

A G E N D A

**Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
June 16, 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 May 26, 2016 P&Z Meeting	52
4	Petition No. ZC 16-35 – a request from Vera Matthews for a zone change from RE-1 Residential Estate to RA Rural Agriculture and a variance to allow three horses on 2.5 acres. The property is 2.5 acres located at 7000 Hood Mesa Trail. (Steven Saavedra)	1
5	Petition No. ANX 16-02 – a request from the City of Farmington to consider an annexation of 235.23 acres of land located immediately southeast of the corporate boundaries of the City along the north side of US 64 from east of 1150 Madison Lane extending eastward to approximately 1,310 feet east of Andrea Drive, plus 5525 US 64 which is located on the south side of US 64. (Mary Holton)	16
6	Business from: Floor: Chairman: Members: Staff:	
7	Adjournment	

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, June 28, 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 ZC 16-35
Zone Change from RE-1 to RA and a variance to allow three horses
on 2.5 acres.
7000 Hood Mesa Trail

A. STAFF REPORT, June 16, 2016

PROJECT INFORMATION

Applicant	Vera Mathews
Representative	None
Date of Application	May 1, 2016
Requested Action	Zone Change from RE-1 Residential Estate to RA Rural Agriculture and a variance to allow three horses on 2.5 acres.
Location	7000 Hood Mesa Trail
Existing Land Use	Undeveloped Land
Existing Zoning	RE-1 Residential Estate
Surrounding Zoning / Land Use	North: None/ Undeveloped South: RE-1 Residential Estate / Undeveloped East: RE-1 Residential Estate / Undeveloped West: RE-1 Residential Estate / Undeveloped
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday, May 29, 2016. Property owners within 100 feet were sent notice by certified mail on Tuesday, May 24, 2016 and a sign was posted on Friday, June 3, 2016.
Staff Planner	Steven Saavedra, Associate Planner

Project Description:

The petitioner requests a zone change from the RE-1 Residential Estate District to the RA Rural Agriculture District for 2.5 acres of vacant land. In addition, the petitioner requests a variance to allow three horses on 2.5 acres. The property borders vacant land to the north owned by the Bureau of Land Management outside of the City of Farmington municipal boundary. The subject property was annexed to the City in 2000 and the RE-1 Residential Estate zoning district was assigned to 28.62 square miles of land. The RE-1 District is adjacent to the subject property on the East, West, and South. The property line on the north of this lot is the City boundary line. All surrounding properties are vacant and

undeveloped. Infrastructure is scarce to none existent in and around the area. There are no water lines, no sewer lines, and Hood Mesa Trail is not paved.

The petitioner indicated that there have been animals on the property in the past and plans to have three horses on the property in the future. According to Table 2.3 of the City of Farmington Unified Development Code (UDC), keeping horses (and other animals or fowl) is allowed in the RA Rural Agriculture District. Pursuant to Unified Development Code 11.1 one acre is required per horse.

RE-1 Residential Estate District:

The residential estate-1 (RE-1) district is intended to accommodate low-density, large-lot residential, development and to ensure the protection of areas that develop in such a manner. It is a higher density version of the very-low density RE-2 district. Like the RE-2 district, the RE-1 district is expected to accommodate only a very small amount of the city's overall housing needs. It primarily serves those households who desire to live in rural, low-density estate areas. The RE-1 district, along with the RE-2 district, is intended to implement and correspond to the comprehensive plan's "Residential Single-Family Low Density greater than 1 acre" land use designation.

RA Rural Agriculture District:

The rural agricultural (RA) district is intended to promote and protect rural residential and agricultural land uses. The standards of the RA district are designed to permit development that is compatible with existing rural character and agricultural uses while not permanently foreclosing future development options. When population growth or other forces dictate the need for conversion of land from RA to higher intensity zoning classifications, these areas may be re-evaluated and may then be rezoned to permit more intensive uses. The RA district is intended to implement and correspond to the comprehensive plan's "Rural greater than 5 acres" land use designation.

