

**Planning & Zoning Commission**  
**August 8<sup>th</sup>, 2018 Minutes**  
**City Council Chambers**

The regular meeting of the Planning and Zoning Commission was called to order at 6:01 p.m. by Chairman Kent Wilson.

Upon roll call, the following were present:

Chairman K. Wilson  
Commissioner K. Mackenzie-Chavez  
Commissioner J. Dooley  
Commissioner F. Pawlowski  
Commissioner F. Kozeliski  
Commissioner M. Long

Upon roll call, the following were absent:

Commissioner L. Miller

Presented to the Chairman and Commissioners for their approval were the minutes of the July 11<sup>th</sup>, 2018 regular meeting, July 18<sup>th</sup>, 2018 special meeting, July 25<sup>th</sup>, 2018 special meeting and August 1<sup>st</sup>, 2018 special meeting. Chairman Wilson recommended that the Commission vote on the minutes all at once being that there were no amendments. Commissioner Pawlowski motioned for approval of the four (4) sets of minutes as presented. Seconded by Commissioner Mackenzie-Chavez. Motion Carried.

Upon roll call, the following votes were:

Commissioner F. Pawlowski (Yes)  
Commissioner K. Mackenzie-Chavez (Yes)  
Commissioner J. Dooley (Yes)  
Commissioner F. Kozeliski (Yes)  
Commissioner M. Long (Yes)

*At the meeting there was no need for the swearing in process.*

**ITEM ONE:** The final version of the update to the Gallup Land Development Standards, including the recent recommended amendments will be presented to the Gallup Planning and Zoning Commission. This item will go before the City Council for final approval at its regular meeting to be held on August 28th, 2018.

Chairman Wilson thanked the staff for the revised Land Development Standards document, which included the amendments agreed upon at the three (3) special meetings held on July 18<sup>th</sup>, July 25<sup>th</sup> and August 1<sup>st</sup>, 2018. Chairman Wilson mentioned how the typographical and grammatical errors throughout the document were in the process of being corrected. He also acknowledged the letter

received from the Gallup Chamber of Commerce dated August 1, 2018 from CEO, Bill Lee (Exhibit A). CB Strain explained to the Commission how he addressed Mr. Lee's concerns contained in the letter whereas most of his concerns were misinterpretations of the new Land Development Standards. CB stated that there was one (1) change they agreed to, which was on page 1-67 under Accessory Uses: Home Occupation from "1 employee, customer/client shall be on premises at any time" to "1 employee and 3 customers/clients shall be on premises at any time."

Chairman Wilson asked if there were any other items to be brought before the Commission regarding the Land Development Standards.

Commissioner Long thanked the staff, steering committee and public for all their hard work throughout the LDS update. He spoke about how the LDS was a working document that needed to be continually reviewed. Commissioner Long recommended creating a committee to review the document every three (3) months for one (1) year. CB stated that the regulations were created with the intent to properly function, however they won't know if it's working until it's put to practice. He continued by explaining that if the Planning Department noticed an ongoing issue with a new regulation then that regulation would be evaluated and modified to fulfill the intent it was originally meant to achieve. CB didn't think it was necessary to review the LDS every three (3) months, however if issues came up more than twice he would bring it to the Commission's attention. And at that point the Commission could decide if a text amendment would be appropriate.

Commissioner Long spoke about how the Gallup Master Plan and Land Development Standards needed to work together. CB explained that the Master Plan was a guide to develop Gallup whereas it wasn't a law or an ordinance. The Land Development Standards are tools to implement the guide (Master Plan). CB spoke about how the Master Plan was required to be updated every five (5) years, which was a more intense public input process.

Chairman Wilson explained that if any Commissioner discovered issues with the adopted Land Development Standards at any time in the future they could bring up during their open floor discussions. Commissioner Long stated his concern that LDS issues would be addressed internally by the Planning Department whereas the Commission wouldn't see the changes. CB emphasized that any recommended text amendments would be brought before the Planning and Zoning Commission for approval, so they would see it.

Chairman Wilson stated the hearing was closed.

Motion to approve or deny the final version of the update to the Gallup Land Development Standards. Commissioner Mackenzie-Chavez motioned for approval of Item One. Seconded by Commissioner Dooley. Motion Carried.

