

A G E N D A

**Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
May 26, 2016, at 3:00 p.m.**

Item		Page
1	Call Meeting to Order	
2	Approval of the Agenda	
3	Approval of the Minutes of the April 28, 2016 P&Z Meeting	88
4	Petition No. SUP 16-30 – a request from the City of Farmington, represented by Cory Styron, Director of Parks, Recreation and Cultural Affairs, for a Special Use Permit for a Private Day Care in the MF-M Multiple Family Medium Density Residential District, for property located at 4500 Wildflower Mesa Drive. (Cindy Lopez)	1
5	Petition No. SUP 16-31 – a request from Lance Myler for a Special Use Permit to allow a Family Care Unit to be constructed next to a primary residence for 1.04 acres, for property located at 7110 Driftwood Avenue. (Keith Neil)	13
6	Petition No. PPJ 16-01 – a request from Mark Duncan, Mayor, Town of Kirtland, for a Memorandum of Understanding with the City of Farmington, regarding the extent of the Town of Kirtland’s Planning and Platting Jurisdiction to be located within San Juan County. (Mary Holton)	31
7	Business from: Floor: Chairman: Members: Staff:	
8	Adjournment	

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, June 14, 2016.

ATTENTION PERSONS WITH DISABILITIES:

The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend a meeting and need an auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106, prior to the meeting so arrangements can be made.

**COMMUNITY DEVELOPMENT
PETITION REPORT**
**Petition SUP 16-30-Special Use Permit for a Day Care
at 4500 Wildflower Mesa Drive.**

A. STAFF REPORT, May 26, 2016

PROJECT INFORMATION

Applicant	City of Farmington
Representative	Cory Sytron, Director of Parks, Recreation and Cultural Affairs
Date of Application	April 27, 2016
Requested Action	Approval of a special use permit to allow a day care in the MF-M Multiple Family Medium Density Residential District.
Location	4500 Wildflower Mesa Drive.
Existing Land Use	Vacant Building
Existing Zoning	MF-M Multiple Family Medium Density Residential District
Surrounding Zoning & Land Use	North, South, East & West: MF-M Multiple Family Medium Density Residential/ Vacant on north, west and east & School on south
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday May 8, 2016. Property owners within 100 feet were sent notice by certified mail on Wednesday, May 4, 2016 and a sign was posted on Friday, May 13, 2016.
Staff Planner	Cynthia Lopez, Senior Planner

STAFF ANALYSIS

Petition Description and History

- A.** The City of Farmington, represented by Cory Sytron, Director of Parks, Recreation and Cultural Affairs is requesting a special use permit to allow a day care for a vacant building of approximately 3,728 square feet located at 4500 Wildflower Mesa Drive in the MF-M Multiple Family Medium Density Residential District. The Gold Star Academy has been awarded a lease from the City of Farmington to run a day care in the building that will implement programming to meet the needs of infants and toddlers, early childhood, pre-kindergarten, youth, “teens”, and enrolled high school students. Day care for toddler and pre-kindergarten care shall be provided, as well as, a licensed after-school program, summer programs & activities, and diverse cultural heritage programs.

Pursuant to Section 2.3 the Use Table of the UDC, a day care in the MF-M district requires approval of a special use permit. Section 2.4.16 of the UDC states that a day care may provide care for seven or more adults or children; that a site plan shall be approved and filed with the findings of fact as part of the approval of an

SUP; day cares are to comply with “all applicable state requirements for the location of such facilities and the minimum square feet of safe, outdoor recreation area and usable floor area for every person the day care facility is licensed to accommodate. No portion of such recreation area shall be located within the required front yard area of the property”; the outdoor area shall be screened; and, a landscaping hedge or fence shall be provided along any rear or side property line adjoining any residentially zoned property.

B. Special Use Permit Criteria - Section 8.9.4 of the UDC

Section 8.9.4 of the UDC sets forth the criteria for review of a special use permit. The section states that an SUP may be approved where it is reasonably determined that there will be no significant negative impact upon residents of surrounding property or upon the public. Criteria are listed as follows:

A. Effect on environment: The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to the neighboring property.

The property to the north, east and west of 4500 Wildflower Mesa Drive is vacant land. To the south are Mesa View Middle School and Esperanza Elementary School. The building at 4500 Wildflower Mesa is located on a 3 acre parcel of land. This building was previously used as a Community Center, which is a similar use to the day care. This use will not be detrimental to the health, welfare and safety of the surrounding neighborhood.

B. Compatible with surrounding area: The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with relationship to scale, height, landscaping and screening and density.

The building and parking lot are located back from Wildflower Mesa Drive sufficiently to be able to accommodate traffic circulation. The building and paved parking lot has access to Wildflower Mesa Drive through a paved driveway. There are thirteen parking spaces provided in the parking lot.

C. External impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to the impacts.

There are no negative impacts concerning noise, glare fumes, dust smoke, or vibration. The day care is located on a 3 acre parcel of land and surrounded on three sides by vacant land and on the south by schools which is a similar use.

D. Infrastructure impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and

on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

The proposed day care has been in operation for many years and is already supplied with water and sewer. The driveway and parking area are paved. The fire codes will need to be addressed during the remodel of the building to accommodate the day care use.

E. Consistent with the UDC and Comprehensive Plan: The proposed use will be consistent with purposes of this UDC, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

The Comprehensive Plan calls for this area to be Residential Single-Family Suburban.

F. Parcel size: The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

The parcel is 3 acres in size.

G. Site Plan: The proposed use shall be required to comply with the site plan review procedures and standards of Section 8.5, site plan review, as specified.

The building exists. An aerial map is provided showing the building and parking area.

C. ISSUES

Community Development Director: Mary Holton --505-599-1285

- The tenant plans to provide the “after-school” programming that was previously provided by the Crouch Mesa Community Center. It was a City sponsored program located adjacent to two schools and should be approved.

Chief Building Official: Derrick Childers-- 505-599-1305

- If the building is used for the care of children 2 ½ years or less the occupancy classification will be a Child Care Facility—Group I-4. This will require the building to have a Fire Suppression System, unless the rooms used for child care have a door from each room exiting directly to the exterior of the Building. This will allow the building to be classified as a Group E and will not require a Fire Suppression System.

Fire Department: David Douady-- 505-599-2361

- The maximum number of children 2 ½ years of age that can receive care for less than 24 hours in this facility is five (5). In addition only rooms with an exit directly to the exterior of the building shall be utilized to provide care for them. The codes allow for up to 100 children meeting the 2 ½ years of age or less, provided there is an exit directly from every space providing care for them; however, this exception shall apply to the entire facility and currently does not

meet that requirement. This building does not have exits directly to the exterior of the building from all spaces housing children. If the facility wishes to provide care for more than five (5) children of this age, additional exiting directly to the exterior must be installed from A.I.I spaces that could provide care for children.

STAFF CONCLUSION

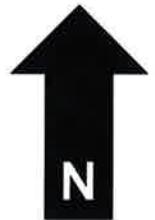
Staff concludes approval of SUP 16-30 is appropriate. The building proposed for the day care is on a 3 acre parcel of land that is surrounded by vacant land on the north, east and west and two schools to the south. The building was previously used as a community center that provided for “after-school activities”. Therefore, there should not be any adverse effects on the surrounding area.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition SUP 16-30, a request from the City of Farmington, represented by Cory Styron, for a special use permit for a day care located at 4500 Wildflower Mesa Drive, in the MF-M Multiple Family Medium Density Residential District subject to meeting all requirements of the building and fire codes.



SUP 16-30 Private Day Care - 4500 Wildflower Mesa Drive





Site Plan- 4500 Wildflower Mesa Drive

PLANNING MEMO COMMENTS SUMMARY

SUP 16-30 4715 WILDFLOWER MESA DR

Deadline: 5/4/16

City of Farmington Departments

CD	Director – Mary Holton	The tenant plans to provide the “after-school” programming that was previously provided by the Crouch Mesa Community Center. It was a City sponsored program located adjacent to two schools and should be approved.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	5/3/16-Building Inspection has the following comment on SUP 16-30 4500 Wildflower Mesa Drive. If the building is used for the care of children 2 1/2 years or less the occupancy classification will be a Child Care Facility Group I-4. This will require the building to have a Fire Suppression System, unless the rooms used for child care have a door from each room exiting directly to the exterior of the building. This will allow the building to be classified as a Group E and will not require a Fire Suppression System.
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Simms	
CITY	City Manager’s Office – Julie Baird	No comments from City Manager Office on SP 16-30 thanks Julie
ELEC	Customer Care Manager – Nicki Parks	No comment
ELEC	Electrical Engineering - Luwil Aligarbes	No comment
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	This project has changed significantly from the initial use. The plans reviewed and accepted are for an after school program. The change to a day-care facility changes the use classification of the building and may require changes to the building. Brandy Vega
FIRE	Captain-David Doudy	The maximum number of children 2 ½ years of age that can receive care for less than 24 hours in this facility is five (5). In addition only rooms with an exit directly to the exterior of the building shall be utilized to provide care for them. The codes allow for up to 100 children meeting the 2 ½ years of age or less, provided there is an exit directly from every space providing care for them; however, this exception shall apply to the entire facility and currently does not meet that requirement. This building does not have exits directly to the exterior of the building from all spaces housing children. If the facility wishes to provide care for more than five (5) children of this age, additional exiting directly to the exterior must be installed from ALL spaces that could provide care for children
LEGAL	City Attorney – Jennifer Breakell	

LEGAL	Deputy City Attorney-Russel Frost	Legal has no objections to the petition, with stipulation that building meets all building, occupancy, and fire codes for a day care serving “infants and toddlers, early childhood, pre-kindergarten, youth, “teens”, and enrolled high school students”.
POLICE	Code Compliance – Todd Johnston	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	No engineering issues identified.
PW	Engineering – Toni Sitta	No comment
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	No comment

Other Entities

New Mexico Gas Company-Ronnie Owens	
CenturyLink-Diane Willatto	No comment
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI-Ron Rosen	
Williams Field Services	
Farmington School District-Cindy Lyons	

PETITION APPLICATION



Incomplete applications
may not be accepted.

Return completed
application to:

**Planning Division
Community Development Department
City of Farmington
800 Municipal Drive
Farmington, NM 87401 (505) 599-1317**

PROJECT TYPE (Check Those Applicable)

- | | | |
|--|--|--|
| <input type="checkbox"/> Annexation / Zoning
<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Final Plan | <input type="checkbox"/> Summary Plat
<input checked="" type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use:
<input type="checkbox"/> Well site equipment modification |
|--|--|--|

INFORMATION

Applicant's Name: C.O.F. PRCA	Project Location: 4500 Wildflower Mesa Dr.
Address: 800 Municipal Dr.	Existing Use: Community Center
E-Mail: cstyron@fntn.org	Proposed Use: Private Day Care
Telephone: 599-1402	Current Zoning: UF-M
Relationship to Property Owner:	Assessor's Parcel I.D. and/or Tax I.D. Number: 2073171023296

Legal Description of Subject Property: Esperanza Subd. Replat 'A' Lot 2A

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes **NO**
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: Cory Styron	E-Mail: cstyron@fntn.org
Phone: 599-1402	Address:

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)		MORTGAGE HOLDERS (If any)	
Name:	Phone:	Name:	Phone:
Address:		Address:	

OWNER CERTIFICATION: I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Owner's Signature:

****** STAFF USE ONLY ******

Received By <i>Cindy</i> Date <i>4/27/16</i> Fee Received <i>0</i> Project File No. <i>SUP 16-30 Wildflower Mesa</i> Date of Hearing/Meeting: <i>May 26 P&Z - June 12 CC</i>	<input type="checkbox"/> Site Plan <input type="checkbox"/> Ownership List (subject and surrounding properties) <input type="checkbox"/> Legal Description <input type="checkbox"/> Project Description
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City of Farmington

Walker, Karen <kwalker@fmrn.org>

P&Z Notice of Hearing

fmrn-far-legals <far-legals@daily-times.com>
To: "Walker, Karen" <kwalker@fmrn.org>

Wed, May 4, 2016 at 4:41 PM

Karen,

We are having technical difficulties and I am unable to receive scans at the moment. I have pasted a snip-it of your ad. I have only charged you for one affidavit. Does this work?

Advertiser: CITY OF FM (LEGAL ADS) Agency: CITY OF FM (LEGAL ADS) Pricing: \$107.63

Account #: 47657 Phone #: 505-599-1101 Account #: 47657 Phone #: 505-599-1101 Total Due: \$107.63

Ad Order #: 0001113991 Order Status: Ready Current Queue: Ready Ordered By: Karen Walker Sold By: Gonzalez, Iv

Order Credit Status: Credit Status OK Ad Type: CLS Legal liner Color: <NONE> Width: 2 Depth: 84 Li

Number	Type	Cost	Ad Sub Type	Color	Width	Depth	Split
0001113991-01	CLS Leg...	\$100...		<NONE>	2.00col	84 Li	

Run Schedule for Selected Ad

Product	Placement/...	Position	Start	End	In...	Cost	Ad Number
FM Daily...	Legal	0152-Legal Noti...	5/8/2016	5/8/2016	1	\$92...	000111399...
FM Online	Legal	0152-Legal Noti...	5/8/2016	5/8/2016	1	\$8.07	000111399...

Customer Note(s): 9/22/14 DO NOT APPLY ANY UNAPPLIED MONIES UNTIL YOU TALK TO MELISSA GONZALES FIRST ALLOW ACCT TO RUN MARLENE AND DEBBIE OF CITY OF FM LEGALS ARE WORKING ON PAST BALANCE -- MAY BE MISAPPLIED PAYMENTS W/ OTHER ACCTS --MARLENE BELIEVES THEY DO NOT OWE --RL

Package: <NONE> Sales Prompts/Reminders: 6 Orders Today totalling \$609.45 27 Orders Current Period totalling \$2,673.29

5/4/2016 (0001113991-01-1)

**P&Z PLANNING & ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the following applications have been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico.

Petition No. SUP 16-30 - a request from the City of Farmington, represented by Cory Styron, Director of Parks, Recreation and Cultural Affairs, for a Special Use Permit for a Private Day Care in the MF-M Multiple Family Medium Density Residential District for property located at 4500 Wildflower Mesa Drive, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Esperanza Subdivision, Replat A, Lot 2A
Otherwise known as
4500 Wildflower Mesa Drive

Petition No. SUP 16-31 - a request from Lance Myler for a Special Use Permit to allow a Family Care Unit to be constructed next to a primary residence for property located at 7100 Driftwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Ridgeview Subdivision Number Two,
Block 1 Lot 11.
Otherwise known as **7100 Driftwood Avenue**

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that this petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on **Thursday, May 26, 2016 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on **Tuesday, June 14, 2016 at 6:00 p.m.** in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petitions.

Karen Walker
Administrative Assistant

Legal No. 72677 published in The Daily Times on May 8, 2016.

Thank you,

Melissa Blakesley

Legal Clerk/Classifieds

Direct Line: 505-564-4566

Fax: 505-564-4567

megonzalez@daily-times.com

**NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 16-30**

May 4, 2016

Dear Property Owner:

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from the City of Farmington, represented by Cory Styron, Director of Parks, Recreation and Cultural Affairs, for a Special Use Permit for a Private Day Care in the MF-M Multiple Family Medium Density Residential District, for property located at 4500 Wildflower Mesa Drive, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Esperanza Subdivision, Replat A, Lot 2A

Otherwise known as 4500 Wildflower Mesa Drive

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by the Planning and Zoning Commission of the City of Farmington on **Thursday, May 26, 2016 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on **Tuesday, June 14, 2016 at 6:00 p.m.** in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons in interest and citizens are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Planning Division -- Community Development Department at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that this petition could be cancelled or withdrawn prior to the meeting date.

If you have any questions regarding this notice, or would like additional information regarding this petition, please contact Cindy Lopez at 505-599-1448 or clopez@fmtn.org.

Sincerely,



Karen Walker
Administrative Assistant

4500 Wildflower Mesa Dr. - Day Care

San Juan County
100 S. Oliver Dr.

Aztec, NM 87410

Patrick B. English

15648 CORD. 250

Durango, CO 81301-8695

Farmington School District No. 5

P.O. Box 5850

Farmington, NM 87499

Jose Hernandez

P.O. Box 774

Farmington, NM 87499

**COMMUNITY DEVELOPMENT
 PETITION REPORT**
**Petition SUP 16-31 Special Use Permit allowing a detached Family Care
 Unit (Mother-in-law Quarters) at 7110 Driftwood Ave.**

A. STAFF REPORT, May 17, 2016

PROJECT INFORMATION

Applicant	Lance Myler
Representative	Same
Date of Application	April 29, 2016
Requested Action	Approval of a special use permit to allow a detached Family Care Unit in the RE-1 Residential Estate 1 Acre zoning district.
Location	7110 Driftwood Ave.
Existing Land Use	Residential
Existing Zoning	RE-1 Residential Estate 1 Acre
Surrounding Zoning & Land Use	North, South, East & West: RE-1 Residential Estate, Residential
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday May 15, 2016. Property owners within 100 feet were sent notice by certified mail on Wednesday May 4, 2016 and a sign was posted on Friday, May 13, 2016.
Staff Planner	Keith M. Neil, Associate Planner

STAFF ANALYSIS

Petition Description and History

The petitioner requests a special use permit to allow a detached Family Care Unit to be located at 7110 Driftwood Ave.

Pursuant to Section 2.5.7 of the UDC, detached family care units are permitted when it is determined by the City Council that it is impractical to attach the unit to the principal building due to special conditions on the petitioner’s property, including but not limited to the location or design of existing structures, the restriction of setbacks, of the size or shape of the lot. The floor area of the detached unit shall not exceed 500 square feet and must meet the required height and setback requirements of the principal structure with a minimum side yard of at least 5 feet and minimum separation from the principal structure of 10 feet.

This section also states that as an accessory to a single-family dwelling a maximum of one family care unit may be permitted on a lot with a single-family dwelling in a

residential zoning district. Both the single-family dwelling and the family care unit shall remain under single ownership.

In terms of occupancy, both the principal structure and unit shall be occupied by one family, but no more than two persons may occupy the unit. At least one person living in the unit or in the principal structure shall be the owner of the property and at least one person shall be 55 years of age or older.

The UDC further states that the entrance to the unit shall not be directly from the front of the principal dwelling and all exterior modifications shall maintain the appearance of a single-family dwelling. The unit will also be required to have on additional off-street parking space behind the required front yard setback.

The proposed Family Care Unit will have a 24' x 24' two car garage approximately 576 square feet to meet the requirements for off-street parking. The Family Care Unit itself will have a living space, floor area of approximately 528 square feet. This exceeds the allowable 500 square feet but the proposed larger unit can be approved with this Special Use Permit.

The slope of the parcel required the leveling off of the front portion of the property for the construction of the principal dwelling. The rear of the property sits substantially lower than the principal dwelling and would require a substantial amount of fill dirt to bring the area up to grade for the construction of the Family Care Unit. The proposed area for construction to the north of the principal dwelling is currently flat serves as the best location for the unit.

The petitioner has stated that the roof lines of the principal dwelling do not accommodate the addition on the side of the house. Additionally the proposed unit would cover up the master bedroom windows. The proposed location will allow the petitioner to place the unit in such a position that will not divert attention from the principal dwelling.

The proposed unit will be constructed for the petitioner's mother-in-law who is currently 79 years of age and will be the sole inhabitant.

At such a time that the use is terminated, the petitioner has plans to remove the stove and replace it with a cabinet, whereby the use becoming a Guesthouse. According to the UDC Section 2.5.8, a distinguishing characteristic between a Guesthouse and a Family Care Unit is the inclusion of a natural gas stub or 220-volt wiring in the kitchen area of the Family Care Unit. A Guesthouse does not allow for a natural gas stub or 220-volt wiring in the kitchen area.

Special Use Permit Criteria - Section 8.9.4 of the UDC

Section 8.9.4 of the UDC sets forth the criteria for review of a special use permit. The section states that an SUP may be approved where it is reasonably determined that there will be no significant negative impact upon residents of surrounding property or upon the public. Criteria are listed as follows:

- A. Effect on environment: The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare,

and safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to the neighboring property.

The proposed use will not be detrimental to the surrounding properties. The Family Care Unit will meet all required setbacks and height restrictions as well as maintain the existing nature of the area.

B. Compatible with surrounding area: The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with relationship to scale, height, landscaping and screening and density.

The site is in the RE-1 Residential Estate 1 Acre zoning district. The proposed Family Care Unit is allowed in the RE-1 residential district and is compatible with the surrounding area.

C. External impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to the impacts.

There are no negative impacts concerning noise, glare fumes, dust smoke, or vibration. Pursuant to UDC 3.12, standards pertain but are not limited to building setbacks, building height, screening, dumpsters, and outdoor lighting.

D. Infrastructure impacts minimized: The proposed use shall not have negative impacts on existing uses in the area and in the city through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

The proposed use will not have a negative impact of infrastructure. The Family Care Unit will be located in an area that is accessible to all protection services.

