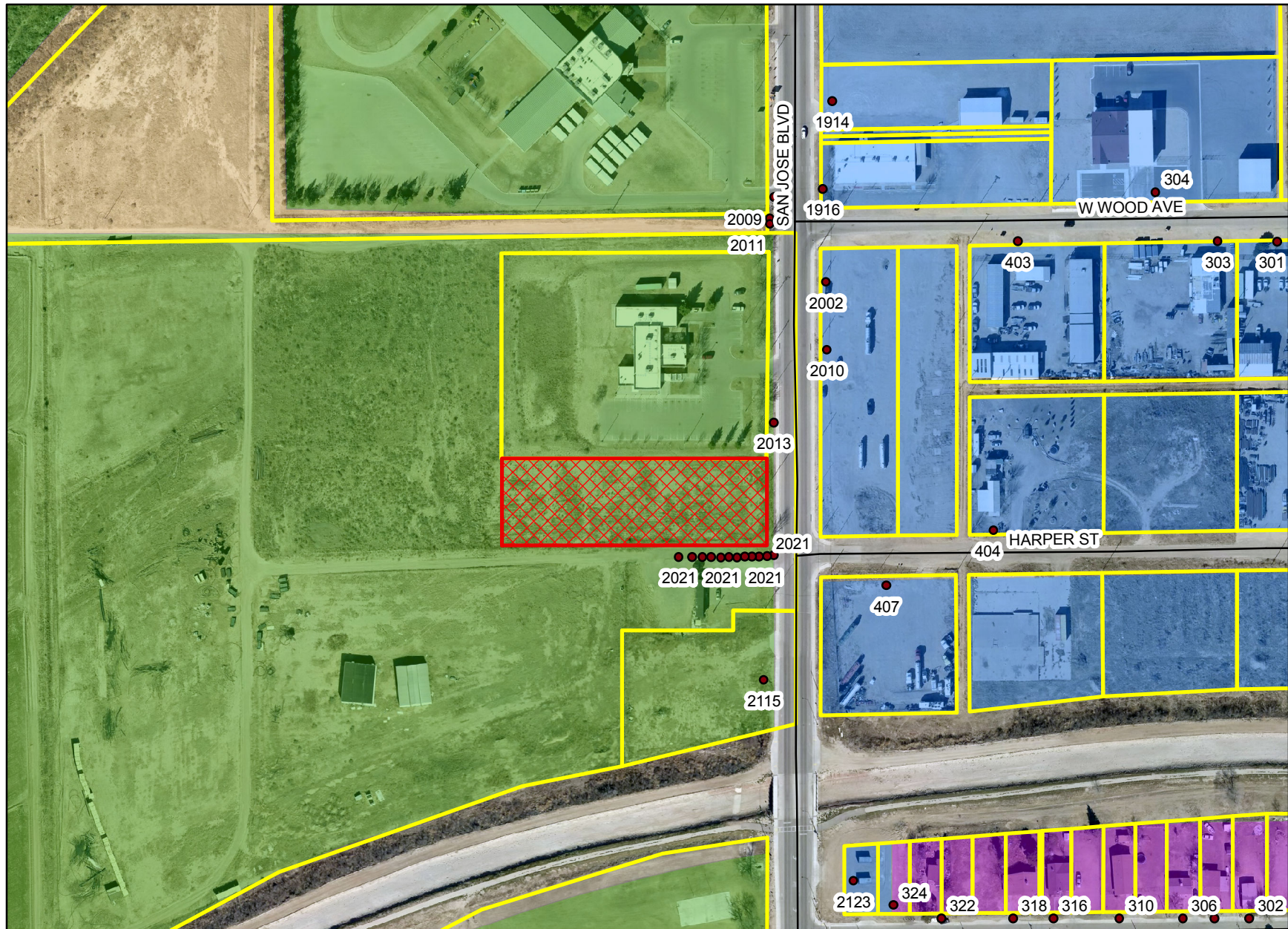
CITY OF CARLSBAD
Engineering Department
6/15/2018



Zone Change Request - R-R to C-2 - 2017 San Jose Blvd.

Carlsbad Zoning

C-1	I	R-1
C-2	PUD	R-2
		R-R



0 250 500 1,000 Feet



CITY OF CARLSBAD
Engineering Department
6/15/2018