Upon roll call, the following votes were:

Commissioner K. Mackenzie-Chavez (Yes)

Commissioner J. Dooley (Yes)

Commissioner F. Pawlowski (Yes)

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Commissioner F. Kozeliski (No)  
Commissioner M. Long (Yes)

*Chairman Wilson acknowledged that Commissioner Miller arrived at 6:18 p.m.*

**INFORMATION ITEMS**

**ITEM TWO:** City Council Actions Taken

**ITEM THREE:** July 2018 Building Permit Activity Report

Motion was made by Commissioner Dooley to adjourn the meeting. Seconded by Commissioner Pawlowski. Motion Carried.

Upon roll call, the following votes were:

Commissioner J. Dooley (Yes)  
Commissioner F. Pawlowski (Yes)  
Commissioner K. Mackenzie-Chavez (Yes)  
Commissioner F. Kozeliski (Yes)  
Commissioner M. Long (Yes)  
Commissioner L. Miller (Yes)

Commission Adjourned at 6:20 p.m.

PLANNING & ZONING COMMISSION



KENT WILSON, CHAIRMAN

ATTEST:



CLYDE (C.B.) STRAIN  
SECRETARY TO PLANNING & ZONING COMMISSION

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08/01/2018

Chairman Wilson & Commission Members  
Chairman  
City of Gallup Planning & Zoning Commission  
110 W. Aztec Ave. Gallup, NM 87301

**Dear Chairman Wilson & Commission Members:**

The Gallup McKinley County Chamber of Commerce would first like to acknowledge your hard work and efforts to revise the current Land Development Standards. As the chairman has stated on several occasions, this process is long overdue. The Chamber recognizes this is no easy task and that pleasing everyone is impossible. The Commission's willingness to listen to concerns and desire to make this the best possible guiding document for our community now and into the future is appreciated.

We have voiced concerns in several areas and the commission has acted to make changes or find compromise. We anticipate that the Commission will soon recommend passage of the Land development Standards to the City Council. Our position here at the Chamber is that there are needed changes and improvements so that the standards encourage commerce, create collaboration and, develop community.

Noted below for the commissions consideration are just a few of the Chamber's concerns:

- **The Document should regulate and set forth Land Development Standards not commerce:**
  1. (section 10-3-C-e-ii) Restaurant – Restaurant uses shall be separated a minimum of 1,000 feet from any other restaurant use.
  - c) Outdoor seating shall be limited to a maximum of 100 square feet and must maintain the same setback requirements as the principal structure. The use of outdoor seating areas shall not extend past nine o, clock (9:00) P.M.

(Section 10-3-C-g-i) Bed & Breakfast

- c) A maximum of two establishments are permitted per city block.
- h) Receptions or private parties held at bed and breakfast establishments for a fee shall not be allowed for persons other than registered guests.

(Section 10-3-C-n) Accessory Uses: Indoor Entertainment Venue

5. One Private security guard shall be provided for every 50 people.
9. The use shall cease operation by eleven o, clock (11:00) P.M. daily.

**(Section 10-3-C-s) Accessory Uses: Home Occupation**

3. Not more than one (1) employee, customer, or client shall be on the premises at any time.
4. Home occupation uses shall involve limited employee, customer, or client business visits.

Commissioners these are only three examples we have chosen to highlight. These may even reflect standards that were left unchanged from the previous guiding document. The bottom line remains that the Chamber feels you should be aware that this document is often dictating hours of operation, unwarranted separations of businesses and, restrictive rules that discourage commerce or economic growth.

The Gallup McKinley County Chamber of Commerce is understanding of the fact that many months of preparation and city resources have gone into getting this document to where it is today. The business community has endured the outdated and often antiquated current standards for many years. No business owner in our conversations is against having a comprehensive, understandable set of land standards but, the chamber must emphasize again that these standards are for land development and should in no way regulate commerce or be onerous to business growth and development.

The concern of the business community is raised when the examples we have just highlighted are presented in the code. While we have heard that there is a common template that will dictate enforcement of these standards, we still feel that there are many instances throughout the standards that are far too subjective when it comes to interpreting their enforcement. Subjectivity opens the door for unequal treatment and erodes the documents goal to encourage economic vitality while making our community look its best.

The Chamber does not feel that this document is ready to be the best possible replacement of the existing standards. A suggested approach to initiating change would be to first recommend passage of the portions of the document that are not currently contested...i.e.: the section on Sub Divisions. If the Commission feels that time is of the essence and decides to move these new standards forward, we trust that they will also be open to frequently discussing and, addressing issues that will come before the commission.

**Sincerely,**



**Bill Lee - I.O.M.  
CEO**

**Gallup McKinley County Chamber of Commerce**