E. Consistent with the UDC and Comprehensive Plan: The proposed use will be consistent with purposes of this UDC, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

The Comprehensive Plan calls for this area to be residential. An SUP for a Family Care Unit in a residential district is consistent with the UDC and the Comprehensive Plan.

F. Parcel size: The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

N/A

G. Site Plan: The proposed use shall be required to comply with the site plan review procedures and standards of Section 8.5, site plan review, as specified.

A conceptual site plan was provided to the Building Division of Community Development.

Engineering: Toni Sitta- 599-1399

- All Improvements must have positive drainage away from the house to the street, and finished floor elevation must be a minimum of 18” above the flow line of the gutter measured at the center of the lot. If curb and gutter are absent flow line is at the edge of roadway measured at the center of the lot. (Construction Standard No D-612)
- If the above conditions cannot be met, then a drainage plan shall be prepared, stamped and sealed by a New Mexico Professional Engineer and submitted to the City with the building permit application for review. The plan must consider onsite and offsite storm water.

STAFF CONCLUSION

Staff concludes approval of SUP 16-31 is appropriate with the mitigating of drainage concerns presented by staff.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition SUP 16-31, a request from Lance Myler for a special use permit to allow a detached Family Care Unit 7110 Driftwood Ave., in the RE-1 Residential Estate 1 Acre zoning district subject to the following condition:

- A. A drainage plan shall be prepared, stamped and sealed by a New Mexico Professional Engineer and submitted to the City of Farmington with the building permit application for review. The plan must consider onsite and offsite storm water.



30
Feet



**AREA UNDER CONSIDERATION
SUP 16-31 Driftwood**

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

Date: 4/29/2016

materially changed and that the use will continue to comply with the conditions of this section and original special use permit. It is the responsibility of the owner of the property to apply to the director of the community development department for renewal of the special use permit six months prior to the end of the five-year period. If the renewal has not been granted prior to the end of the five-year period the owner will be required to re-submit an application for a special use permit in order to continue the apartment use.

2.5.5 Caretaker residences. Caretaker residences shall be allowed as an accessory use to a residential use provided that care is provided for not more than four children, including those who live in the residence.

2.5.6 Day care, home-based. Home-based day care facilities shall be allowed as an accessory use to a residential use provided care is provided for not more than four children, including those who live in the residence.

2.5.7 Family care units. Family care units may be allowed as an accessory to a single-family dwelling by special use permit, subject to the standards of this section.

- A. **Accessory to single-family dwelling.** A maximum of one family care unit may be permitted on a lot with a single-family dwelling in a residential zoning district. Both the single-family dwelling and the family care unit shall remain under single ownership.
- B. **Occupancy.** The principal dwelling and the family care unit together shall be occupied by one family, as defined in section 11.1, but no more than two persons may occupy the family care unit. In addition, at least one person living in either the principal dwelling or family care unit shall be an owner of the property and at least one person shall be 55 years of age or older or, regardless of age, a totally disabled person in accordance with the standards of disability established by the Social Security Administration.
- C. **Attached unit standards.** Family care units attached to or part of the principal building shall conform to the minimum height and setback requirements for the principal building. The floor area of an attached unit shall not exceed 30 percent of the floor of the principal dwelling up to a maximum of 700 square feet.
- D. **Detached unit standards.** Family care units may be detached from the principal building only when the city council finds that it is impractical to attach the unit to the principal building due to special conditions on the petitioner's property, including but not limited to the location or design of existing structures, the restriction of setbacks, or the size or shape of the lot.
 - (1) The floor area for a detached unit shall in no case exceed 500 square feet.
 - (2) Detached units shall conform to the minimum height and setback requirements for the principal building; provided, however, that where such units are separated at least ten feet from the principal structure, they may be constructed in a rear yard subject to the standards of subsection 2.8.3C(4)c.
 - (3) Notwithstanding other provisions to the contrary, the minimum side yard shall be at least five feet.
- E. **Exterior modifications.** The entrance to the family care unit shall not be directly from the exterior of the front of the principal dwelling, and any exterior modifications shall maintain the appearance of a single-family dwelling.
- F. **Parking.** In addition to the parking spaces required for the principal dwelling, one additional off-street parking space shall be provided behind the required front yard setback.
- G. **Approval period.** Such use may be approved for a period of up to five years. Such permit may be renewed administratively by the director for successive five-year periods upon making a

determination that the conditions existing at the time of issuance of the original permit have not materially changed and that the use will continue to comply with the conditions of this section and the original special use permit.

- H. *Appeal.* Any person aggrieved by an administrative decision made pursuant to this paragraph may appeal to the ARB as provided in section 8.15, appeals of administrative decisions.
- I. *Conversion.* The family care unit shall be converted into an integral part of the single-family

approved time period, whichever is earlier. A plan showing the specific physical modifications which will be made to the property upon the termination of the use shall be submitted with the application for the special use permit.

2.5.8 Guesthouses. Guesthouses (a maximum of one) may be allowed as an accessory use to single-family dwellings, subject to compliance with the standards of this section.

- A. *General.* All guesthouses shall comply with the standards of this subsection.
 - (1) Guesthouses may be utilized by guests and persons employed on-site by the resident family of the principal dwelling, and may not be rented or sold separately from the principal dwelling unit.
 - (2) Notwithstanding other provisions to the contrary, guesthouses:
 - a. Shall comply with the setback standards applicable to the primary dwelling; and
 - b. May be built to the same height as otherwise allowed for the primary dwelling.
 - (3) Guesthouses and the primary dwelling shall share utilities. Separate utility meters shall not be allowed. Guesthouses shall not have a natural gas stub or 220-volt wiring in the kitchen area.
 - (4) One off-street parking space shall be required for each guesthouse, in addition to that otherwise required. Notwithstanding other provisions to the contrary, in all cases:
 - a. The additional required parking space shall be located on the same lot as the primary dwelling unit; and
 - b. Tandem parking shall be allowed.
 - (5) Guesthouses shall have an open floor plan where the kitchen is not a separate room.
- B. *Attached guesthouses.*
 - (1) Attached guesthouses may be allowed in all residential districts.
 - (2) Attached guesthouses must connect to the principal dwelling unit via an interior doorway.
- C. *Detached guesthouses.*
 - (1) Detached guesthouses may be allowed only in the RE-20, RE-1, RE-2 and RA districts.
 - (2) Detached guesthouses shall meet all development standards generally applicable to accessory buildings or structures, including but not limited to, minimum building setbacks and building height.

2.5.9 Home occupations. A home occupation shall be allowed as an accessory use to a residential dwelling and shall be subject to compliance with the standards of this section.

- A. The use is carried on entirely within the residence by persons living at the residence;
- B. The occupation is clearly incidental and secondary to the principal use of the residence;
- C. The use and all related activities shall occupy no more than 25 percent of the total floor area of the residence.

PLANNING MEMO COMMENTS SUMMARY

SUP 16-31 SUP 16-31 7110 DRIFTWOOD

Deadline: 5/12/16

City of Farmington Departments

CD	Director	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official	
CD	Long Range Planner	
CD	MPO	
CD	Oil & Gas Inspector	
CITY	City Manager's Office	Julie Baird-No Comment on the SUP 16-31
ELEC	Customer Care Manager	No comment
ELEC	Electrical Engineering	No comment
ELEC	T & D	
FIRE	Fire Marshall	
LEGAL	City Attorney	
LEGAL	Deputy City Attorney	
POLICE	Code Compliance	
POLICE	Sergeant	
PRCA	Director	
PW	City Engineer	No engineering issues for the special use. They will need to submit a drainage plan with the building permit.
PW	Engineering	No comment Drainage Issue: All Improvements must have positive drainage away from the house to the street, and finished floor elevation must be a minimum of 18" above the flow line of the gutter measured at the center of the lot. If curb and gutter are absent flow line is at the edge of roadway measured at the center of the lot. (Construction Standard No D-612) If the above conditions cannot be met, then a drainage plan shall be prepared, stamped and sealed by a New Mexico Professional Engineer and submitted to the City with the building permit application for review. The plan must consider onsite and offsite stormwater.
PW	Streets Superintendent	
PW	Traffic Engineer	



Neil, Keith <kneil@fmtn.org>

Family Care Unit Documentation

Monica Nagl <monica@stokerlaw.net>
To: "Neil, Keith" <kneil@fmtn.org>

Mon, May 9, 2016 at 10:09 AM

Keith,

Thank you for emailing the documents related to 7110 Driftwood. We do have concerns about the impact the proposed construction could have on drainage in the area. Our property (7105 Dellwood Court) is the lowest lying property in this section, and we have engineered drainage to avoid flooding. There is a wash which runs between our property and 7110 Driftwood. If the construction changes the water route, it could lead to flooding of our property.

Monica Nagl
monica@stokerlaw.net
(505) 326-0404

[Quoted text hidden]

[Quoted text hidden]

Notice: New Mexico law requires government agencies to disclose to the public, upon request, most written communications, including those in electronic form. Persons communicating with City officials or employees should expect that any communications could be released to the public and that this disclosure could include the email addresses of those communicating with City officials or employees.

PETITION APPLICATION



**Incomplete applications
may not be accepted.**

**Return completed
application to:**

**Planning Division
Community Development Department
City of Farmington
800 Municipal Drive
Farmington, NM 87401 (505) 599-1317**

PROJECT TYPE (Check Those Applicable)

- | | | |
|---|---|--|
| <input type="checkbox"/> Annexation / Zoning
<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Final Plan | <input type="checkbox"/> Summary Plat
<input checked="" type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use:
<input type="checkbox"/> Well site equipment modification |
|---|---|--|

INFORMATION

Applicant's Name: <u>Lance Myler</u>	Project Location: <u>7110 Driftwood</u>
Address: <u>7110 Driftwood Dr.</u>	Existing Use: <u>Residential</u>
E-Mail: <u>myler.lance@gmail.com</u>	Proposed Use: <u>Family Care Unit</u>
Telephone: <u>(315) 244-2192</u>	Current Zoning: <u>RE-1</u>
Relationship to Property Owner: <u>self</u>	Assessor's Parcel I.D. and/or Tax I.D. Number: <u>R 2000210</u>

Legal Description of Subject Property: Ridgeview SD #2 Block 1, Lot 11

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name:	E-Mail:
Phone:	Address:

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)	MORTGAGE HOLDERS (If any)
Name: <u>Candace C Myler</u> Phone: <u>315 869 5886</u>	Name: <u>Wells Fargo</u> Phone: <u>800 222 0238</u>
Address: <u>same</u>	Address: <u>Po Box 10335 Des Moines Iowa 50306</u>

OWNER CERTIFICATION: I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

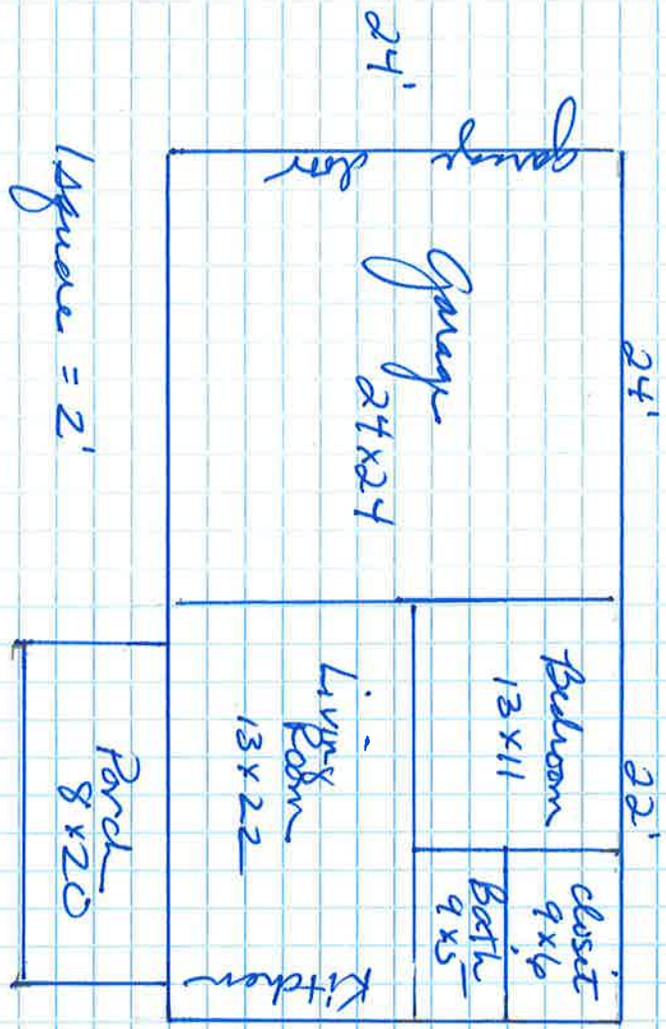
Owner's Signature: [Signature] Candace C Myler

***** STAFF USE ONLY *****

Received By <u>KN</u> Date <u>4/27/16</u> Fee Received Project File No. <u>SVA 16-31 7110 Driftwood</u> Date of Hearing/Meeting:	<input type="checkbox"/> Site Plan <input type="checkbox"/> Ownership List (subject and surrounding properties) <input type="checkbox"/> Legal Description <input type="checkbox"/> Project Description
---	--

N

Lance Myler 7110 Inftwood.



528 A
Living Space
576 A
Garage

Lance Myler
7110 Driftwood
Farmington, 87402

Special Use Permit Project Description

The building 24'X46'(a detached unit) consists of

A two car garage, 24'x24'

A living space 24'x22' under code 2.5.7 Family Care Unit. We will retain ownership of the property. The space will be occupied by my mother-in-law (my wife's mother), who is 79 years old. We are building this now because, while my mother-in-law is in excellent physical health, her memory is becoming undependable. We are striving to provide her with maximum independence and adequate support in a sustainable situation.

We are requesting a detached unit because the roof lines of the principal residence do not accommodate an addition on the side of the house. Even without the roof line issues, there is only room for it on the north side of the house. If we were to attach it, we would block the windows in the master bedroom. By building a detached structure we can tuck the building into a location that will make it all but invisible from the front of the house.

The elevation facing the road will be a garage door, consistent with the garage doors already on the house. There will be an entrance to the living space from the garage, which will be the one most frequently used. There will also be a door to the outside that will face the patio at the rear of the principal residence.

The garage will meet the additional off-street parking requirement.

Upon termination of the special use, we will remove the stove and replace it with a cabinet. With this modification, it will meet the code for a guest house. .

**CORRECTION NOTICE FOR
P&Z PLANNING & ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

The notice for Petition No. SUP 16-31 - a request from Lance Myler for a Special Use Permit to allow a Family Care Unit to be constructed next to a primary residence for property located at 7110 Driftwood Avenue, is incorrectly listed as 7100 Driftwood Avenue.

LEGAL DESCRIPTION

Ridgeview Subdivision Number Two, Block 1,
Lot 11.

Otherwise known as 7110 Driftwood Avenue

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that this petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, May 26, 2016 at 3:00 p.m. in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on Tuesday, June 14, 2016 at 6:00 p.m. in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petitions.

Karen Walker
Administrative Assistant

Legal No. 72685 published In The Daily Times
on May 11, 2016.

**NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 16-31**

May 4, 2016

Dear Property Owner:

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from Lance Myler for a Special Use Permit to allow a Family Care Unit to be constructed next to a primary residence for 1.04 acres, for property located at 7100 Driftwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Ridgeview Subdivision Number Two, Block 1, Lot 11.

Otherwise known as 7100 Driftwood Avenue

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by the Planning and Zoning Commission of the City of Farmington on **Thursday, May 26, 2016 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on **Tuesday June 14, 2016 at 6:00 p.m.** in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons in interest and citizens are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Planning Division -- Community Development Department at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that this petition could be cancelled or withdrawn prior to the meeting date.

If you have any questions regarding this notice, or would like additional information regarding this petition, please contact Keith Neil at 505-599-1333 or kneil@fmtn.org.

Sincerely,



Karen Walker
Administrative Assistant

**NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 16-31**

May 9, 2016

Dear Property Owner:

NOTE: The previous notice listed the address for Special Use Permit 16-31 as 7100 Driftwood Avenue. The address for this petition is actually 7110 Driftwood Avenue.

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from Lance Myler for a Special Use Permit to allow a Family Care Unit to be constructed next to a primary residence for 1.04 acres, for property located at 7110 Driftwood Avenue, in the City of Farmington, San Juan County, New Mexico, as described below:

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If you have any questions regarding this notice, or would like additional information regarding this petition, please contact Keith Neil at 505-599-1333 or kneil@fmtn.org.

Sincerely,



Karen Walker
Administrative Assistant

**GUARDIAN ABSTRACT & TITLE CO., INC.
221 NORTH AUBURN
FARMINGTON, NEW MEXICO 87401**

PROPERTY OWNERS WITHIN 100 FEET, EXCLUDING ROADWAYS AND ALLEYS OF
THE FOLLOWING DESCRIBED PROPERTY: **Ridgeview Subdivision Number Two**
Block 1, Lot 11

OWNER: Myler, Lance and Candace C.
7110 Driftwood DR
Farmington, NM 87402
1530/446

ADJOINING OWNER	ADDRESS	LEGAL DESCRIPTION
Singleton, Lynette R. 1506/859	7120 Driftwood DR Farmington, NM 87402-1003	Ridgeview Subdivision Number Two Block 1 Lot 10
Grant, Keith R. and Karen J. 1463/917	7121 Dellwood CT Farmington, NM 87402-5045	Ridgeview Subdivision Number Three Block 1 Lot 3
Tull, Graham D. and Ginger T. 1482/127	7111 Dellwood CT Farmington, NM 87402	Ridgeview Subdivision Number Three Block 1 Lot 2
Stoker, Arlon L. and Nagl, Monica 1453/4	7105 Dellwood CT Farmington, NM 87402	Ridgeview Subdivision Number Three Block 1 Lot 1
City of Farmington 1291/810	800 Municipal DR Farmington, NM 87401-2663	Ridgeview Subdivision Number Three Tract A

Malone, Ryan and
Heather D.
1540/826

7100 Driftwood DR
Farmington, NM
87402

Ridgeview Subdivision
Number Two
Block 1
Lot 12

Salazar, Alfredo Martinez
Martinez, Alfredo Salazar
Salazar, Reyna G.
1541/346

7101 Driftwood DR
Farmington, NM
87402

Ridgeview Subdivision
Number Two
Block 1
Lot 1

Callaghan, Scott L. and
Susie M.
1588/957

385 Rainbow Road
Durango, CO
81303

Ridgeview Subdivision
Number Two
Block 1
Lot 2

Mascarenas, Mary Alice
1598/222

4768 Sunrise CIR
Farmington, NM
87401

Ridgeview Subdivision
Number Two
Block 1
Lot 3

COMMUNITY DEVELOPMENT PETITION REPORT
Staff Report
Planning & Platting Jurisdiction (PPJ) Adjustment Request
from the Town of Kirtland, NM

1. PROJECT INFORMATION

Petitioner	The Town of Kirtland
Representative	Mark Duncan, Mayor
Date of Application	May 11, 2016
Requested Action	The City is being asked to agree to release PPJ on its west side that is located within the Central Consolidated School District so that the Town can establish its PPJ in that area.
Location	See the map submitted by the Town.

Existing Land Use	The current land uses within the subject area include industrial, commercial, and residential. Many properties, however, remain undeveloped.
Existing Zoning	None - Unincorporated San Juan County
Public Notice	Publication of Notice for this public hearing appeared in the Farmington Daily Times on Sunday, May 15, 2014.
Project Planner	Mary L. Holton, AICP, Community Development Director

2. BACKGROUND

Basis for Planning and Platting Jurisdictions

Several states grant municipalities the ability to regulate subdivisions in their extraterritorial jurisdictions (in New Mexico, called “planning and platting jurisdictions”) within a specified distance of the municipality’s boundaries. The idea is that the areas closest to the municipality typically reflect the municipality’s “sphere of influence,” including its patterns of development, and will likely become part of the municipality through annexation. Since it would assume a long-term responsibility for the area after annexation, it makes sense for the municipality to want to regulate the design and construction of subdivision improvements early on to avoid inheriting substandard infrastructure. Additionally, being in a municipality’s PPJ also prevents another municipality from annexing the unincorporated area.

It is noted that in September 2014, as it was located in the City of Farmington’s PPJ, the Town of Kirtland asked the Farmington City Council was required to approve the Town’s plans for incorporation before the Town could apply to the State of New Mexico.

New Mexico Statutes Annotated 1978 (NMSA) Requirements

New Mexico State Statutes pertaining to Planning and Platting are contained in Article 19 of Chapter 3, Municipalities. A copy of these statutes is enclosed.

It is noted that the City of Farmington is entitled to a 5-mile Planning and Platting Jurisdiction (PPJ) and that the Town of Kirtland is entitled to a 3-mile Planning and Platting Jurisdiction

(PPJ), except where Farmington's PPJ exists. This is in accordance with Section 3-19-5, *Planning and platting jurisdiction*, NMSA 1978.

