

**AGENDA
PLANNING & ZONING COMMISSION
OF LOVINGTON
CALLED MEETING, MARCH 7, 2013 @
2:00 PM**

- 1. CALL TO ORDER**
- 2. CONSIDERATION OF MINUTES OF FEBRUARY 20, 2013**
- 3. CONSIDERATION OF APPROVAL OF VARIANCE AT 1801 N. MAIN ST.**
- 4. DISCUSSION OF 18 WHEELERS IN THE CITY LIMITS**
- 5. DISCUSSION OF ANNEXATION**
- 6. DISCUSSION OF RV TRAILERS/ PARKS**
- 7. DISCUSSION OF SEPTIC TANKS IN THE CITY**
- 8. DISCUSSION OF DRIVEWAYS/SIDEWALKS/ADDRESSES**
- 9. DISCUSSION OF INDUSTRIAL AREAS**
- 10. DISCUSSION OF MULTI FAMILY ZONING AREAS**
- 11. DISCUSSION OF ZONING ORDINANCE CHANGES**
- 12. OTHER BUSINESS**
- 13. ADJOURNMENT**

**CALLED MEETING OF THE PLANNING & ZONING COMMISSION
WEDNESDAY, FEBRUARY 20, 2013 4:30 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Request for variance for RV Park at 401 W. Ave B
- Request for mobile home permit at 611 N. 2nd
- Request for variance for trailer park at Larch & 3rd St
- Request for variance for a 10 ft. cinder block fence at 1404 S. Love St
- Consideration of Approval to Replat of Property 119 E. Simpson Dr
- Discussion of Zoning Ordinance Changes

PRESENT: Members: David Lynch, Betty Price, Nell Lewis, Randy Pettigrew and Chairman Kallie Richards.

NOT PRESENT: Member: Jon Benard, Lynda Kreybig, and City Manager James R. Williams

ALSO PRESENT: Code Enforcer Laura Brock, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo and Administrative Assistant Imelda Gutierrez.

CALL TO ORDER: The meeting was called to order by Chairman Richards at 4:30P.M.

CONSIDERATION OF THE JANUARY 8, 2013 MINUTES: Chairman Richards called for a motion to approve the January 8, 2013 minutes. Member Price so moved to approve the minutes. Member Lynch seconded. Motion carried unanimously.

APPROVAL OF AGENDA: Chairman Richards called for a motion to approve the agenda. Member Price so moved. Member Lynch seconded. Motion carried unanimously.

REQUEST FOR VARIANCE FOR RV PARK AT 401 W. AVE B: Ramon Orosco addressed the members to request a variance for an RV park at his property. Chairman Richards called for a motion to approve the variance. Member Pettigrew so moved to make motion to notify neighbors and/or public first before a decision is made. Member Lewis asked Mr. Orosco if he is planning on doing landscaping to beautify his property. Member Lynch seconded. Motion carried unanimously.

REQUEST FOR MOBILE HOME PERMIT ON 611 N. 2ND ST: Alma Gutierrez addressed the members that she would like to get permission to put a mobile home on her property. Code Enforcer Laura Brock recommended that the lot be replated into two parcels of land, divided East & West. The trailer located in the back portion of the property needed to be removed within thirty days. Chairman Richards called for a motion to approve. Member Pettigrew motioned to table until we give notice to neighbors and/or public and move forward to Commissioners for their approval. Member Price seconded. Motion carried unanimously.

REQUEST FOR VARIANCE FOR AN TRAILER PARK ON LARCH ST & 3RD ST: Raul Chavira translator for Cruz Chavira addressed the members to request a variance to put a trailer park. Chairman Richards made a motion to approve variance. Member Pettigrew so moved to table until given notice to the neighbors and/or public for input and move forward to Commissioners for their approval. Mr. Pettigrew asked Mr.Chavira to get property surveyed. Member Lynch seconded. Motion carried unanimously.

REQUEST FOR VARIANCE FOR AN 10 FT. CINDER BLOCK FENCE AT 1404 S. LOVE ST: Chairman Richards made a motion to approve variance for a cinder block fence. Member Lynch so moved. Member Pettigrew seconded. Motion carried unanimously

CONSIDERATION OF APPROVAL FOR REPLAT OF PROPERTY AT 119 E. SIMPSON DR: Juan Leon addressed the members to request to approve a replat of property. Chairman Richards called for a motion to table until property owner would make presence at the meeting. Member Lynch so moved. Member Lewis seconded.

DISCUSSION OF ZONING ORDINANCE CHANGES: Chairman Richards called for a motion to approve a work session for all members on Thursday, March 7, 2013 @ 2:00p.m. Member Pettigrew so moved. Member Lynch seconded and a vote was taken all aye.

ADJOURNMENT:

Chairman Richards asked for a motion for adjournment at 6:30 p.m.

APPROVED: _____
CHAIRMAN RICHARDS

ATTEST: _____
MEMBER PETTIGREW

CITY OF LOVINGTON
STAFF SUMMARY FORM



- PLANNING AND ZONING BOARD
 LOVINGTON ETZ BOARD

MEETING DATE: March 7, 2013

SUBJECT: Consider Approval fo Variance at 1801
N. Main Street

REQUESTED BY: Catalyst Oilfield

ADDRESS:

DATE SUBMITTED: March 5, 2013

STAFF SUMMARY:

Catalyst Oilfield is considering the purchase of the property located at 1801 N. Main Street (formerly Reed and Stevens). During their research into the property, the Fire Chief was asked about current zoning and prohibited practices. They do intend on having small amounts of chemicals on site used in the petroleum industry, which they will in turn sell to their customers.

The location is currently zoned as Commercial. According to Lovington Municipal Code, section 17.28.30 addressed prohibited uses. Specifically, item 33 states "petroleum or its products, refining or wholesale storage of". The Fire Chief researched if this prohibited use exists in the Industrial zone class and determined it is the same.

Catalyst Oilfield has requested a variance be granted so they may utilize this site to conduct business operations. In the past, there have been businesses of a similar type located in the area. In addition, it is noted that Pro-Kem, located on south Main Street, is operating in a Commercial zone and has multiple chemicals on site being distributed in the same, if not larger fashion. The proposed location is actually more favorable as the prevailing winds will direct any odors or fumes that may or may not be present away from a high density residential area.

The materials that they wish to have on site which are in conflict with the ordinance are in the oil soluble classification. These types of materials are corrosion inhibitors and emulsion breakers. The quantity they anticipate on site would be no more than 7,500 gallons at one time, and would be based on demand. Storage of these chemicals would be achieved in either 330 gallon D.O.T. approves "totes", 55 gallon drums, or in a bulk tank. In the event a bulk tank is utilized, it would have a containment area established, which would be capable of containing 110% of the volume of the tank.

The Fire Chief has recommended that if this variance be granted, a containment area is would be a requirement for the bulk storage. We are also recommending that Catalyst work closely with the Fire Department to adopt emergency response plans and procedures for the facility.

ATTACHMENTS:

Aerial map of area

RECOMMENDATION:

Act in the best interests of Lovington.

Code Enforcement Officer



City Manager