Farmington 2002 Comprehensive Plan

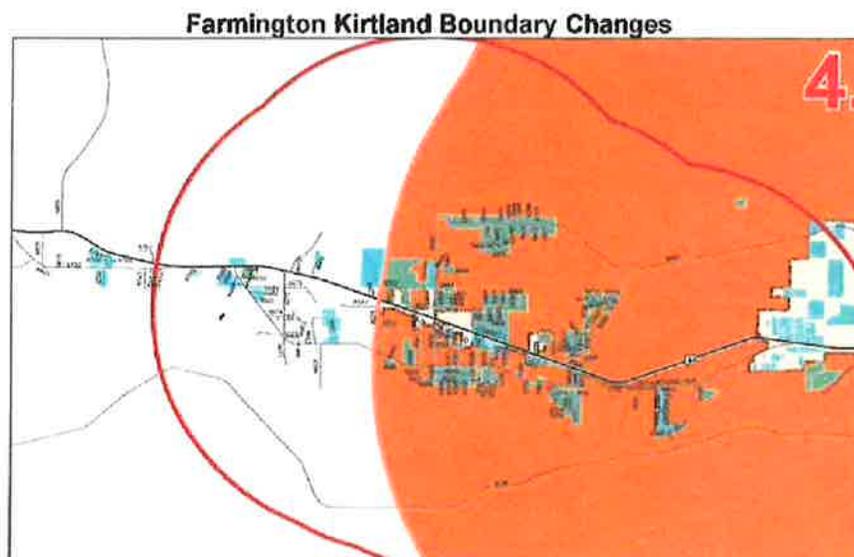
Chapter 4, Land Use and Development, and Chapter 5, Growth and Annexation, of the City of Farmington's Comprehensive Plan (pages 4-1 through 4-13, and pages 5-1 through 5-7 of the Plan, enclosed) addresses the City's Planning and Platting Jurisdiction (PPJ).

As recommended by the Comprehensive Plan, the City's Planning and Platting Jurisdiction consists of three (3) Tiers. Tier 1 includes that portion of land that is located within the City's incorporated area. Tier 2 includes the land area that is in close proximity and immediately adjacent to the City that is viewed as subject to annexation in the near term. Tier 3 is the balance of the area located within 5 miles of the City's incorporated area. Area located in Tier 3 is viewed as that land area that could be annexed by the City in the longer term, perhaps within 20 years or more.

As I'm sure the Planning and Zoning Commission have observed, the subdivision regulations in the Unified Development Code are structured based on the three (3) tier system. This is based on anticipation on the timing of annexations in those areas and based on the recommendations of the Comprehensive Plan.

Kirtland's Request

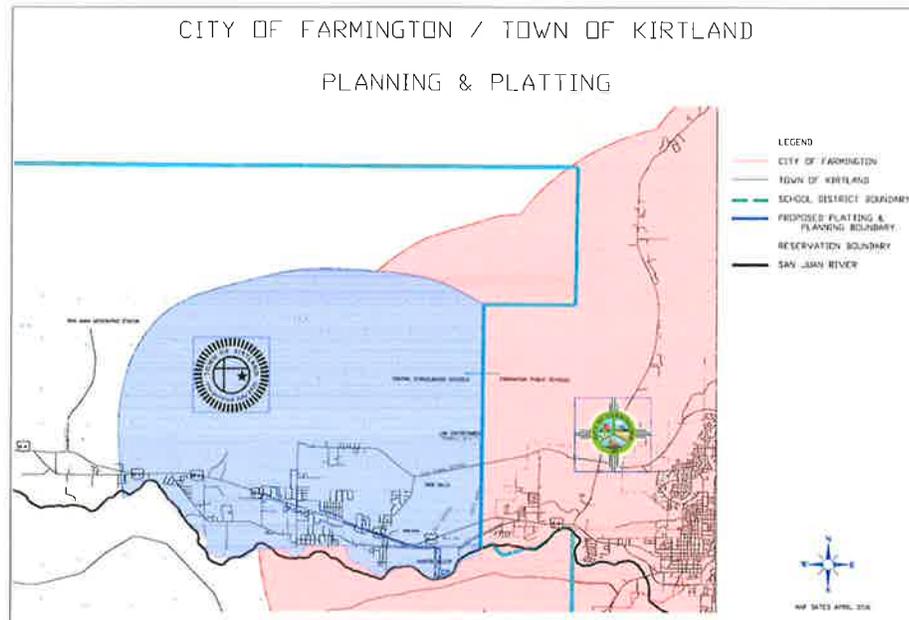
Currently, the City of Farmington's PPJ (indicated in orange below) includes all of Kirtland's east side to the intersection of US 64 and County Road 5575. The Town of Kirtland was incorporated in July 2015. It is noted that the PPJ map has not apparently been revised by the County since 2002. A request for an update by the County will be made after this consideration has concluded.



As indicated below, the Town has requested that the City of Farmington release Tier 3 of the City's PPJ on its west side so that it can become a large portion of Kirtland's PPJ. It is understood that the Town has been approached with annexation petitions from adjoining property owners. The Town's current request, below, proposes to utilize the Central Consolidated School District boundary with the Farmington Municipal School District

boundary as the primary demarcation line between the PPJs. Currently, that line divides the City's Tier 2 from Tier 3. It is noted that the current corporate boundaries of the City is approximately one-third of a mile from this line.

While City staff has told the Mayor of Kirtland that the Town's request appears to be generally reasonable, it does warrant the City's close review and consideration.



In May and June 2015, San Juan County hosted a series of meetings between the four (4) municipalities (Aztec, Bloomfield, Farmington, and Kirtland) to discuss adjusting all of the PPJs between the entities. The proposal apparently includes the areas that Kirtland is considering for annexation. The following map was prepared by the County's GIS Department for the Town of Kirtland at that time for Farmington staff to consider:



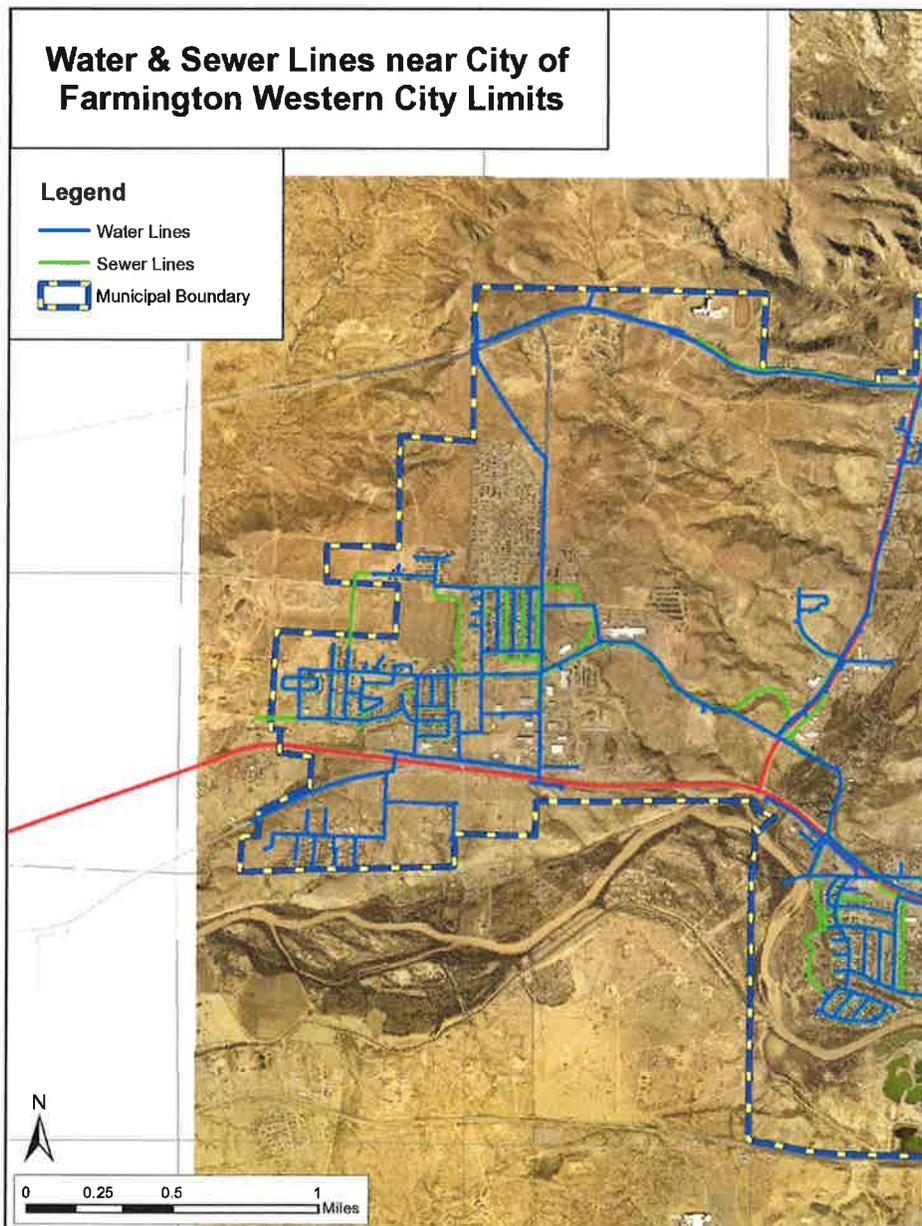
Staff Issues

Nica Westerling/City Engineer/(505)599-1316/nwesterling@fmtn.org

It appears that they are implementing a 5 mile boundary and I think state statute is 3 miles. Is Kozimor's development and Safety City within our boundary?

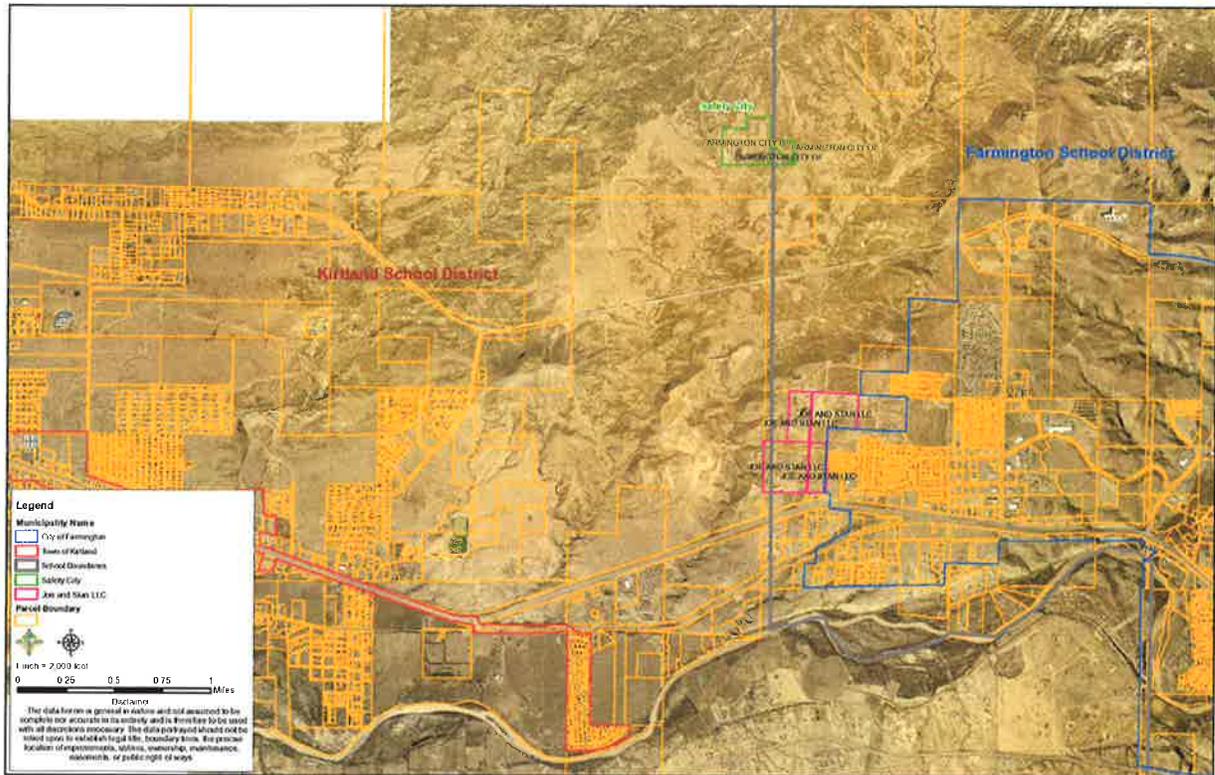
Jeff Smaka/Water/Wastewater Administrator/(505)599-1283/jsmaka@fmtn.org

The water district west of the City is Lower Valley Water Users. To to my knowledge this area is not served by a sewer district. The sewer districts boundary is the Kirtland town boundary. Below is a map that shows the extent of the City's water/wastewater infrastructure:



Bobby Kimball/IT/GIS Supervisor/(505)599-1252/bkimball@fmtn.org

Below is a map showing the location of Safety City property and the property owned by Joe and Stan LLC. The property owned by Joe and Stan appear to be within the Farmington School District. The property that is part of Safety City is in both Farmington's School District and Kirtland's school district. The map that was provided by Dan (the Kirtland engineer) shows this property as part of the proposed Kirtland Planning and Platting Jurisdiction. It was mentioned that Nica noticed that the map from Dan that showed the proposed PPJ line that was 5 miles. I agree with Nica. I created a map that shows the approximate area for a 3 mile and 5 mile buffer around the Town of Kirtland.



Russel Frost/Legal/Deputy City Attorney/(505)599-1124/rfrost@fmtn.org

According to Section 3-19-5 NMSA 1978, the planning and platting jurisdiction of Farmington extends to the city limits of Kirtland because Kirtland has less than 2500 residence. Therefore, using the boundary for school districts is not appropriate.

The City of Farmington has utilities and infrastructure that extends beyond the city limits, therefore allowing Farmington a greater planning and platting jurisdiction will provide opportunity to protect those utility interests.

Community Development Director Mary Holton has asked for a legal opinion on whether or not the planning and platting jurisdiction (PPJ) boundary can be negotiated and whether or not there should be a formal MOU with the Town of Kirtland regarding the PPJ boundary.

Section 3-19-5, Planning and platting jurisdiction, NMSA 1978 clearly states that COF has a PPJ of 5 miles from its boundary and not within the boundary of another municipality. The Town of Kirtland has a PPJ of 3 miles from its boundary not within the boundary of another municipality. If these boundaries overlap, the boundary "shall terminate equidistant from the boundary of each municipality unless one municipality has a population of fewer than two thousand five hundred persons and another municipality has a population of more than two

thousand five hundred persons according to the most recent census. Then the planning and platting jurisdiction of the municipality having the greatest population extends to such territory.” [Emphasis added].

Because the Town of Kirtland was not incorporated at the time of the most recent census, there is no way of proving its population. Therefore, COF wins based on strict interpretation of the statute.

However, in reviewing the “Tri-City P&P Jurisdiction” file from Community Development, the situation we are currently facing was addressed by the City of Albuquerque and the Village of Los Ranchos de Albuquerque by a Joint Powers Agreement for Extra-Territorial Planning and Platting Jurisdiction which set out a detailed boundary.

In answer to Mary’s questions:

- 1) Yes, the PPJ boundary can be negotiated; and
- 2) Yes, there should be an agreement between the parties – Albuquerque and Village of Los Ranchos de Albuquerque used a JPA.

Evan O’Keefe/San Juan County GIS Supervisor/(505)334-4585/eokeefe@sjcounty.net

It’s about 1.3 miles off with the current town boundary. With the proposed annexation it’s still about .7 miles off.

David Barnett/San Juan County Subdivision Review Officer/(505)334-4248/dbarnett@sjcounty.net

It appears the map shows Kirtland's 3-mile area extending beyond 3 miles.

Mary L Holton, AICP/CD Director/(505)599-1285/mholton@fmtn.org

The proposed PPJ map needs to be adjusted to ensure that all COF property associated with Safety City and all land areas owned by Joe & Stan LLC (Little Creek) are located within the City’s PPJ. Currently, approximately 35 acres of Safety City is proposed to be located within Kirtland’s proposed PPJ. Joe Kozimor has confirmed that Little Creek is currently only planned for development within those parcels owned by Joe & Stan LLC. The map also must be revised to indicate a three-mile PPJ for the Town.

The Town of Kirtland needs to review all plats that are located within its corporate boundaries and its existing PPJ. The City of Farmington has been providing this courtesy service since the Town was incorporated last year. This is problematic as the City’s UDC does not apply in the Town or its PPJ.

It is additionally recommended that if a request for additional PPJ on the Town’s eastside is approved, the Town should be responsible for preparing the joint powers agreement (JPA) for the Farmington City Council to consider at its June 14 meeting in sufficient time for the City Attorney to review it prior to the meeting, and that the Town should start reviewing/approving plats and addressing (subject to San Juan County Addressing Authority approval) in its established PPJ in addition to its corporate boundaries immediately upon execution of the JPA. The New Mexico Department of Finance and Administration is required to review and approve all JPAs. The Town of Kirtland should be required to secure this approval if the City approves the request.

Staff Analysis

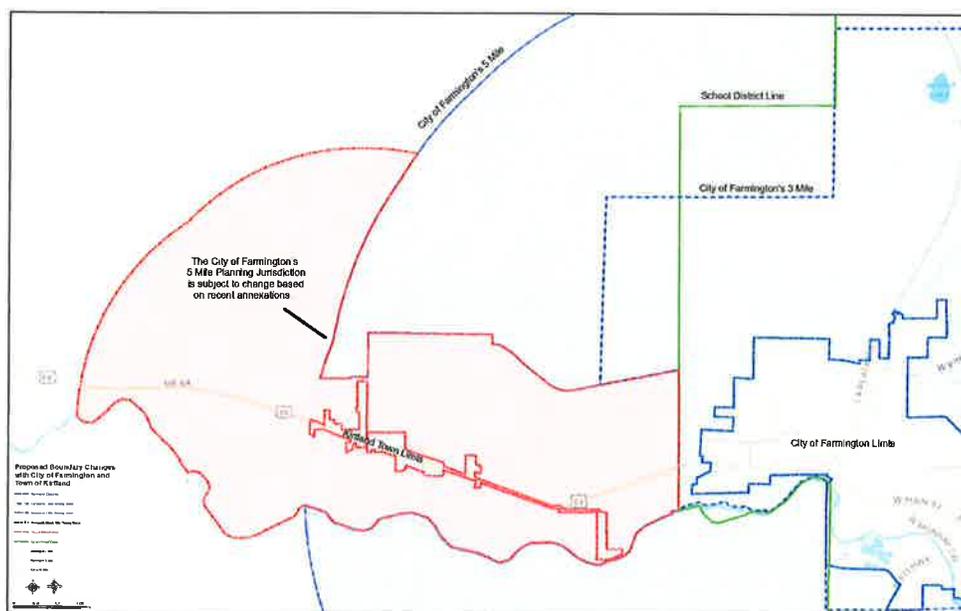
In reviewing Kirtland's proposal, staff finds it difficult to fathom the amount of land area that is being requested from the City of Farmington: All of Farmington's Tier 3 on its west side. Is the City ready to forego growth on its west side? Staff could never recommend such. A compromise is instead recommended.

In developing a compromise, staff considered the development patterns for both municipalities including their projected spheres of influence, the current extent of City water/wastewater infrastructure, the location of Safety City, the planned extent of Little Creek, the Town's previous proposal, and from the City's Comprehensive Plan - Figure 4.3, Planning and Platting Jurisdiction with 2020 Future Land Use. The following is noted:

1. All of Little Creek, all of Safety City, and all of the Praxair site should remain within the City's PPJ.
2. The City has been judicious in developing water and wastewater infrastructure only in the City and in Tier 2.
3. The area along US 64 west of Tier 2 is mostly rural in nature, and has many parcels that include rough terrain and physical constraints which would make suburban and/or urban development patterns challenging.
4. Figure 4.3 from the City's Comprehensive Plan indicates presumed municipal boundaries for Kirtland.
5. The area along Twin Peaks west of the City presents opportunities for residential and commercial growth for the City.

Using the Town's 2015 proposal as a guide, a compromise could be developed by utilizing the school districts' line/COF Tier 2 boundary as the demarcation line between the Town & City PPJs. The line would move northward to Twin Peaks Boulevard, then westward to Lot 53 of the "Geoff McMahon Tract Subdivision." The line would move northward along that eastern lot line, then westward along the northern lot line the extent of the City's five mile PPJ. The area to the north would remain within the City's Tier 3.

The following map depicts the recommended compromise:

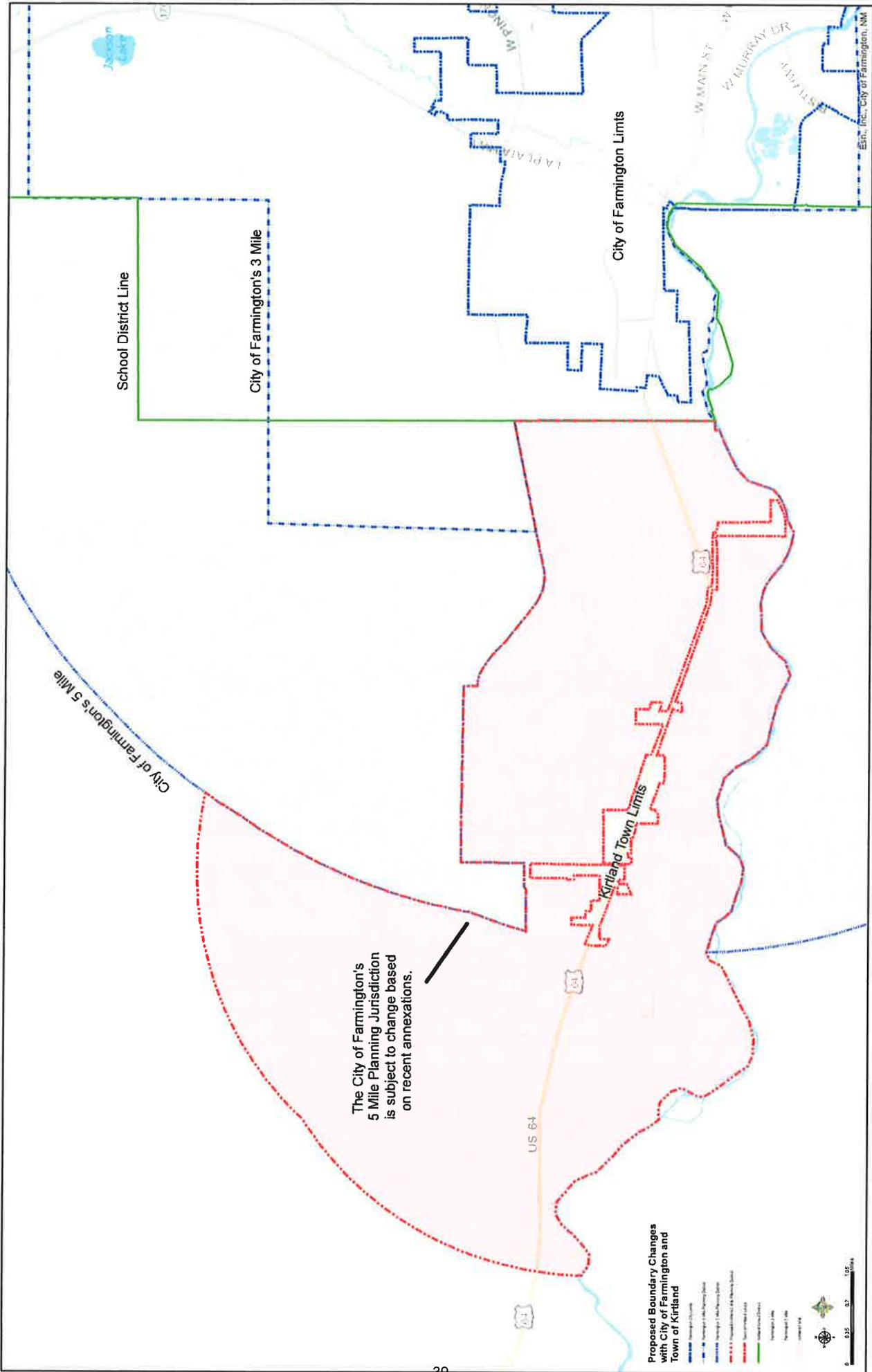


3. CONCLUSION

The Community Development Department concludes that approval of the proposed request is appropriate as long it is revised according to the recommended compromise and all recommended conditions are required.

4. RECOMMENDATION

The Community Development Department recommends approval of Petition PPJ 16-01, **as recommended in the compromise put forth by staff in this memo, including the noted recommended conditions.** PPJ 16-01 consists of the request from the Town of Kirtland to adjust its Planning & Platting Jurisdiction (PPJ) with the City of Farmington.



ARTICLE 19

Planning and Platting

Section

3-19-1 Creation of planning commission.

3-19-2 Appointment, term, removal of commission.

3-19-3 Chairman; regular meetings; records.

3-19-4 Powers of commission.

3-19-5 Planning and platting jurisdiction.

3-19-6 Subdivision regulations.

3-19-7 Platting of street lines by planning commission.

3-19-8 Appeal.

3-19-9 Master plan; purposes.

3-19-10 Adoption of a master plan.

3-19-11 Legal status of master plan.

3-19-12 Approval constitutes amendment to master plan.

3-19-1. Creation of planning commission.

A municipality is a planning authority and may, by ordinance:

- A. establish a planning commission;
- B. delegate to the planning commission:
 - (1) the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting and zoning; and
 - (2) other power, authority, jurisdiction and duty incidental and necessary to carry out the purpose of Sections 3-19-1 through 3-19-12 NMSA 1978;
- C. retain to the governing body as much of this power, authority, jurisdiction and duty as it desires; and
- D. adopt, amend, extend and carry out a general municipal or master plan which may be referred to as the general or master plan.

History: 1953 Comp., § 14-18-1, enacted by Laws 1965, ch. 300.

3-19-2. Appointment, term, removal of commission.

A. A planning commission shall consist of not less than five members who shall be appointed by the mayor with the consent of the governing body of the municipality. Administrative officials of the municipality may be appointed as ex-officio, nonvoting members of the planning commission.

B. On the first planning commission a majority of the members shall be appointed for one-year terms and the balance of the members shall be appointed for two-year terms. Each subsequent term of a member on a planning commission shall be for two years or less in order to maintain the original staggering of terms of membership. A vacancy in the membership of the planning commission shall be filled for the remainder of the unexpired term.

C. After a public hearing and for cause stated in writing and made part of the public record, a mayor with the approval of the governing body may remove a member of the planning commission.

History: 1953 Comp., § 14-18-2, enacted by Laws 1965, ch. 300.

3-19-3. Chairman; regular meetings; records.

A planning commission shall:

- A. elect one of its members chairman for a one-year term;
- B. create and fill other offices;
- C. hold at least one regular meeting each month;
- D. adopt rules for the transaction of business; and
- E. keep a public record of its transactions, findings, resolutions and determinations.

History: 1953 Comp., § 14-18-3, enacted by Laws 1965, ch. 300.

3-19-4. Powers of commission.

A. A planning commission shall have such powers as are necessary to:

- (1) fulfill and perform its functions;
- (2) promote municipal planning; and
- (3) carry out the purposes of Sections 3-19-1 through 3-19-12 NMSA 1978.

B. A planning commission may:

- (1) make reports and recommendations for the planning and development of the municipality to:

- (a) public officials and agencies;
- (b) public utility companies;
- (c) civic, educational, professional and other organizations; and
- (d) citizens; and

- (2) recommend to the administrative and governing officials of the municipality programs for public improvements and their financing.

C. Members and employees of the planning commission, in the performance of its function, may:

- (1) enter upon any land;
- (2) make examinations and surveys; and
- (3) place and maintain necessary monuments and markers upon the land.

D. Upon request, a public official shall furnish within a reasonable time available information which the planning commission requires for its work.

History: 1953 Comp., § 14-18-4, enacted by Laws 1965, ch. 300.

3-19-5. Planning and platting jurisdiction.

A. Each municipality shall have planning and platting jurisdiction within its municipal boundary. Except as provided in Subsection B of this section, the planning and platting jurisdiction of a municipality:

(1) having a population of twenty-five thousand or more persons includes all territory within five miles of its boundary and not within the boundary of another municipality; or

(2) having a population of fewer than twenty-five thousand persons includes all territory within three miles of its boundary and not within the boundary of another municipality.

B. A municipality located in a class A county with a population of more than three hundred thousand persons shall not have planning and platting jurisdiction in the unincorporated area of the county.

C. If territory not lying within the boundary of a municipality is within the planning and platting jurisdiction of more than one municipality, the planning and platting jurisdiction of each municipality shall terminate equidistant from the boundary of each municipality unless one municipality has a population of fewer than two thousand five hundred persons and another municipality has a population of more than two thousand five hundred persons according to the most recent census. Then the planning and platting jurisdiction of the municipality having the greatest population extends to such territory.

History: 1953 Comp., § 14-18-5, enacted by Laws 1965, ch. 300; 1966, ch. 64, § 5; 1998, ch. 42, § 3; 2003, ch. 438, § 3.

3-19-6. Subdivision regulations.

A. The planning authority of a municipality shall adopt regulations governing the subdivision of land within the planning and platting jurisdiction of the municipality. The subdivision regulations shall be approved by the governing body before they become effective. The subdivision regulations may provide for:

- (1) the harmonious development of the municipality and its environs;
- (2) the coordination of streets within the subdivision with existing or planned streets or other features of the master plan or official map of the municipality;
- (3) adequate open space for traffic, recreation, drainage, light and air; and
- (4) the distribution of population and traffic which tend to create conditions favorable to the health, safety, convenience, prosperity or general welfare of the residents of the municipality.

B. Subdivision regulations may govern:

- (1) the width of streets;
- (2) the width, depth and arrangement of lots;
- (3) land use, including natural drainage;
- (4) other matters necessary to carry out the purposes of the Municipal Code; and
- (5) the extent and manner in which:
 - (a) streets are graded and improved; and
 - (b) water, sewer and other utility facilities are installed as a condition precedent to the approval of a plat.

C. The subdivision regulations or the practice of the planning commission may allow tentative approval of the plat previous to the completion of improvements and the installation of utility facilities but such tentative approval shall not be entered on a plat. In lieu of the completion of improvements and the installation of utility facilities previous to the final approval of a plat, the subdivision regulations may provide for:

- (1) assessment or other methods whereby the municipality makes the improvements and installations at the cost of the owner of property within the subdivision; or
- (2) acceptance of a bond, in an amount and with surety and conditions satisfactory to the planning commission, securing to the municipality the actual construction and installation of improvements and utility facilities within a period of time specified by the planning commission and expressed in the bond. A municipality may enforce such a bond by all appropriate and legal remedies; or
- (3) in lieu of a bond, the municipality may enter into an agreement with a person seeking approval of a subdivision whereby the person seeking approval shall, within two years following final approval of the plat, complete the improvements and the installation of utility facilities provided for in the person's application for subdivision approval, except that the agreement set forth herein may provide that the person seeking approval shall be permitted by the municipality to sell or otherwise dispose of, or improve any lot within the subdivision, to which improvements and utility facilities have been provided by the person seeking approval at any time within the two-year period; any such agreement shall be recorded with the county clerk at the time of filing said plat.

D. The governing body or planning commission of the municipality shall hold a public hearing on the adoption of a subdivision regulation or an amendment to it. Notice of the time and place of the public hearing shall be published once at least fifteen days prior to the date of the public hearing.

E. If the requirement or restriction does not violate the zoning ordinance, the governing body or planning commission of the municipality may agree with a person seeking approval of a subdivision upon the use, height, area or bulk requirement or restriction governing buildings and premises within the subdivision. The requirement or restriction shall:

- (1) accompany the plat before it is approved and recorded;
- (2) have the force of law;
- (3) be enforced; and
- (4) be subject to amendment or repeal as the provisions of the zoning ordinance and map are enforced, amended or repealed.

History: 1953 Comp., § 14-18-6, enacted by Laws 1965, ch. 300; 1975, ch. 309, § 1.

3-19-7. Platting of street lines by planning commission.

A. A planning commission which has adopted a master plan or a major street plan may:

- (1) survey for the exact location of the lines of new, extended, widened or narrowed streets within the municipality or its planning and platting jurisdiction; and
- (2) certify to the governing body of the municipality a plat of the area surveyed which indicates the location of lines recommended for future streets, street extension, street widening or narrowing.

B. The certification of a plat by the planning commission does not constitute the opening of a street or the taking or accepting of land for street purposes.

History: 1953 Comp., § 14-18-7, enacted by Laws 1965, ch. 300.

3-19-8. Appeal.

Any person in interest dissatisfied with an order or determination of the planning commission, after review of the order or determination by the governing body of the municipality, may commence an appeal in the district court pursuant to the provisions of Section 39-3-1.1 NMSA 1978.

History: 1953 Comp., § 14-18-8, enacted by Laws 1965, ch. 300; 1998, ch. 55, § 5; 1999, ch. 265, § 5.

3-19-9. Master plan; purposes.

A. The planning commission shall prepare and adopt a master plan for the physical development of the municipality and the area within the planning and platting jurisdiction of the municipality which in the planning commission's judgment bears a relationship to the planning of the municipality. The planning commission may amend, extend or add to the plan or carry any part or subject matter into greater detail. In preparing the master plan, the planning commission shall make careful and comprehensive surveys and studies of existing conditions and probable future growth of the municipality and its environs. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development.

B. Among other things, the master plan with accompanying maps, plats and charts; descriptive and explanatory matter; and recommendations of the planning commission for the physical development of the municipality, and for its planning jurisdiction, may include:

- (1) the general location, character and extent of streets, bridges, viaducts and parkways; parks and playgrounds, floodways, waterways and waterfront development, airports and other ways, grounds, places and spaces;
- (2) the general location of public schools, public buildings and other public property;
- (3) the general location and extent of public utilities and terminals, whether publicly or privately owned;
- (4) the general location, character, layout and extent of community centers and neighborhood units and the replanning of blighted districts and slum areas; and
- (5) the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities or terminals.

C. Copies of the master plan shall be available at the office of the municipal clerk and may be purchased at a reasonable price.

History: 1953 Comp., § 14-18-9, enacted by Laws 1965, ch. 300; 1970, ch. 52, § 1.

3-19-10. Adoption of a master plan.

A. The planning commission may adopt:

- (1) the master plan by a single resolution; or
- (2) part of the master plan as work progresses on the master plan; provided the part corresponds with one of the functional subdivisions of the subject matter of the plan. Before adoption of the master plan or any part thereof, the planning commission shall hold at least one public hearing. Notice of the time and place of the hearing shall be published one time at least fifteen days before the day of the hearing. Prior to the publication of the notice, copies of the master plan shall be made available to any citizen in the office of the municipal clerk.

B. Adoption of the master plan or any part, amendment or addition to the master plan shall be by a resolution approved by a majority of the members of the planning commission. The resolution shall refer expressly to the maps, descriptive matter and other matters which the planning commission intends to form part or the whole of the master plan. The action taken by the planning commission shall be recorded on the master plan or the part of the plan and shall be endorsed by the chairman and the secretary of the planning commission. A certified copy of the master plan or any part thereof approved by the planning commission shall be given to the governing body of the municipality.

History: 1953 Comp., § 14-18-10, enacted by Laws 1965, ch. 300.

3-19-11. Legal status of master plan.

A. After a master plan or any part thereof has been approved and within the area of the master plan or any part thereof so approved, the approval of the planning commission is necessary to construct, authorize, accept, widen, narrow, remove, extend, relocate, vacate, abandon, acquire or change the use of any:

- (1) park, street or other public way, ground, place or space;
- (2) public building or structure; or
- (3) utility, whether publicly or privately owned.

B. The failure of the planning commission to act within sixty-five days after the submission of a proposal to it constitutes approval of the proposal unless the proponent agrees to an extension of time. If the planning commission disapproves a proposal, it must state its reasons to the governing body. The governing body may overrule the planning commission and approve the proposal by a two-thirds vote of all its members.

C. None of the provisions of Chapter 3, Article 19 NMSA 1978 shall apply to any existing building, structure, plant or other equipment owned or used by any public utility or the right to its continued use or its reasonable repair or alteration for the purpose for which it was used at the time the master plan or any part thereof affecting the property takes effect. After the adoption of the master plan or any part thereof affecting the property, all extensions, betterments or additions to buildings, structures, plants or other equipment of any public utility shall be made in conformity with the master plan or any part thereof affecting the property and upon the approval of the planning commission. After a public hearing, the state corporation commission [public regulation commission] or the New Mexico public utility commission [public regulation commission] or the regulatory agency having jurisdiction or their successors having jurisdiction, as the case may be, may order that the extensions, betterments or additions to buildings, structures, plants or other equipment are reasonable and that the extensions, betterments or additions may be made even though they conflict with the adopted master plan or any part thereof affecting the property.

D. Any public agency or official, not under the jurisdiction of the governing body of the municipality, authorizing or financing a public way, ground, place, space, building, structure or utility shall submit the proposal to the planning commission. If the planning commission disapproves the proposal, the board of the public agency by a two-thirds vote of all its members or the official may overrule the planning commission and proceed with the proposal subject to the provisions of Subsection C of this section.

History: 1953 Comp., § 14-18-11, enacted by Laws 1965, ch. 300; 1993, ch. 282, § 3.

3-19-12. Approval constitutes amendment to master plan.

Every plat approved by the planning authority is an amendment, addition or a detail of the master plan or any part thereof adopted by the planning commission.

History: 1953 Comp., § 14-18-12, enacted by Laws 1965, ch. 300.

CHAPTER 4

LAND USE AND DEVELOPMENT

Land Use and Development is a key component of the Farmington Comprehensive Plan. This chapter addresses the current and future use of land in the city and the majority of its five-mile Planning and Platting Jurisdiction (PPJ). Through effective land use planning, the City can guide new development and redevelopment to ensure a vital and attractive community with a strong tax base, quality neighborhoods, and efficient street and utility systems. The City's ability to implement the goal and objectives established in this chapter is through its development regulations, infrastructure improvements, and utility extension policies, as well as annexation of additional territory.

This chapter documents Farmington's current development; identifies land use issues facing the city; states the goal, objectives and actions needed to address the issues; and establishes a **2020 Future Land Use Plan** to guide ongoing land development and redevelopment in the City and its Planning and Platting Jurisdiction over the next 20 years.

The goal, with its accompanying objectives and proposed actions for future land use, will point the community toward a more orderly and efficient growth scenario. The desired future arrangement of land use is developed based on physical characteristics in terms of the type, density, and location of residential, commercial, industrial, and other public and private land use types.

It is also important to recognize the linkages between land use, transportation, utilities, housing, parks, and community facilities. Residences require access to these facilities, but protection from incompatible uses is also required. Different types of residential uses require different types of city services. Commercial and industrial uses should be located in areas that are convenient both for inter-city and intra-city traffic. Topographical constraints and land ownership status must also be considered as impacts that limit development opportunities.

KEY ISSUES

During the development of the Comprehensive Plan, land use issues were identified based on comments and concerns expressed by Steering Committee members, community leaders, agency representatives, citizens at the Community Forum, the Community Survey, focus groups, and other involvement activities.

- ❑ Most of the residences in Farmington today are single-family homes. As the city continues to grow, what types of **new residential development** should be considered? Starter homes on smaller lots, senior citizen complexes, and cluster homes should be considered as alternatives to larger single-family homes. Revitalization of Downtown and the redevelopment of the Animas neighborhood could provide areas for residences where infrastructure already exists. Mixing residential and commercial uses should be considered in Downtown and adjacent neighborhoods.
- ❑ There is **increasing growth in areas without adequate infrastructure** in the city such as on the fringe and in the PPJ. Annexation and zoning in the PPJ are possible means to extend municipal regulations and reduce sprawl development patterns.

- ❑ There should be a **balance** between ongoing **growth to the east** of Farmington with the **desire for more development and services to the west and south**.
- ❑ Since Farmington’s “regional center” status in the Four Corners for commerce, health care, transportation, and services must be maintained and expanded, there needs to be **appropriately zoned locations for commercial and industrial uses**. There also needs to be more neighborhood commercial services located close to residential areas.
- ❑ **Manufactured homes** are increasing in popularity due to their more immediate availability and financing options. Appropriate locations, with infrastructure utilities and services are needed.
- ❑ The future use of lands controlled by the Bureau of Land Management centers on two opposing issues: The need to **preserve valuable public open space** on the city’s fringe, and the **BLM’s desire to dispose of some lands**, thereby making them available for private development. There should be coordination between the City’s 2020 Future Land Use Plan and the needs of the BLM to ensure compatible and appropriate land uses.
- ❑ Farmington is heavily invested in parks and open space. As the city and region grow, continued **acquisition and development of both regional and neighborhood parks** and recreation facilities will be needed.
- ❑ There should be consideration given to the **protection and preservation of scenic areas, byways, and vistas**. This could require some limitations on ridgeline and bluff development.
- ❑ Consideration must be given to the potential **effects of development on long-term water supply and wastewater collection** and treatment capacity to support population and development projections over the next 20 years. In the approval of new residential development there is the need to provide watershed protection upstream of Farmington Lake, the City’s water reservoir. The current and long-term effects of the use of septic systems need to be considered in the approval of new subdivisions.
- ❑ The current **zoning ordinance, zoning district map, and subdivision regulations are outdated** and do not provide all the tools needed to direct and manage new development and redevelopment. There is also the need for consistent enforcement of zoning regulations and other applicable City codes.

There are many more individual land use issues facing Farmington. The above issues are compilations of ones that were most often mentioned—ones that can be reasonably addressed within the context of the Comprehensive Plan.

ROLE OF CITY GOVERNMENT

The role of the City in land use planning is a combination of policy development and implementation. The City is responsible for adopting a comprehensive plan that guides both growth and redevelopment. The Planning and Zoning Commission will use the Comprehensive Plan in conjunction with the implementation tools, the unified development code (subdivision regulations, zoning ordinance, and capital improvements program), construction standards and code enforcement to evaluate and recommend new developments, redevelopment, and use changes that will continue to ensure the health, safety, welfare and orderly growth of the community.

EXISTING DEVELOPMENT PATTERNS

The City of Farmington Planning and Community Development Department's inventory of generalized land uses in 1997 (updated in 2001) is shown in **Figure 4.1 - Generalized Existing Land Use, 1997/2001**. The distribution of existing land uses by acreage and percent of land area is shown in **Table 4.1 - Generalized Existing Land Use, 1997/2001**. The boundary of this map is arbitrary in that it addresses only the city limit areas and the immediate surrounding areas that form a rectangle around the city.

This land use inventory identifies the predominant types, locations, and patterns of existing land use. As a generalized land use inventory, it is intended for planning purposes only. The inventory is not parcel specific and does not represent the detailed pattern of existing land uses. In 2001, the area inside the current city limits was approximately 60.9 percent developed with 11,556 acres of various land uses. Developed areas outside the city were approximately 5,902 acres, for a total developed area of 17,458 acres or 39.7 percent of the total area.

Residential uses are the most prevalent type of land use, 6,232 acres or 14.3 percent of the inventoried area. Private and public vacant or undeveloped areas amounted to an additional 7,421 acres including both lands, almost 40 percent of the land within the city limits. Although the City annexed the Bluffview and Wildflower developments after this map was first prepared, the generalized land uses are relatively the same today as then.

**TABLE 4.1
GENERALIZED EXISTING LAND USE
1997/2001**

Land Use Classification	Acreage Within City Limits		Acreage Outside City Limits		TOTAL ACREAGE	
	Acreage	Percent	Acreage	Percent	Acreage	Percent
Single-Family Residential > ¼ acre	3,661	19.3%	365	1.5%	4,026	9.2%
Single-Family Residential < ¼ acre	1,416	7.5%	589	2.4%	2,005	4.6%
Multi-Family Residential	199	1.0%	2	0.0%	201	0.5%
Commercial	1,576	8.3%	138	0.6%	1,714	3.9%
Office/Professional	168	0.9%	5	0.0%	173	0.4%
Industrial	979	5.2%	668	2.7%	1,647	3.8%
Public/Semi-Public/Institutional	1,645	8.7%	89	0.4%	1,734	3.9%
Parks/Open Space	1,912	10.1%	4,046	16.2%	5,958	13.6%
Vacant - Private	6,635	35.0%	9,111	36.5%	15,746	35.8%
Vacant - BLM/State	786	4.1%	9,935	39.8%	10,721	24.4%
TOTAL Acreage	18,977	100.0%	24,948	100.0%	43,925	100.0%

Source: City of Farmington.

Notes: Area inventoried inside city limits did not include all of Bluffview and Wildflower areas annexed in 2000. Area outside city limits does not include the full extent of the City's 5-mile Planning and Platting Jurisdiction. Percentages may not total 100 percent due to rounding.

Wilbur Smith Associates
Four Corners Planning, Inc
McGinty
Southwest Planning & Marketing
Duncan Associates
William Freimuth Architecture

2020 FUTURE LAND USE PLAN

The 2020 Future Land Use Plan is a very general plan for land use and development. It bridges the gap between existing uses and future needs and desires. By using established land use principles and policies, it is a guide for new projects so that they may better blend into the community.

The areas shown on **Figure 4.2 - 2020 Future Land Use Plan** are what are considered to be the best future use of the property at the time the map was developed. A second map, **Figure 4.3 – Planning and Platting Jurisdiction with Future Land Use** shows the future land uses for the entire area with respect to the other jurisdictions.

The **Zoning Ordinance** and the zoning map should not to be confused with land use nor are the maps for zoning and land use interchangeable. While the 2020 Future Land Use Plan expresses a desirable land use, the zoning map indicates the permitted use of the property in accordance with the Zoning Ordinance.

Land Use Policy Guidelines and Considerations

One of the purposes of the 2020 Future Land Use Plan is to capture and build into City policies and regulations the community’s values regarding how, when, and where Farmington will continue to grow and develop in the future. This is significant since the findings and recommendations contained in this Comprehensive Plan provide the legal basis for development ordinances. These ordinances are the major tools available for implementing the City’s Plan to achieve an efficient and desirable land use pattern. The Plan also includes considerations related to the City’s future annexation policy and planning.

When the Planning and Zoning Commission and City Council are presented with land use decisions for residential and commercial development, subdivision of land, or zoning changes the following guidelines and considerations should be discussed and applied.

General Land Use

- ❑ Adjacent land uses should not detract from the enjoyment or value of properties.
- ❑ Potential land use impacts should be considered (noise, odor, pollution, excessive light, traffic, etc.) when changes in land use are proposed.
- ❑ There should be a balance between the rights of surface and subsurface owners in land and mineral development processes.
- ❑ Floodplain areas should not be encroached upon unless there is compliance with stringent floodplain management practices.
- ❑ Airport land use compatibility requires that noise sensitive uses and height obstructions be avoided in the airport environs.
- ❑ Transportation access and circulation should be provided for uses that generate large numbers of trips.
- ❑ Environmentally sensitive areas should be protected, including wildlife habitat areas, and topographically constrained areas within the floodplain.

Residential Land Use - *Single-family residences, duplexes, and apartments.*

- ❑ Residences should have good access to streets.
- ❑ Neighborhoods should be buffered from highways and arterial streets.

- ❑ Schools, parks, and community facilities should be close by.
- ❑ Homes should not front directly on thoroughfares.
- ❑ Residential areas should not be located next to industrial areas.
- ❑ Residential and commercial areas may be adjacent if separated by a buffer.
- ❑ Residential areas should have appropriate infrastructure.

Commercial Land Use - *Office, retail, and service activities.*

- ❑ Businesses should be clustered throughout the City and be accessible from residential areas.
- ❑ Commercial uses should be concentrated in nodes along major thoroughfares and intersections.
- ❑ Large commercial centers should be located along major thoroughfares that are designed and constructed to accommodate heavy traffic.
- ❑ There should be a mixture of shopping malls, commercial strip centers, freestanding commercial sites, and neighborhood stores.
- ❑ Parcels should be large enough to accommodate commercial use.
- ❑ Buffers should separate commercial and residential areas.
- ❑ Downtown should be the location of office, specialty retail, cultural and service activities.

Industrial Land Use - *Manufacturing, assembly and warehousing.*

- ❑ There should be good access to primary streets and major thoroughfares.
- ❑ Industrial uses should not be directly adjacent to residential areas.
- ❑ Separation from other uses by buffers should be provided.
- ❑ Industrial development areas should be accessible to truck routes, hazardous material routes, and railroads.
- ❑ Appropriately designed industrial uses may be developed in the floodplain.

Parks and Open Space

- ❑ Parks should be evenly dispersed throughout the City and include larger community parks and smaller neighborhood parks.
- ❑ Parks are a desirable use for floodplain areas.
- ❑ Parks and open space may be used to buffer incompatible land uses.
- ❑ There should be linkages between parks, schools, employment centers, and residential areas.
- ❑ Natural features should be used as buffers or open space.

Major Community Facilities - *Civic and governmental buildings.*

- ❑ Facilities should be centrally located in easily accessible areas within the community.
- ❑ Downtown and park settings are appropriate locations for civic and cultural entertainment/tourism activities.
- ❑ They should complement, but not infringe on nearby residential areas.
- ❑ They should be accessible and adjacent to major streets to accommodate traffic.

Development Standards for Infrastructure

On the 2020 Future Land Use Plan map, lines designate three levels or tiers for infrastructure requirements for streets, water, electric service, and sewer/septic systems within the city and PPJ. The first tier is within the city limits and will change with future annexations. Tiers 2 and 3, areas in the PPJ, contain most of the future development and annexations expected over the next twenty years. The following table recommends development standards for the three tiers.

**TABLE 4.2
DEVELOPMENT STANDARDS**

Infrastructure Requirements	Tier 1 Within City Limits	Tier 2	Tier 3 ¹ Balance of PPJ
Paved Streets	Yes	Yes ²	Yes
Water Line Size	8"	8"	Match existing system
Underground Electric	Yes	Yes	No
Septic Sewer	Septic permitted on lots 1 acre or larger, subject to NM Environmental Dept. approval	Septic permitted on lots 1 acre or larger, subject to NM Environmental Dept. approval	Septic permitted on 1 acre or larger, subject to NM Environmental Dept. approval
	Sewer required if smallest lot is less than 1 acre, if within 2,000 feet of existing sewer line	Sewer required if smallest lot is less than 1 acre, if within 1,000 feet of existing sewer line Annexation petition required for developments connecting to City sewer	Septic permitted when smallest lot less than 1 acre, subject to NM Environmental Dept. approval
	Sewer required if smallest lot is less than 32,670 square feet	Lots less than 32,670 square feet, requires sewer or community liquid waste package plant, if within 1,000 feet of existing sewer line Annexation petition required for developments connecting to City sewer	Smallest lot less than 32,670 square feet requires any liquid waste disposal method to be approved by NM Environmental Dept. approval

Note: The City or water supply districts provide water service.

¹ Different street/road improvement standards may be considered for minor subdivisions, those divisions of land that satisfy one or the exemptions of the San Juan County Subdivision Regulations.

² Double Penetration Chip Seal or current County paving standards are acceptable.

The New Mexico State Statutes grant cities with populations greater than 25,000, a Planning and Platting Jurisdiction (PPJ) that extends five (5) miles beyond the city limits. Currently, Farmington has slightly more than 30 square miles within its city limits, but the PPJ encompasses an additional 150 square miles. Although there are no land use controls or zoning in this extraterritorial area, subdivision of land requires approval of both the City of Farmington and San Juan County. The City has the ability to require more stringent subdivision standards than the County.

Historically, the City has granted many improvement waivers to extraterritorial subdivisions. The smaller the subdivision and the farther from the city limits, the greater the likelihood of waivers being granted. In that waivers have been considered on a more subjective, case-by-case basis, the need for a more objective standard has been recognized. Formally acknowledging that uniform standards are not justified throughout the extensive PPJ may be one solution. By using three geographical tiers, different development standards for infrastructure could be enforced, depending on the location of the subdivision. The highest development standards are for areas within the city limits (Tier 1). In Tier 2, an irregular band surrounding the city limits, standards would be less restrictive. Finally, in the third tier, most distant from the city limits, the development standards would be general only what County regulations require.

The use of the three-tier system should reduce the need for standard waivers, but it will not eliminate waivers completely as it is impossible to foresee every subdivision circumstance. The tiered system will still require thorough analysis of each proposed subdivision and assessments of what are appropriate and reasonable infrastructure requirements.

Tiered development standards provide the ability to distinguish between subdivisions based upon size. For example, a higher development standard may be justified for a 100-lot subdivision than for a five-lot subdivision. In setting tiered standards, a minor subdivision may be one that meets one of the 13 exemptions listed in the San Juan County regulations. This would be a change in that exemptions in the PPJ are not currently recognized.

As with the other policies of the Comprehensive Plan, the tier boundaries will be subject to periodic review and amendment, following procedures adopted for amendment of this Comprehensive Plan. The development standards for infrastructure will need to be incorporated in the Unified Development Code.

2020 FUTURE LAND USE PLAN—THE MAP

As a graphic representation, the 2020 Land Use Plan is intended to help the City's elected and appointed officials, staff, and residents visualize the desired future land development pattern in the community. It is not a rigid, parcel-specific mandate for how land shall be developed. When proposed development differs from the generalized land use pattern depicted for an area, it is the responsibility of the Planning and Zoning Commission, supported by City staff, to determine whether the development will be in keeping with the goals and objectives of the City's Comprehensive Plan. The map is best used when considering new development, redevelopment, and proposed land uses that are significantly different from the current use and surrounding uses.

Wilbur Smith Associates
Four Corners Planning, Inc
McGinty
Southwest Planning & Marketing
Duncan Associates
William Freimuth Architecture

The 2020 Future Land Use Plan map covers the current city limits and the areas of the Platting and Planning Jurisdiction that are in the areas of the Water Service Area Boundary. The map does not attempt to predetermine the use of each individual tract, but seeks to establish a logical framework for future land use and development decisions.

Existing residential areas do not change. The 2020 Future Land Use Plan indicates continued low-density residential development areas on what are now the fringe areas of the city. New development will require infrastructure improvements and extensions to not perpetuate substandard neighborhoods.

In the areas north and west of the Civic Center and south of Broadway, the map shows mixed/transitional uses on currently vacant or industrial tracts. In conjunction with the Downtown Plan, the 2020 Future Land Use Plan allows mixed uses in the areas from Apache to the Animas District south of Broadway. With the continued expansion of the medical facilities, there is a need for higher density housing in that part of the City.

The areas currently under BLM control are indicated to continue to be, or to become, parks and open space for the time period covered in this 2020 Future Land Use Plan. In order for the City to direct growth and development, these lands should remain as open space for at least the next five to ten years. Disposal and patenting of the land should be coordinated and appropriate and compatible land uses implemented.

Commercial development is expected to continue along the major transportation corridors. Neighborhood services and businesses will be encouraged in areas adjacent to the neighborhoods.

Industrial uses are being encouraged to locate in industrial parks and areas where they are more accessible to transportation routes.

As shown on the 2020 Future Land Use Plan, parks and open space will continue to be an important feature of Farmington land uses.

In the 20-year timeframe of the Comprehensive Plan, the majority of the areas surrounding the City are anticipated to continue to be rural in nature, developing slowly at lower densities with limited neighborhood commercial uses.

Future Land Use Classifications

The following are the land uses categories of the 2020 Future Land Use Plan. Each classification category may encompass several zoning districts. This map is intended to be conceptual, not a designation of individual parcels or zoning districts.

Rural greater than 5 acres: Single-family dwellings, farms and agricultural uses, open space in generally undeveloped parcels in private ownership. (light green)
The Navajo Indian Reservation is shown as “Rural”, the classification that best represents the agricultural and ranch-type development of the area.

Residential Single-Family Low Density greater than 1 acre: Conventional detached dwellings on parcels of one acre or more, including mobile and manufactured homes. (beige)

Residential Single-Family Suburban less than 1 acre but >20,000 square feet: Conventional detached dwellings on parcels of less than one acre. (light yellow)

The designation of less than one acre does not preclude larger lots. It does assume that the development will be built to City standards for utilities, paving and sidewalks.

Residential Single-Family Urban less than 20,000 square feet: Conventional detached dwellings on parcels of less than 20,000 square feet. (gold)

Residential High Density: Residential dwellings with more than one unit per lot or parcel, including duplexes, tri-plexes, four-plexes, apartment buildings, and townhouses. (orange)

Mixed Use: Combinations of business and residential uses in areas of older structures or vacant land that may include new types of housing residential/commercial conversions, infill development, starter homes, cluster homes, and senior living developments. (brown)

Neighborhood Commercial: Small retail and service establishments located around intersections near neighborhoods, landscaped and buffered to blend with the local surroundings. (pink)

Commercial: Retail shopping, wholesale and service activities (red).

Office/Professional: Office/professional service activities in large buildings or smaller, stand-alone structures. (lavender)

Industrial: Heavy and light manufacturing, assembly, processing, and warehousing/distribution, sometimes accompanied by outdoor activity areas or storage. (gray)

Institutional: Government buildings, offices, and facilities; libraries, museums, cultural centers, auditoriums, theaters, public and private schools; institutional uses including colleges, churches, and hospitals; and, non-government facilities where people gather, such as meeting halls (blue).

Parks: Public parks (current and future), outdoor recreation areas, golf courses. (dark green)

Open Space/Public Lands: Areas of open space held by the Bureau of Land Management, State of New Mexico or other public entities to remain open space or developed for recreational purposes. (medium green)

PROJECTED FUTURE LAND USE ALLOCATION

With the 2000 population of the city at 37,884 and the most likely projected 2020 population of the city to be 50,707, the following land use requirements were developed. They are based upon the acres per capita for each land use category existing in 1997. The estimated spatial requirements necessary to accommodate Farmington's projected growth to the year 2020 are identified in the following table.

**TABLE 4.3
PROJECTED LAND USE REQUIREMENTS FOR 2020**

Land Use Category	1997/2001 Acres	1997/2001 Percent	2020 Acres	2020 Percent
Rural greater than 5 acres			27,280	17.4%
Single-Family Residential Low Density greater than 1 acre	4,026	10.1%	16,549	10.5%
Single-Family Residential Suburban less than 1 acre but greater than 20,000 square feet	2,005	5.0%	8,210	5.2%
Single Family Residential Urban less than 20,000 square feet			8,493	5.4%
Multi-Family Residential	201	0.5%	421	0.3%
Mixed Use			250	0.2%
Neighborhood Commercial			155	0.1%
Commercial	1,714	4.3%	2,768	1.7%
Office/Professional	173	0.4%	408	0.3%
Industrial	1,647	4.1%	2,920	1.9%
Public/ Semi Public/Institutional	1,734	4.3%	2,216	1.4%
Parks/Open Space	1,912	4.8%	6,056	3.9%
BLM/State/Other Open Space	10,721	26.9%	55,636	35.6%
Navajo Indian Reservation and Trust lands			25,214	16.1%
TOTAL	39,879	100.0%	156,616	100.0%

Use of the 2020 Future Land Use Plan

The interpretation of, and potential changes or amendments to, the 2020 Future Land Use Plan, should consider the appropriate use for the proposed site. Compatibility with surrounding land uses; utility availability and system impacts; potential drainage and storm water management needs, as well as traffic and parking impacts, also warrant consideration.

For example, the specific location of a cluster town home or apartment development is difficult to show on the 2020 Future Land Use Plan map. A proposed residential development with higher densities could receive a favorable review even if the potential site is not depicted on the 2020 Land Use Plan. This is because the Comprehensive Plan also documents the need and desire for higher density and infill development in Farmington and highlights the buffering and neighborhood protection measures that should ensure land use compatibility.

GOAL, OBJECTIVES, AND ACTIONS

Through the plan development process and the involvement and input of Farmington’s residents and civic leaders, the following goal, objectives, and actions were formulated for land use and development for the Comprehensive Plan. These are guides for future land use decisions in the development review processes in Farmington. The goal, objectives, and actions establish the framework for land development and redevelopment practices that should result in an economically vital, environmentally aware, more livable community. They assume that the community desires continued growth but in a well-managed and orderly way so that limited public funds will be invested wisely and residents’ quality of life will be enhanced.

Goal: Plan and facilitate land use and development that is consistent, orderly, functional, in harmony with the natural environment, and promotes a progressive, vibrant, scenic, and safe community.

Objective 4.1: Assure the provision of a variety of different land use types in suitable locations, densities, and patterns while avoiding mixing of incompatible uses in close proximity to each other.

Action 4.1.1: Use the 2020 Future Land Use Plan to review proposed changes to existing land uses.

Action 4.1.2: Continue to recommend appropriate locations for single-family and multi-family residential areas as shown on the 2020 Future Land Use Plan, taking into consideration accessibility, site suitability, utility availability, and environmental factors.

Action 4.1.3: Create new or amend existing zoning districts to allow smaller lots for starter homes, senior living, and cluster homes.

Action 4.1.4: Amend commercial districts to allow for residential uses to be interspersed with commercial uses in areas of mixed use.

Action 4.1.5: Encourage transitional buffering of land use intensities, particularly between residential and commercial uses.

Objective 4.2: Promote infill development in areas of existing infrastructure.

Action 4.2.1: Develop strategies for infill development and redevelopment activities, such as flexibility in development regulations, exemption of development fees, and grants, particularly for affordable housing.

Action 4.2.2: Create an incentive program that targets infill development to vacant lots with existing infrastructure and services, and redevelopment of parcels that currently have inappropriate or undesirable uses.

Objective 4.3: Discourage the creation of new subdivisions that do not provide adequate infrastructure.

Action 4.3.1: Establish appropriate guidelines for streets, water lines, and sewage facilities for developments in Tiers 1 and 2.

Action 4.3.2: Study whether there is a need for larger lots with septic systems and determine what size lot is appropriate.

Objective 4.4: Consider manufactured homes in the same manner as conventionally constructed homes.

Action 4.4.1: Develop criteria for manufactured home subdivisions with smaller lots and required infrastructure.

Objective 4.5: Support the development of vibrant and viable commercial areas with a variety of uses.

Action 4.5.1: Concentrate new commercial development in clusters at major intersections and other appropriate locations as opposed to scattered and/or “strip” development.

- Action 4.5.2: Locate new commercial developments near existing commercial areas and buffer from residential uses.
- Action 4.5.3: Ensure appropriate zoning to support the viability of old as well as new commercial development.
- Action 4.5.4: Allow downtown commercial redevelopment to include a residential, mixed-use aspect, such as second-floor residential units above office or retail uses.
- Action 4.5.5: Revise existing zoning districts and designations in the Unified Development Code to support and encourage viable commercial areas as well as affordable, conveniently located infill and new higher density housing.
- Action 4.5.6: Identify and amend regulatory constraints that inhibit redevelopment. Consider incentives or public/private solutions to attract specific desired uses.

Objective 4.6: Assure adequate provision of industrial land.

- Action 4.6.1: Designate areas for industrial development that are accessible to transportation routes and adequate utilities while protecting existing and future neighborhoods from incompatible land uses.
- Action 4.6.2: Encourage relocation of industrial uses from Downtown and Animas neighborhoods into industrial areas by facilitating land “swaps”.
- Action 4.6.3: Consider development of an additional industrial park in an area designated for industrial land use on the 2020 Future Land Use Plan.

Objective 4.7: Manage development along highways and major thoroughfares, improving aesthetics as well as transportation efficiency.

- Action 4.7.1: Create and use corridor plans that contain additional regulations and standards pertaining to building setbacks, architectural design, signage, open space, landscaping, parking, building orientation, and design features.
- Action 4.7.2: Encourage neighborhood and general commercial development along roadway corridors to provide buffers when adjacent to residential neighborhoods.

Objective 4.8: Recognize physical constraints to development within the City and PPJ. Conserve and protect valued natural and cultural resources, including river corridors, mesas and bluffs, sensitive land habitats, and historic structures.

- Action 4.8.1: Encourage the use of flood plains as natural areas and preserves for wildlife, vegetation, parks, and as open space buffers between incompatible land uses.
- Action 4.8.2: Preserve areas of geologic and scenic interest—mesas, bluffs, sandstone outcroppings, and views—by

acquisition, conservation or creating scenic view easements.

Action 4.8.3: Support redevelopment and preservation of buildings that are architecturally and/or historically significant through appropriate application of building codes.

Objective 4.9: Protect the City’s water supply from encroaching development.

Action 4.9.1: Study the need to expand non-development areas around the City’s surface water supply at Farmington Lake and other water supply sources.

Objective 4.10: Promote environmentally sound access to and use of Farmington’s parks, open space, and river corridors.

Action 4.10.1: Continue to develop regional and neighborhood parks with recreational facilities in areas shown on the 2020 Future Land Use Plan and other appropriate locations.

Action 4.10.2: Continue to pursue open space preservation and/or parkland acquisition in undeveloped areas, BLM land, and along the river corridors.

Action 4.10.3: Minimize development impacts immediately adjacent to the rivers by using “land banking” by which owners of properties in the floodplain could either deed or create conservation easements to ensure long-term conservation.

Action 4.10.4: Encourage new development or redevelopment near the river to be sited to take advantage of the river views and amenities, but not encroach on the natural aspects of the river corridors.

Action 4.10.5: Continue to provide public access to the rivers through the expansion of existing trail networks, public overlooks, and canoe access points.

Action 4.10.6: Retain and expand the Recreation and Public Purpose (RR&P) lease in Sections 24 and 25.

The future of Farmington is full of opportunities to encourage appropriate land use and development and still maintain the high quality of life expected by its citizens.

Framing the Future

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Land Use and Development

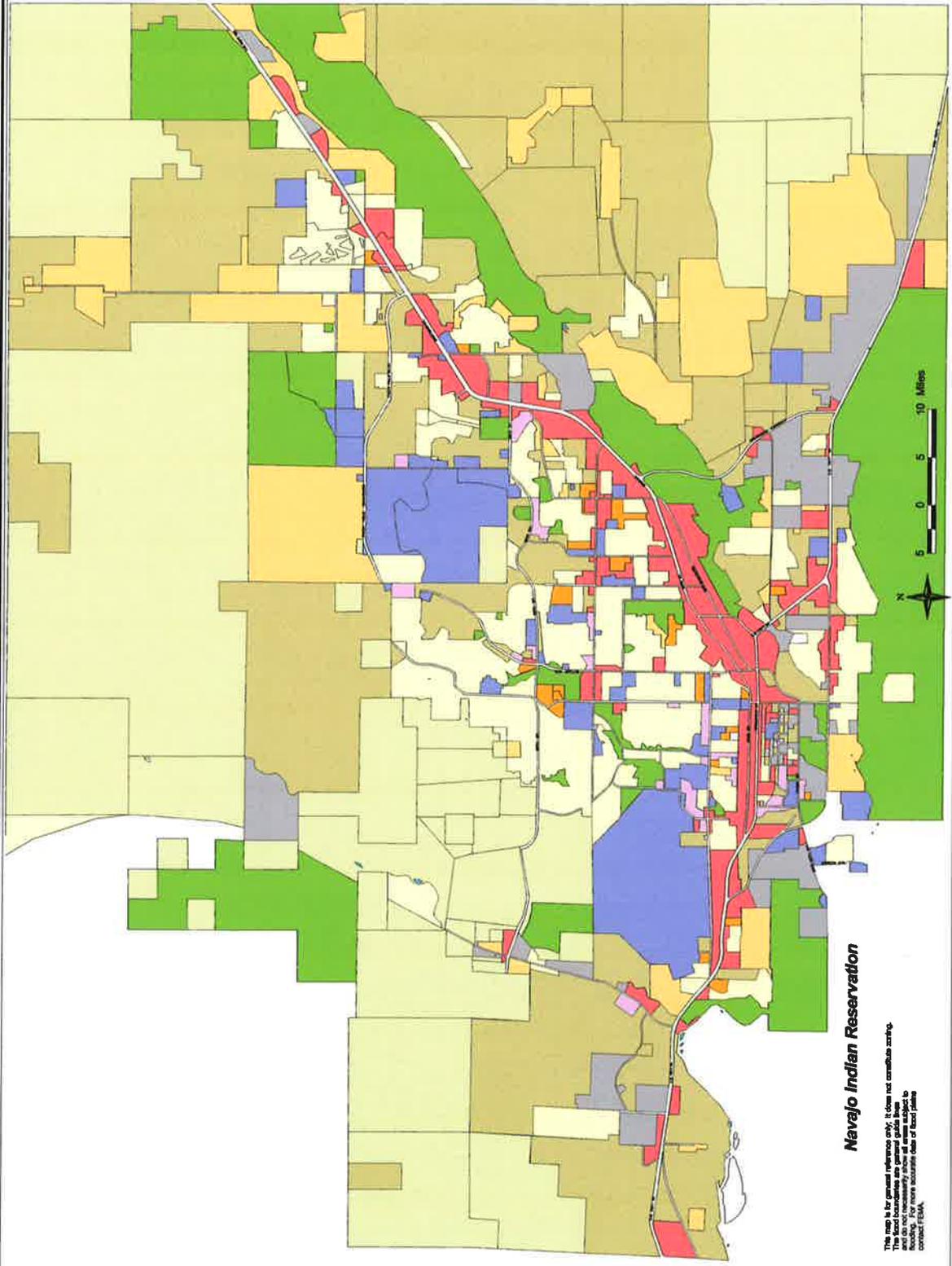
4-14

**City of Farmington
Comprehensive Plan**

**Draft
Figure 4.1
Generalized Existing
Land Use 1997/2001**

Legend

- Existing Land Use
- Vacant (BLM/State)
- Vacant (Private)
- Residential Single Family
- Low Density (greater than or equal to .75 acre lot)
- Residential Single Family Medium Density (less than .75 acre lot)
- Residential-High Density
- Office Professional
- Commercial
- Public/Semi-Public
- Industrial, Light
- Parks/Open Space
- Farmington Water
- Service Area Boundary
- River
- Lake



Navajo Indian Reservation

The map is for general reference only; it does not constitute a warranty. The land boundaries are general guide lines and are not intended to be binding. For more accurate data of land please contact FEMA.



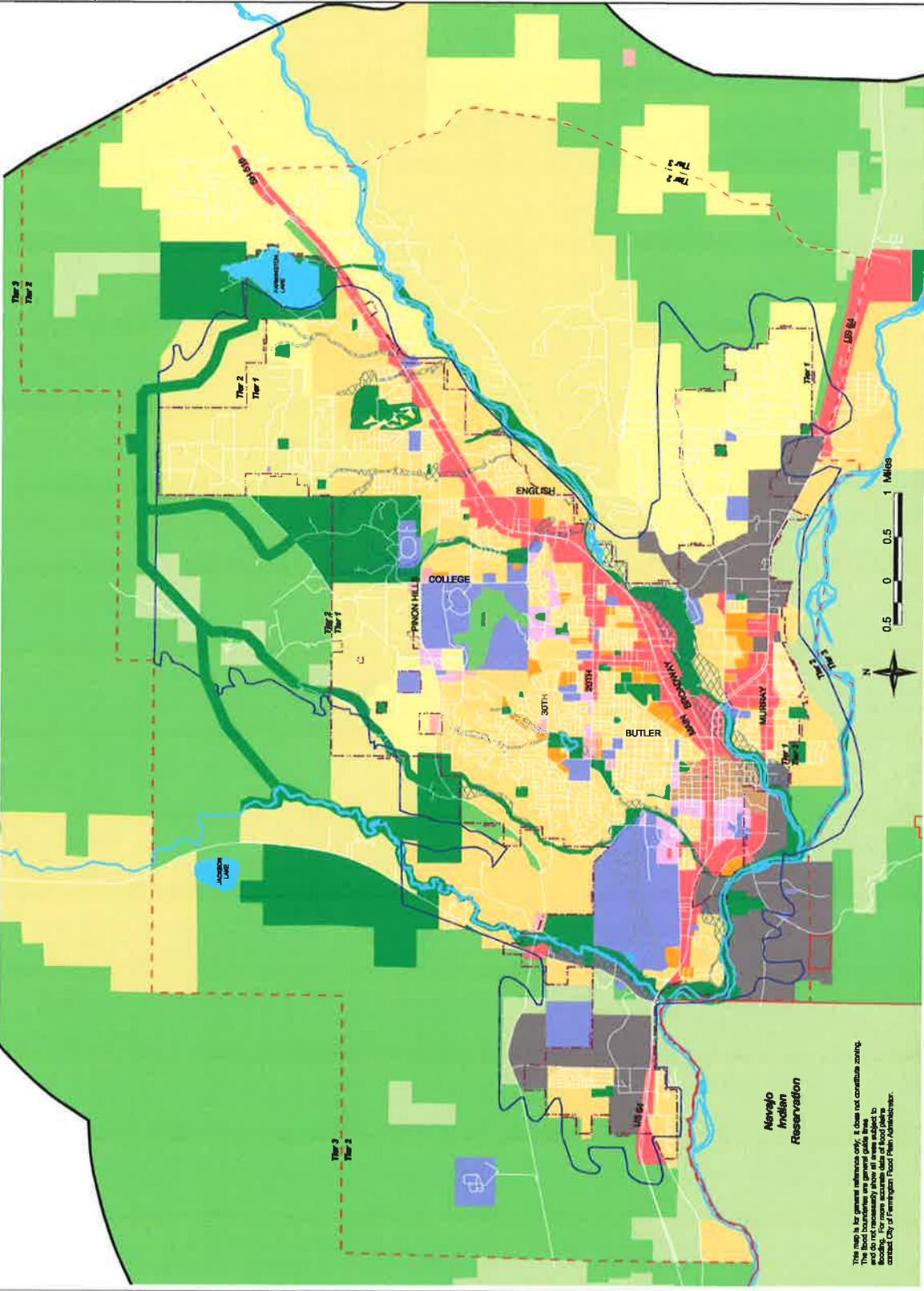
October 2002
Source: City of Farmington, FEMA, BLM, San Juan County, FEMA, BLM.

**City of Farmington
Comprehensive Plan**

**Figure 4.2
2020 Future
Land Use Plan**

Legend

- Future Land Use**
- Rural
- Residential Single Family Low Density (greater than or equal to 1.0 acre lot)
- Residential Single Family Suburban (less than 1.0 acre lot but greater than 20,000 sq. acre lot)
- Residential Single Family Urban (less than 20,000 sq. acre lot)
- Residential High Density
- Mixed Use
- Office Professional
- Neighborhood Commercial
- Commercial
- Institutional
- Light Industrial
- Open Space/Public Lands
- Parks
- Farmington Water Service Area Boundary
- Development Tiers
- Navajo Indian Reservation
- Flood Plain 100 Year
- Lake
- River
- City Limits
- Planning and Platting Jurisdiction (PPJ)



October 2002
 Source: City of Farmington, San Juan County, FEMA, BLM
 Withler-Smith Associates

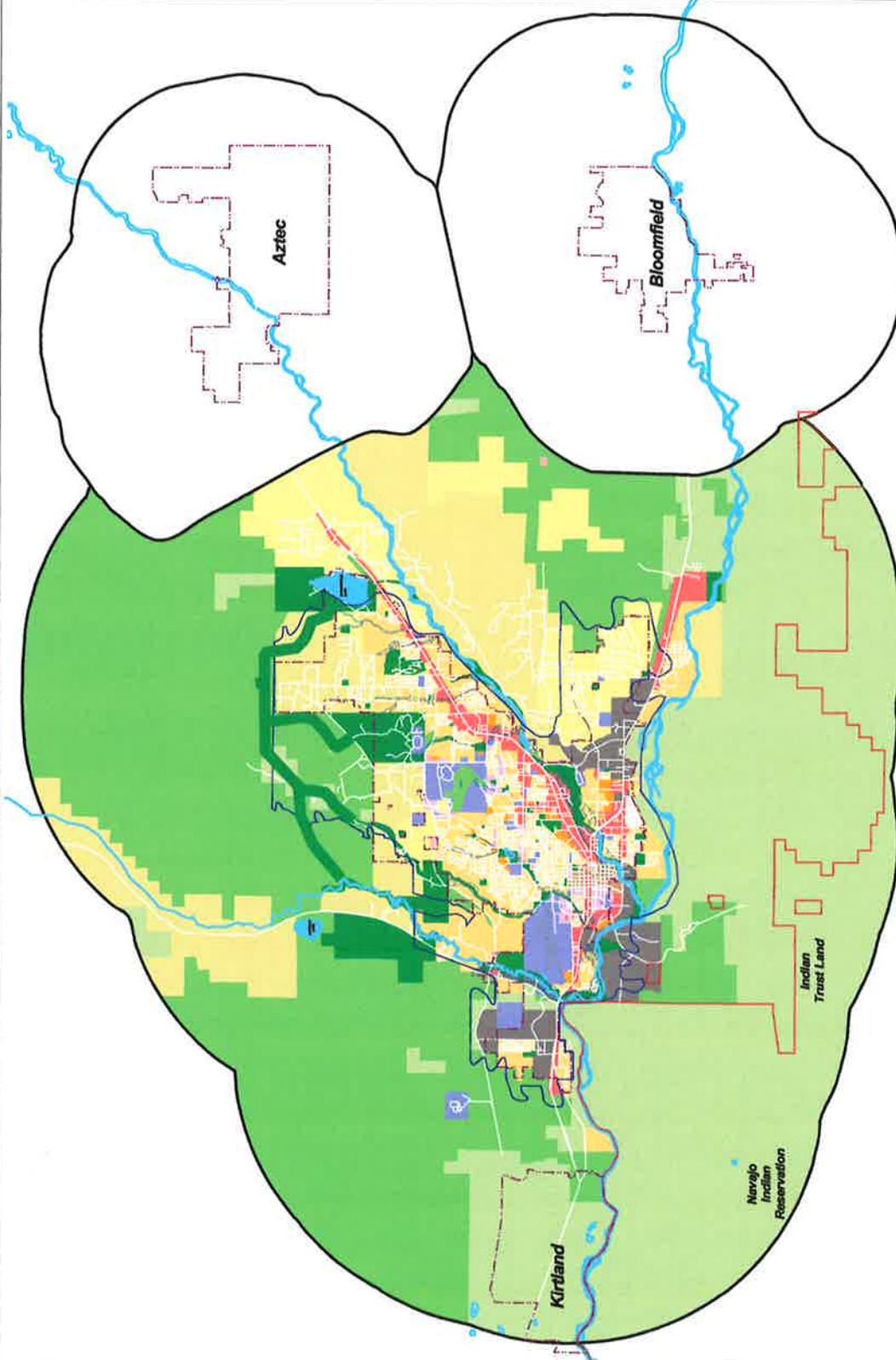
This map is for general reference only. It does not constitute zoning. The flood boundaries are general guide lines. No flood insurance is shown as it is subject to change. For more information, contact the City of Farmington Flood Plain Administrator.

**City of Farmington
Comprehensive Plan**

**Figure 4.3
Planning and Platting
Jurisdiction With
2020 Future Land Use**

Legend

- Future Land Use
- Rural
- Residential Single Family
- Low Density (greater than or equal to 1.0 acre lot)
- Residential Single Family Suburban
- Urban (less than 1.0 acre lot but greater than 20,000 sq. acre lot)
- Residential Single Family (less than 20,000 sq. acre lot)
- Mixed Use
- Office Professional
- Neighborhood Commercial
- Commercial
- Institutional
- Light Industrial
- Open Space/Public Lands
- Parks
- Farmington Water Service Area Boundary
- Navejo Indian Reservation
- Flood Plain
- 100 Year
- Lake
- River
- City Limits
- Planning and Platting Jurisdiction (PPJ)



October 2002
 Source: City of Farmington,
 San Juan County, FEMA, BLM,
 WILBIR SMITH ASSOCIATES
 WILBIR SMITH ASSOCIATES
 PLANNING
 ARCHITECTURE
 ECONOMISTS

The map is for general reference only. It does not constitute zoning. The flood boundaries are general guide lines and do not necessarily show all areas subject to flooding. For more information, please contact the City of Farmington Flood Plain Administrator.

CHAPTER 5

GROWTH AND ANNEXATION

As the southwestern United States continues to attract new residents and businesses, Farmington will experience the effects of this growth on development in the City and in the Planning and Platting Jurisdiction (PPJ). From the City's perspective, there is the desire to properly and responsibly guide expansion, but not at the expense of existing neighborhoods or quality of life.

Growth will take several forms. With the population of Farmington projected to increase to between 44,000 and 55,000 in the next twenty years, there will be an influx of new residents through business relocations and retirement as well as additions to Farmington families. Expansion of the city limits through annexation of areas in the Planning and Platting Jurisdiction will add new residents, as well as require additional infrastructure.

KEY ISSUES

The following key issues facing the City of Farmington were identified by the Steering Committee and through the public participation activities:

- ❑ **The quality of growth and development beyond the current city limits in the Planning and Platting jurisdiction needs to be addressed** in terms of what is desirable new development. Outside its city limits, the City currently has the Subdivision Regulations and sewer extension policy to guide new development. These limited regulations do not include the ability to control land use or enforce zoning outside the city. Great concern has been expressed about existing subdivisions and new subdivisions that will develop without appropriate infrastructure requirements, particularly in the provision of paved streets and sewer systems.
- ❑ Growth should be directed toward **infill development** on vacant lots and tracts already served by City streets and utilities as well as in currently underdeveloped areas. Some of these areas may appropriate locations for the **affordable housing** that is needed to serve several segments of the population. Young families, service sector workforce and senior citizens require housing types that are close to workplaces, shopping, and parks. These developments may be higher in density and should be constructed in a manner that is attractive and yet within financial reach.
- ❑ An important consideration of growth is the **timing of annexation of areas into the City**. While it is important to have land use controls and provide desired City services, the annexation of new areas into the city should not be at the expense of existing City services. The costs of extending utilities and services should be considered and absorbed in the cost of development. Criteria to determine the readiness of an area to be included in the city should be developed and applied to each area.
- ❑ Is there a way to implement **increased standards for future development that would ensure higher quality, safer new developments?** The City has zoning and subdivision controls in the city, but only subdivision controls in the five-mile PPJ. Consideration should be given to the development of increased cooperative controls with San Juan County in the PPJ rather than

“Growth is inevitable, growth is necessary, but how growth is accommodated can be good or bad. In setting the framework for land development and redevelopment, we must focus on practices that are environmentally sound, economically vital and that encourage livable communities – in other words, smart growth.”
Jim Chaffin,
Chairman,
Urban Land Institute
(ULI)

annexation. Annexation is a costly substitute for higher development controls and does not always assure quality development.

- A major challenge facing Farmington is **keeping in-city living as cost-competitive as possible with living options outside the city**. The benefits and advantages of in-city living that justify the higher costs need to be identified and advertised. The City should consider adopting the approach and mentality of a building or physical plant manager who must constantly “take care of the basics” to preserve his investment. This includes reliable municipal services and sound infrastructure maintenance practices.
- **Protection of the area’s environmental and scenic resources** was identified as an important concern. Controlling the location of new developments so that they do not damage or deplete area water supplies will be required. This will require identification and protection of the sensitive areas. Views of the mesas, mountains, and other geologic features should be preserved, and not blocked by insensitive construction.

ROLE OF CITY GOVERNMENT

The role of the City is to responsibly manage the extension of City services and to annex and guide growth in an appropriate manner.

MANAGING GROWTH

Farmington, like many communities, is attempting to achieve what is now called “Smart Growth.” Although the term is fairly new, the concepts are really nothing more than the fundamentals of sound urban planning. Cities can grow sensibly by balancing economic development and environmental protection; guiding new development where public services and utilities are already available; actively supporting redevelopment of older areas, vacant land and buildings; revitalizing its traditional downtowns; encouraging pedestrian-friendly convenient neighborhood commercial districts; rethinking mixed-use areas; maintaining efficient roads and infrastructure; and providing attractive parks with walking connections between neighborhoods, parks, and schools. Through effective land use planning and urban design, a city fulfills its primary responsibility to promote the public health, safety, and welfare while also providing predictability in the development process. Smart growth and development practices help local government to use public resources efficiently, make capital investments in a fiscally responsible manner and encourage profitable private development that is beneficial to the whole community.

The term “Smart Growth” does not refer to no-growth or slow-growth initiatives, but rather describes sensible development that enhances existing communities, community values, and quality of life. Sound planning principles establish a framework in which land development and redevelopment practices are more likely to result in an economically vital, environmentally aware, and more livable community. Smart Growth also assumes that the community desires continued growth, but in a well-managed and orderly way so that public funds will be invested wisely and residents’ quality of life enhanced.

Key Indicators for Growth

There are a variety of key indicators to identify communities that are “growing smart.” Smart Growth will occur when:

- ❑ Development is economically viable and preserves open space, natural resources and sustainable habitats.
- ❑ There is certainty and predictability in the development process, and development projects that enhance the economy, the community, and the environment get expedited approval.
- ❑ Existing infrastructure is maintained and enhanced, but expanded when appropriate to serve existing and new residents.
- ❑ Existing infrastructure is used efficiently by encouraging in-fill development rather than allowing peripheral development that requires utility extension.
- ❑ There is a mutually beneficial collaboration among the community, the non-profit sector, and the public and private sectors.
- ❑ Redevelopment is actively pursued, including in-fill residential development, reuse of vacant industrial land and recycling of obsolete buildings.
- ❑ Land planning and urban design create a sense of community and ensure the ease of movement and safety of residents.
- ❑ Traditional downtowns and urban neighborhoods are important.
- ❑ Land development patterns are concentrated within or immediately adjacent to urban areas where public facilities and services are convenient and can be efficiently utilized.
- ❑ Environmentally sensitive areas are protected from premature encroaching urban development.

ANNEXATION PLANNING

Future annexations for the City of Farmington should target growth areas before anticipated development occurs. This type of consideration is necessary to anticipate the City's ability to effectively guide and manage land development, to provide for orderly and cost-effective improvement and extension of public infrastructure and services, and to expand the City's tax base in coordination with the increasing demands for municipal facilities and services. The need to add additional areas to the City must be balanced with the need for improvements and development within the existing city limits.

The primary strategies for planning future annexations generally include two recommended approaches to define potential annexation areas. One strategy is to annex areas adjacent to the City that are either already developed or are anticipated to become so in the near future. When expanding the City's jurisdiction, the service area, and tax base should be consistent with continuing growth and development. The other is to annex relatively undeveloped areas in order to guide development through the City's codes and ordinances.

A "three tiered" approach to development standards for infrastructure is defined in Chapter 4, Land Use and Development, Development Standards. Areas within the city limits (Tier 1) would be required to meet City development standards. In the second tier, the lot size and proximity to existing sewer lines would determine the requirements, whether or not to meet City standards, as they would be the more likely candidates for annexation. In the third tier, rural standards would be applied and enforced. See **Table 4.2 – Development Standards**.

Annexation studies should be conducted on an annual basis to evaluate and consider potential annexations on a year-to-year time frame. These specific areas

should be identified and assessed in accordance with the objectives, actions, and annexation policies that are contained in this Comprehensive Plan, as well as complying with State and Federal statutes. The studies should include a detailed description of the areas, demographic analysis to ensure voting rights and address redistricting, fiscal analysis and a prioritization of the areas.

Annexation Policy Considerations

Clear policies for guiding future growth and annexations will help Farmington minimize the future costs of providing municipal facilities and services in newly annexed areas and reduce the complexity of annexation procedures. Annexation policies that may be considered:

- ❑ A long-range annexation plan for expansion of the corporate limits and extension of municipal facilities and services serves to guide the sequential development of annexation programs on an annual/periodic basis as needed.
- ❑ The future growth and development of the Farmington area needs to occur in an orderly and coordinated manner. Private land development, construction of public facilities (streets, water, sewer, drainage, etc.), and expansion of the city limits should occur in a phased, coordinated manner, in accord with federal and state laws.
- ❑ As the Farmington area continues to grow and expand, and as development densities increase along the fringe of the Platting and Planning Jurisdiction and in the water service area, the City needs to incorporate newly developed and developing areas and provide services to the expanding urban area.
- ❑ The City may use annexation to extend its jurisdiction to encompass certain critical public facilities and important growth areas that require protection and management. Zoning and other regulatory powers can then be applied by the municipality within its incorporated area.
- ❑ Annexation should ideally occur prior to or concurrent with development to coordinate the extension of public facilities and services in developing areas.
- ❑ When development occurs outside the corporate limits and immediate annexation is not feasible, the City should consider annexation agreements or other appropriate means to ensure that the future ability of the City to expand its limits is not unduly impeded.
- ❑ In situations where health, safety, environmental, general welfare, or other factors may override fiscal considerations, areas may be considered for annexation despite a less than satisfactory assessment of the fiscal impact.

Another Approach to Controlling Development Outside the City

Traditionally, Subdivision Regulations provide the primary controls for developing land, both inside and outside the city limits. In some cases development and infrastructure requirements have been waived and resulted in subdivisions that do not represent the best interests of the residents or the City. Currently, zoning is applied only to land uses within the city to determine the size of the lots, building setbacks and other development standards.

Since there is great interest in controlling new development, particularly land within the Platting and Planning Jurisdiction, consideration should be given to a provision in the *New Mexico Statutes Annotated 1978* (NMSA 1978) that provides for extraterritorial zoning. In Chapter 3, Article 21, Zoning Regulations, Section 3-21-2 through 3-21-3.2 provisions are available “in which

a municipal zoning authority may adopt a zoning ordinance within the municipal boundaries and shall have concurrent authority with the county to zone all or any portion of the territory within its extraterritorial zoning jurisdiction which is within (2) two miles of the boundary of any municipality having a population of twenty thousand or more, but less than two hundred thousand persons, provided such territory is not within the boundary of another municipality.”

Additional territory may be added if the governing bodies of a county and a municipality agree to place within the extraterritorial zoning jurisdiction of the municipality by agreement entered into pursuant to the provisions of the Joint Power Agreement Act [11-1-1 to 11-1-7 NMSA 1978], provided such additional territory is not within the boundary of another municipality and is contiguous to the exterior boundaries of the territory within the extraterritorial zoning jurisdiction of the municipality.” The extraterritorial zoning commission in a class A county would be called the “extraterritorial land use commission.”

GOAL, OBJECTIVES AND ACTIONS

In the development of the Comprehensive Plan, the Steering Committee developed a series of core goals for the community. The following are the goal, objectives and actions for Growth and Annexation.

Goal: Plan, guide, and facilitate new development, revitalization, and growth within the city limits and its planning and platting jurisdiction to ensure implementation of sound standards and orderly development.

Objective 5.1: Consistently apply the Subdivision Regulations within the Planning and Platting Jurisdiction.

Action 5.1.1: Reduce the number of waivers to the platting requirements for onsite facilities for sanitary sewer system, water system, streets, alleys, sidewalks, drainage, street signs, fire hydrants, and street lights.

Action 5.1.2: Develop standards appropriate for large lot development of greater than one acre, specifically in the Platting and Planning Jurisdiction where City standards may not be appropriate and city services will not be required or available in the foreseeable future.

Action 5.1.3: Develop more stringent requirements for the development of subdivisions particularly with respect to the provision of infrastructure.

Action 5.1.4: Consider a larger minimum lot size for septic systems.

Objective 5.2: Encourage infill development and downtown redevelopment.

Action 5.2.1: Rezone areas of suitable undeveloped land with existing infrastructure to provide opportunities for infill development.

Action 5.2.2: Allow appropriate residential uses in the downtown zoning districts.

Action 5.2.3: Apply building codes in an appropriate and sensitive manner to encourage redevelopment of existing older buildings that do not in any way circumvent safety.

Action 5.2.4: Consider incentives, lower permit and connection fees where City utilities and services are readily available.

Action 5.2.5: Develop a streamlined process for development on lots with existing adequate city services inside the city limits.

Objective 5.3: Provide for orderly annexation of new areas into the City.

Action 5.3.1: Use the three-tier (as defined on the 2020 Land Use Map) approach to annexation and development criteria with those tiers in the established standards.

Action 5.3.2: Develop annexation guidelines that include requirements for substandard subdivisions including mobile home parks and subdivisions to be brought up to code within specific periods of time.

Action 5.3.3: Apply annexation guidelines and policies when considering areas for annexation.

Objective 5.4: Consider establishing development standards and land use authority with San Juan County so that zoning may be applied to the areas within the Urban Service Boundary.

Action 5.4.1: Initiate new discussions with the County to consider and implement city/county zoning standards.

AREAS THAT MAY BE CONSIDERED FOR ANNEXATION

There are several areas that are contiguous to the City that may be candidates for annexation between now and 2010. These areas are further identified and shown on a **Figure 5.1 - Proposed Annexation Areas**. These areas may be considered by either petition annexations or using the Municipal Boundary Commission:

1. The "South Farmington" area south of Piñon Street including all areas north of the San Juan River, a large part of the Bisti Highway and area south of the San Juan River where there is both water and sewer.
2. Approximately one-quarter mile on Murray Drive east of Stewart and Stevenson.
3. Areas around the Sports Complex north of the airport in Sections 5 (and smaller parts of Sections 4 and 6), especially the parts of 30th Street and Piñon Hills Boulevard.
4. Parts of Sections 33 and 5 generally west of the Piñon Hills Boulevard and Dustin intersection, including the road right-of-way and adjoining land.
5. Unincorporated enclaves located north of Piñon Hills Boulevard that were previously excluded from the Hood Mesa Annexation. Most of these remain under BLM control, but one 40-acre enclave is in private ownership.
6. Commercial area on US Highway 64 southwest of Bluffview Valley Subdivision and a one-acre BLM enclave (possible future park site) adjacent to Wildflower Subdivision

As Farmington grows there will be a continuing need to balance new development with infrastructure demands. By establishing policies for growth and annexation and adhering to them, the City can control its future.

**City of Farmington
Comprehensive Plan**

**Figure 5.1
Proposed Annexation
Areas**

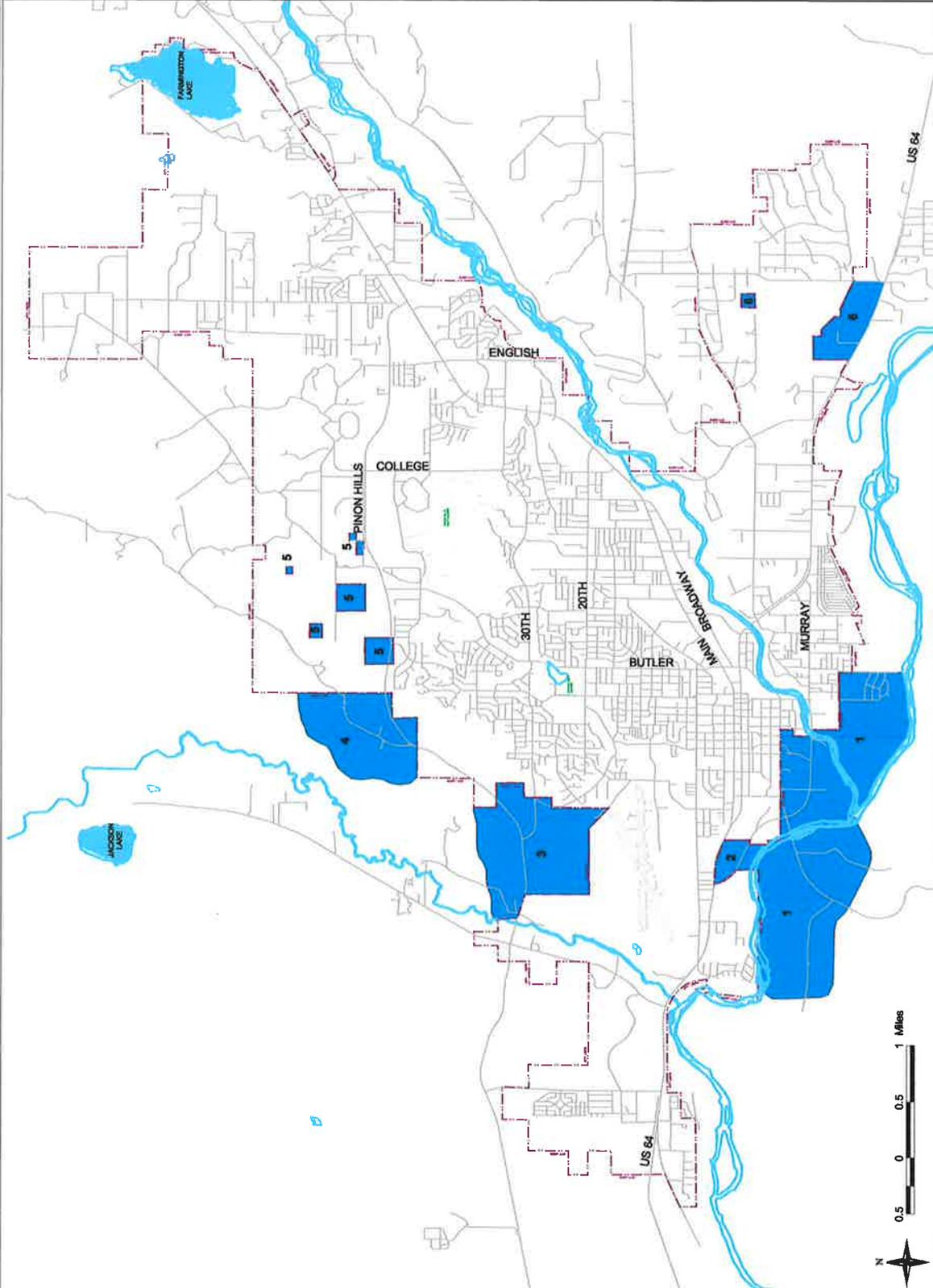
Legend

-  Proposed Annexation Areas
-  Roads
-  City Limits
-  River
-  Lake

- 1) South Farmington Area
- 2) North Farmington Area
- 3) Sports Complex Area
- 4) West Pinon Hills Area
- 5) Group of Enclosures
- 6) U.S. 64 Area (East)

October 2002
Source: City of Farmington,
San Juan County, FEMA, BLM,

Wilbur Smith Associates





TOWN OF KIRTLAND

MARK DUNCAN, MAYOR

May 11, 2016

Mary Holton
Community Development Director
City of Farmington
800 Municipal Dr.
Farmington NM 87401

RE: Planning and Platting Boundaries

Dear Ms. Holton,

Per recent discussions with Robert Mayes, City Manager, it was agreed that the Farmington Public Schools and Central Consolidated Schools boundary would be used to develop a Planning and Platting Boundary. Attached is the proposed Planning and Platting map for the Town of Kirtland. We are requesting approval from the City of Farmington so that the map and agreement can be presented to San Juan County for acceptance.

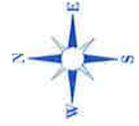
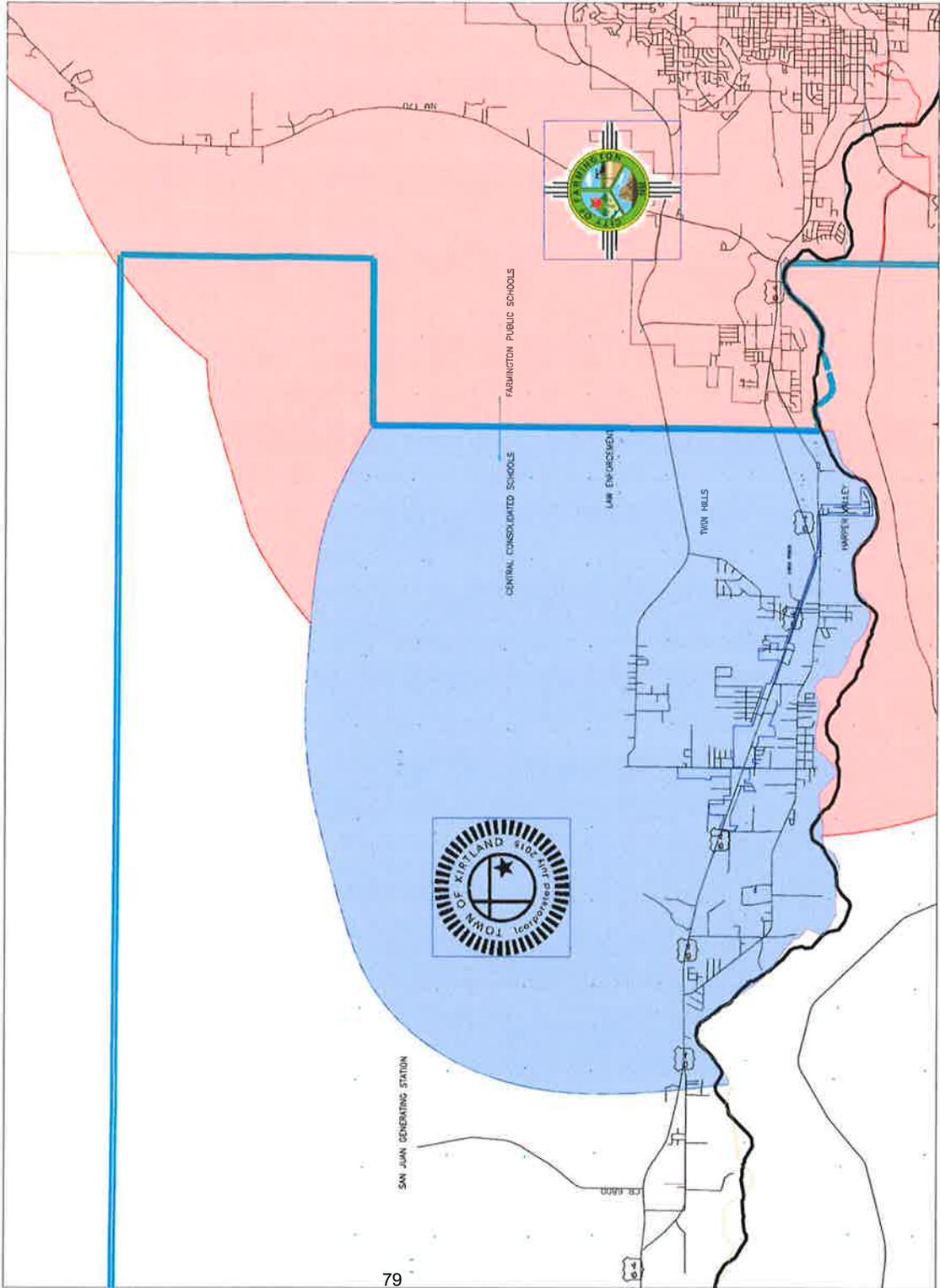
Please let us know if there are concerns or questions. Thank you for your time and consideration on this matter.

Sincerely,

Mayor
Town of Kirtland

CITY OF FARMINGTON / TOWN OF KIRTLAND PLANNING & PLATTING

- LEGEND
-  CITY OF FARMINGTON
 -  TOWN OF KIRTLAND
 -  SCHOOL DISTRICT BOUNDARY
 -  PROPOSED PLATTING & PLANNING BOUNDARY
 -  RESERVATION BOUNDARY
 -  SAN JUAN RIVER



MAP DATED APRIL 2016

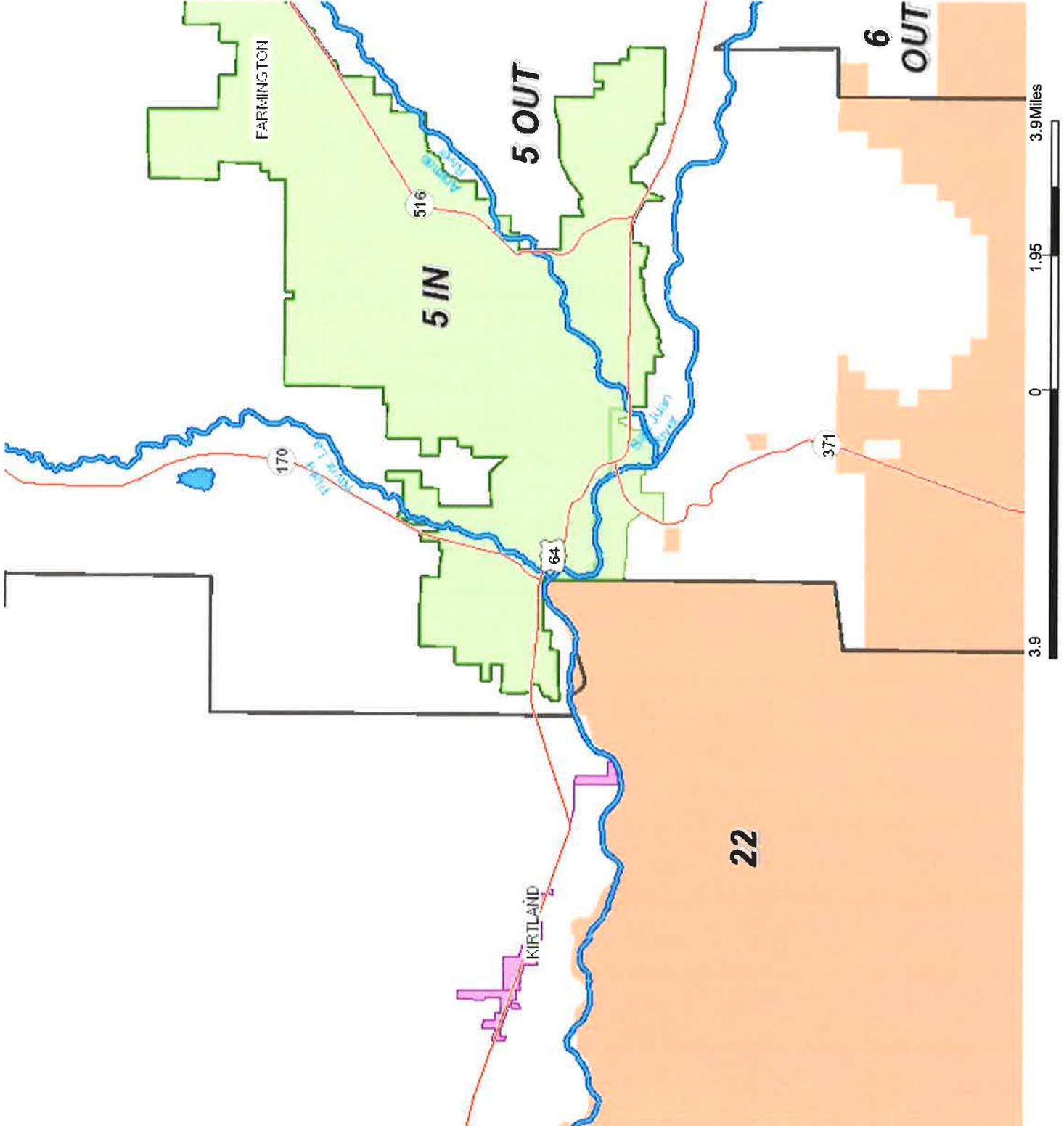
Legend

- Regional Highways-US
- Regional Highways-State
- Lakes
- Rivers
- Aztec City Limits
- Bloomfield City Limits
- Farmington City Limits
- School Districts
- San Juan County Bounds
- Reservation
- San Juan County Bounds
- Regional Counties
- Regional States
- Arizona
- Colorado
- New Mexico
- Utah

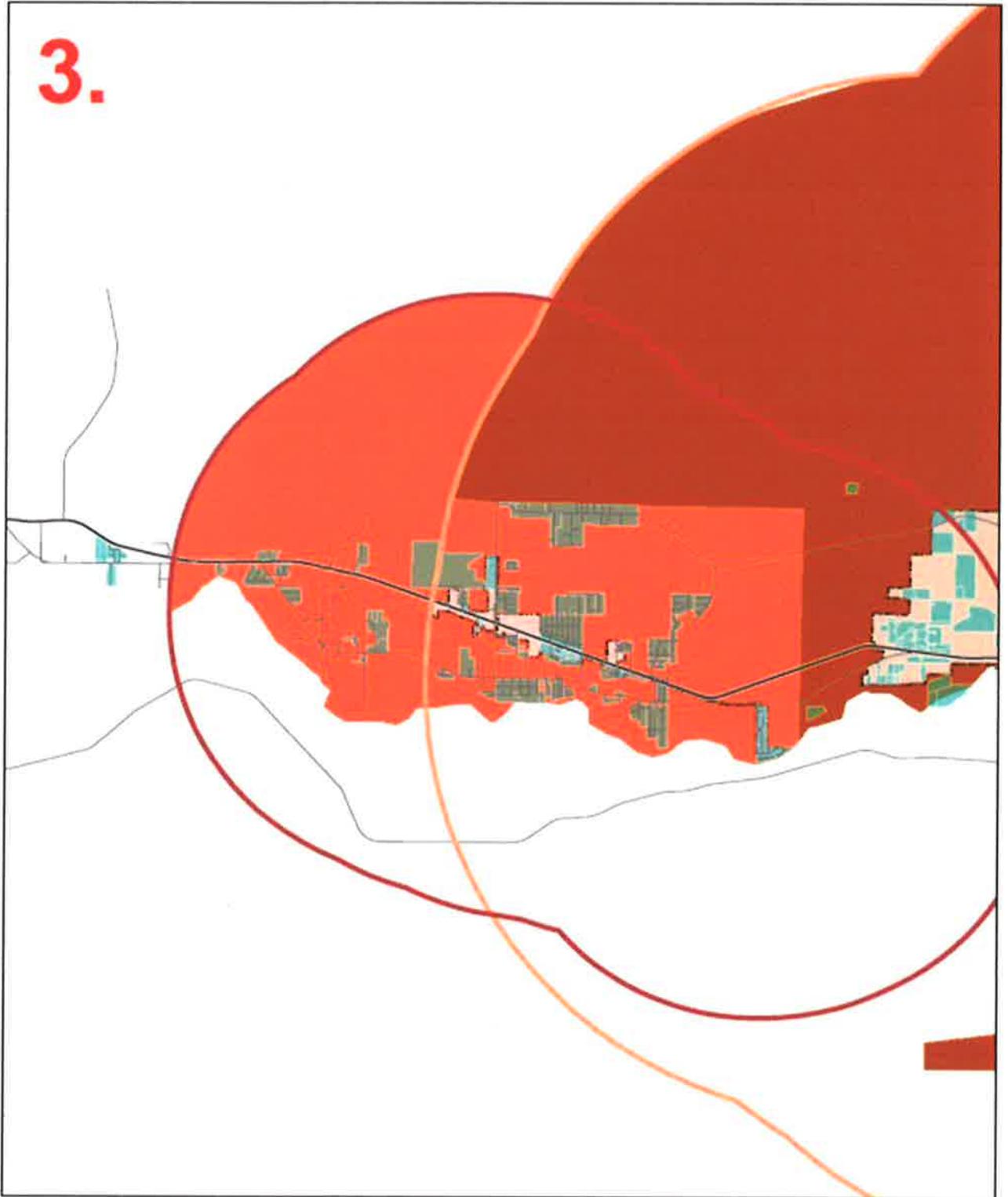
1:123,635



The San Juan County Assessor's Office provides no warranty, expressed or implied, as to the accuracy, reliability or completeness of furnished data. This map is not intended to be used as a survey. For assessment purposes only.



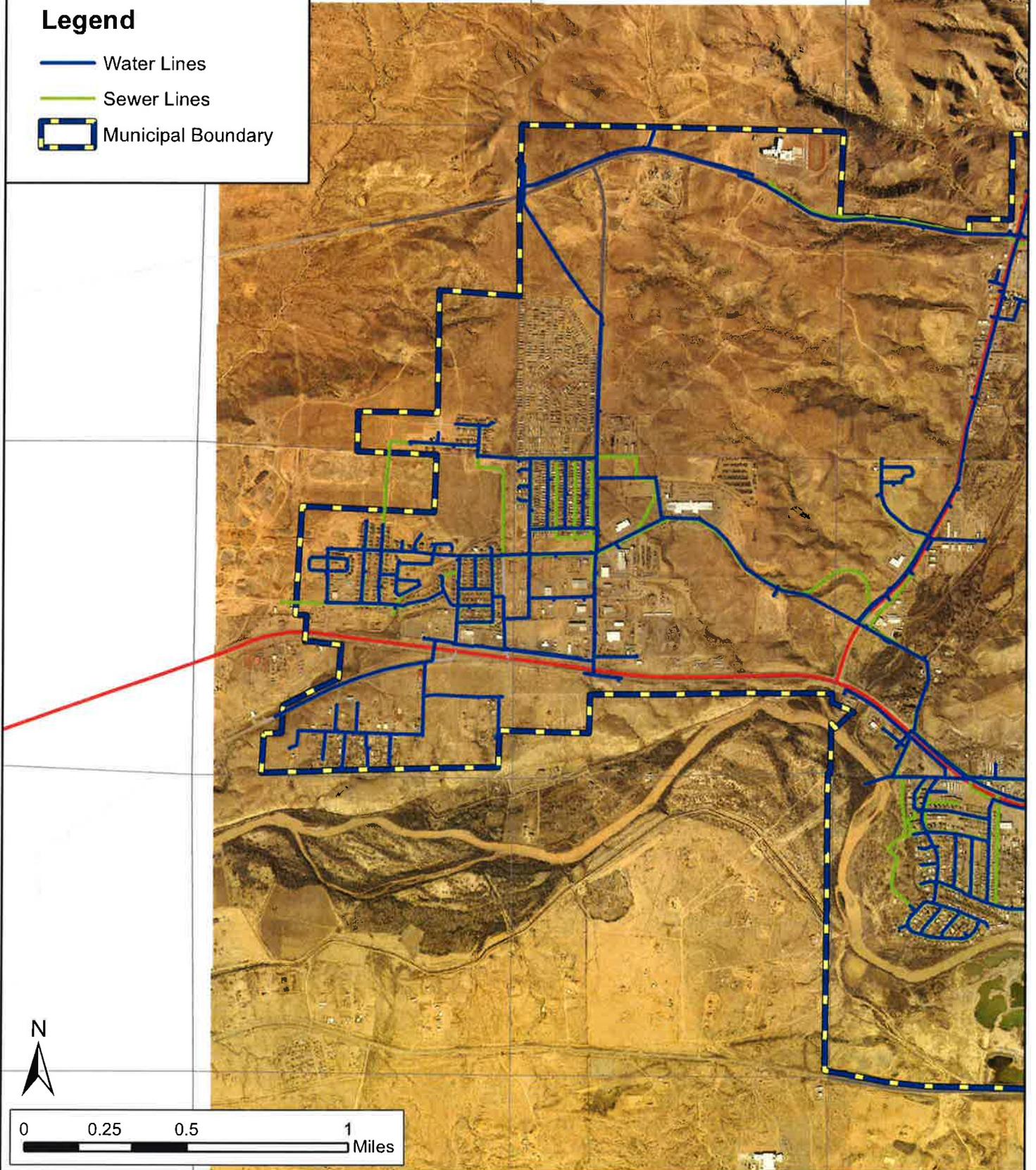
Kirtland's Proposal for Farmington



Water & Sewer Lines near City of Farmington Western City Limits

Legend

- Water Lines
- Sewer Lines
- ▭ Municipal Boundary





Safety City
 FARMINGTON CITY OF FARMINGTON CITY OF
 FARMINGTON CITY OF

Farmington School District

Kirland School District

JOE AND STAN LLC
 JOE AND STAN LLC
 JOE AND STAN LLC
 JOE AND STAN LLC

Legend

Municipality Name

- City of Farmington
- Town of Kirland
- School Boundaries
- Safety City
- Joe and Stan LLC
- Parcel Boundary

1 inch = 2,000 feet

0 0.25 0.5 0.75 1 Miles

Disclaimer:
 The data herein is general in nature and not assumed to be complete nor accurate in its entirety and is therefore to be used with all discretions necessary. The data portrayed should not be relied upon to establish legal title, boundary lines, the precise location of improvements, utilities, ownership, maintenance, easements, or public right-of-ways.

PLANNING MEMO COMMENTS SUMMARY

PPJ 16-01 COF & TOWN OF KIRTLAND

Deadline: 05/18/16

City of Farmington Departments

CD		<p>The proposed PPJ map needs to be adjusted to ensure that all COF property associated with Safety City and all land areas owned by Joe & Stan LLC (Little Creek) are located within the City's PPJ. The map must be revised to indicate a three-mile PPJ for the Town.</p> <p>The Town of Kirtland needs to review all plats that are located within its corporate boundaries and its existing PPJ. The City of Farmington has been providing this courtesy service since the Town was incorporated last year. This is problematic as the City's UDC does not apply in these areas.</p> <p>It is additionally recommended that if a request for additional PPJ on the Town's eastside is approved, the Town should be responsible for preparing a joint powers agreement (JPA) and for reviewing/approving plats and addressing (subject to SJC approval) in its entire established PPJ in addition to its corporate boundaries effective immediately.</p>
	Director – Mary Holton	
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	Building inspection has no comments on PPJ COF and Town of Kirtland.
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Simms	
IT/GIS		Attached is a map showing the location of Safety City property and the property owned by Joe and Stan LLC. The property owned by Joe and Stan appear to be within the Farmington School District. The property that is part of Safety City is in both Farmington's School District and Kirtland's school district. The map that was provided by Dan (the Kirtland engineer) shows this property as part of the proposed Kirtland Planning and Platting Jurisdiction. It was mentioned that Nica noticed that the map from Dan that showed the proposed PPJ line that was 5 miles. I agree with Nica. I created a map that shows the approximate area for a 3 mile and 5 mile buffer around the Town of Kirtland.
	Bobby Kimball	
CITY	City Manager's Office – Julie Baird	
ELEC	Customer Care Manager – Nicki Parks	
ELEC	Electrical Engineering - Luwil Aligarbes	
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	
LEGAL	City Attorney – Jennifer Breakell	

LEGAL	Deputy City Attorney-Russel Frost	According to Section 3-19-5 NMSA 1978, the planning and platting jurisdiction of Farmington extends to the city limits of Kirtland because Kirtland has less than 2500 residence. Therefore, using the boundary for school districts is not appropriate. The City of Farmington has utilities and infrastructure that extends beyond the city limits, therefore allowing Farmington a greater planning and platting jurisdiction will provide opportunity to protect those utility interests.
POLICE	Code Compliance – Todd Johnston	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	It appears that they are implementing a 5 mile boundary and I think state statues is 3 miles. Is Kozsimor's development and safety City within our boundary?
PW	Engineering – Toni Sitta	
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water-Manuel Tso	No comment
PW	Water/Waste Water – Jeff Smaka	No comment

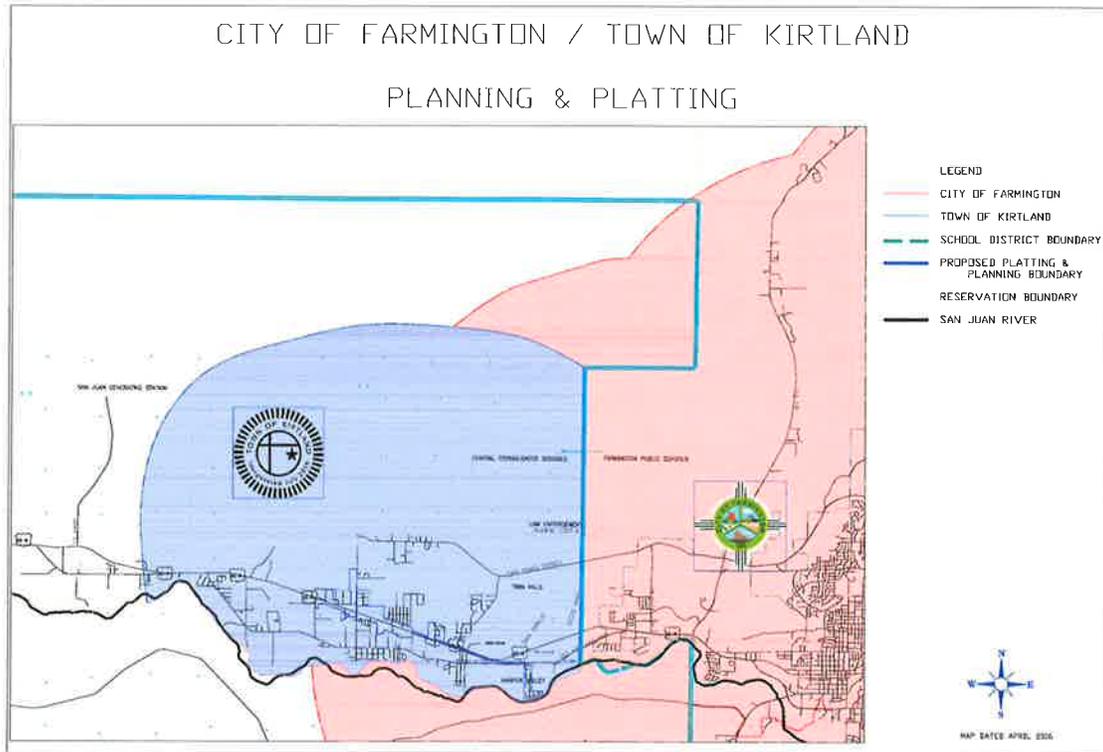
Other Entities

New Mexico Gas Company-Ronnie Owens	
SJC Subdivision Review Officer-David Barnett	It's about 1.3 miles off with the current town boundary. With the proposed annexation it's still about .7 miles off.
CenturyLink-Diane Willatto	No comment
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI-Ron Rosen	
Williams Field Services	
Farmington School District-Cindy Lyons	

**P&Z PLANNING & ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the following application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico.

Petition No. PPJ 16-01 - a request from Mark Duncan, Mayor, Town of Kirtland, for a Memorandum of Understanding with the City of Farmington, regarding the extent of the Town of Kirtland's Planning and Platting Jurisdiction to be located within San Juan County, State of New Mexico, in accordance with the provisions of Section 3-19-5, New Mexico Statutes Annotated, 1978 Compilation, as depicted below:



Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that these petitions will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on **Thursday, May 26, 2016 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on **Tuesday, June 14, 2016 at 6:00 p.m.** in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petition.

Karen Walker
Administrative Assistant

MINUTES
PLANNING & ZONING COMMISSION

April 28, 2016

The Planning and Zoning Commission met in a regular session on April 28, 2016 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico

P&Z Members Present: Temporary Chair-Clint Freeman
Ryan Brown
Shay Davis
Kristin Langenfeld
Cody Waldroup
Del Washburn

P&Z Members Absent: Chair-Joyce Cardon
Rory Jaquez
Cheryl Ragsdale
Paul Thompson

Staff Present: Julie Baird
Cindy Lopez
Steven Saavedra
Toni Sitta
Karen Walker

Others Who Addressed the Commission: Carolyn Crowley

Call to Order

Commissioner Clint Freeman was voted in as Temporary Chair. Temporary Chair Freeman called the meeting to order at 3:04 p.m. There being a quorum present the following proceedings were duly had and taken.

Presentation of the Agenda

There were no changes to the agenda.

Approval of the Minutes

A motion was made by Commissioner Waldroup and seconded by Commissioner Brown to approve the minutes of the April 14, 2016 P&Z Meeting. This motion was approved unanimously by a 6-0 vote.

Swearing in of Witnesses

All parties that wished to speak on behalf of any agenda items were sworn in by Karen Walker.

COMMUNITY DEVELOPMENT PETITION REPORT

Petition No. ZC 16-03 Zone Change from RA to OP 4951 N. Butler Ave.

Planning & Zoning Commission Discussion of Petition ZC 16-3 on April 28, 2016

Associate Planner Steven Saavedra presented the staff report for ZC 16-03, a request from Carolyn Crowley for a zone change from RA Rural Agricultural to OP Office Professional for 1.7 acres located at 4951 N. Butler Avenue.

Ms. Crowley would like this zone change to allow for office use. The property is currently vacant. The 2020 Future Land Use Map of the Comprehensive Plan recommends the subject property to be Office Professional. Mr. Saavedra explained that there is Office Professional zoning to the south and north of this property, Rural Agricultural to the east, and Residential to the west; therefore, this would not be spot zoning and Office Professional would not negatively impact the area.

Staff concludes that approval of ZC 16-03 is appropriate.

Carolyn Crowley of 7492 County Road 84 in Ft. Collins, CO commented that she was in agreement with the recommendation.

Planning & Zoning Commission Action of Petition ZC 16-03 on April 28, 2016

A motion was made by Commissioner Waldroup and seconded by Commissioner Davis to **approve** Petition ZC 16-03, a request from Carolyn Crowley for a zone change from RA Rural Agricultural to OP Office Professional for 1.7 acres located at 4951 N. Butler Avenue.

AYE: Co-Chair Freeman, Commissioners Brown, Davis, Langenfeld, Waldroup, and Washburn.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Jaquez, Ragsdale, and Thompson.

Motion passed 6-0

Business from the Floor: There was no business from the Floor.

Business from the Chair: There was no business from the Chair.

Business from the Members: There was no business from Members.

Business from Staff: Ms. Lopez commented that Petition SUP 16-02, a request from Kyle Stowell for a Special Use Permit for a drive-thru for a restaurant at Johnny O's Spudnuts at 509 E. 20th Street passed at the April 26, 2016 City Council Meeting.

Ms. Lopez mentioned that the San Juan Regional Medical Center's solar array petition will be going back to City Council on May 10, 2016 for reconsideration. This is a request from Councilor Linda Rodgers. No new evidence will be submitted, but City Council can ask questions for clarification.

Adjournment: With no further business and a motion by Commissioner Davis and seconded by Commissioner Langenfeld, the Planning and Zoning Commission meeting April 28, 2016 was adjourned at 3:19 p.m.

Clint Freeman
Temporary Chair

Karen Walker
Administrative Assistant