STAFF ANALYSIS

Development of the property would have to meet standards of UDC Article 2.8.1. The proposed zone change would allow single-family residential use, with limited commercial uses. The commercial uses include a farmers market, kennels, and animal training facilities. The RA district allows numerous animals, without a special use permit: Alpaca, bison, cattle, chickens, elk, emu, geese, goats, horse(s), ostrich, rabbit, sheep, and swine. One acre is required, per horse.

Section 8.7.4 of the UDC sets forth issues to be considered for a zone change request.

- **Consistency with the Comprehensive Plan:**

The 2020 Future Land Use Plan of the Farmington Comprehensive Plan recommends the subject property to be Residential Single Family Low Density (greater than or equal to 1.0 acre lot). The zone change request is a residential single-family low-density use. The RA District's primary use is single-family residential. The keeping of horses and other animal use is

- a secondary use. The RA District is consistent with the comprehensive plan.
- Compatibility of the proposed zoning and land uses with the present zoning and conforming uses of nearby property and the character of the neighborhood:

The property is surrounded on all sides by large vacant pastureland. While the zoning of the area, which is inside the City, is RE-1, the character of the area has never been developed. The lack of residential density, development, and Infrastructure conforms to the requested zone change. The subject property is rural in nature and abuts BLM property to the north, outside of city limits. The surrounding uses are compatible with the Rural Agricultural (RA) District. Zoning this property to the RA district is consistent with the character of the area.
 - Creation of adverse impacts and the ability to mitigate these impacts:

Zoning in the RA district would allow some agricultural and animal keeping uses, which may create impacts on adjoining property owners. Any uses established on the property would be subject to the operational performance standards. Animal keeping on the property is subject to Section 2.4.6 of the City of Farmington Unified Development Code, including the animal capacity for the property, and the standards of Chapter 6 of the Farmington City Code regarding animals.
 - The ability of the proposed use to be accomplished by the proposed zoning district:

The RA district requires a minimum lot size of one acre, and the subject property is 2.5 acres. Based upon the plan presented by the petitioner for the property, the RA district will give them the ability to build a residence and have some agricultural and animal keeping uses, which would otherwise require a special use permit in the RE-1 district. RA district zoning would allow the petitioners to accomplish the proposed use.
 - The suitability of the land for the proposed development:

The property is relatively level with piñon trees. The land appears to be suitable for the proposed use. In the absence of sewer fronting the property, the petitioner must obtain approval of a septic system from the New Mexico Environment Department, or find a means to connect to sewer according to City standards for any development on the property.
 - The existence of or the applicant's ability and willingness to provide adequate public facilities:

No additional public facilities are anticipated with the development of the property as presented. If so, the petitioners are responsible for the provision of these facilities.
 - Whether the proposed zoning constitutes a spot zone as defined in Article 11 of the UDC:

In Article 11 of the UDC, spot zoning is “where a particular tract within a larger area is specifically zoned so as to impose upon it restrictions not imposed upon the surrounding lands, or grant to it special privileges not granted generally, not done in pursuance of the Comprehensive Plan.” The subject zone change is consistent with the land use identified by the Comprehensive Plan and would grant the property rights for agricultural and animal keeping uses not granted by right to other properties, but allowed through an approved special use permit. In this regard, the subject zone change does not constitute a spot zone.

STAFF CONCLUSION

Staff concludes that approval of ZC 16-35 is appropriate. The Comprehensive Plan indicates Residential Single Family Low Density (greater than or equal to 1.0-acre lot) in the subject area. Both the RE-1 and RA districts require a minimum of 1 acre per lot. Both these zoning districts meet the intent of the Comprehensive Plan. The proposed residential use with agricultural and animal keeping uses is compatible with the surrounding properties, given that the uses comply with standards for such uses in the UDC and the Farmington Municipal Code.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition ZC 16-35, a request from Vera Mathews, for a zone change from RE-1 Residential Estate District to the RA Rural Agriculture District, with a variance to allow three horses on 2.5 acres of land, located at 7000 Hood Mesa Trail, subject to the following condition:

- A. Petitioner adheres to all Municipal Codes as set forth in Farmington’s City Code Chapter 6, animals.

Zoning District

Zoning Classification

- Residential estate-1
- Single-family 10
- Parcels
- Roads Labels
- FMTN City Limit

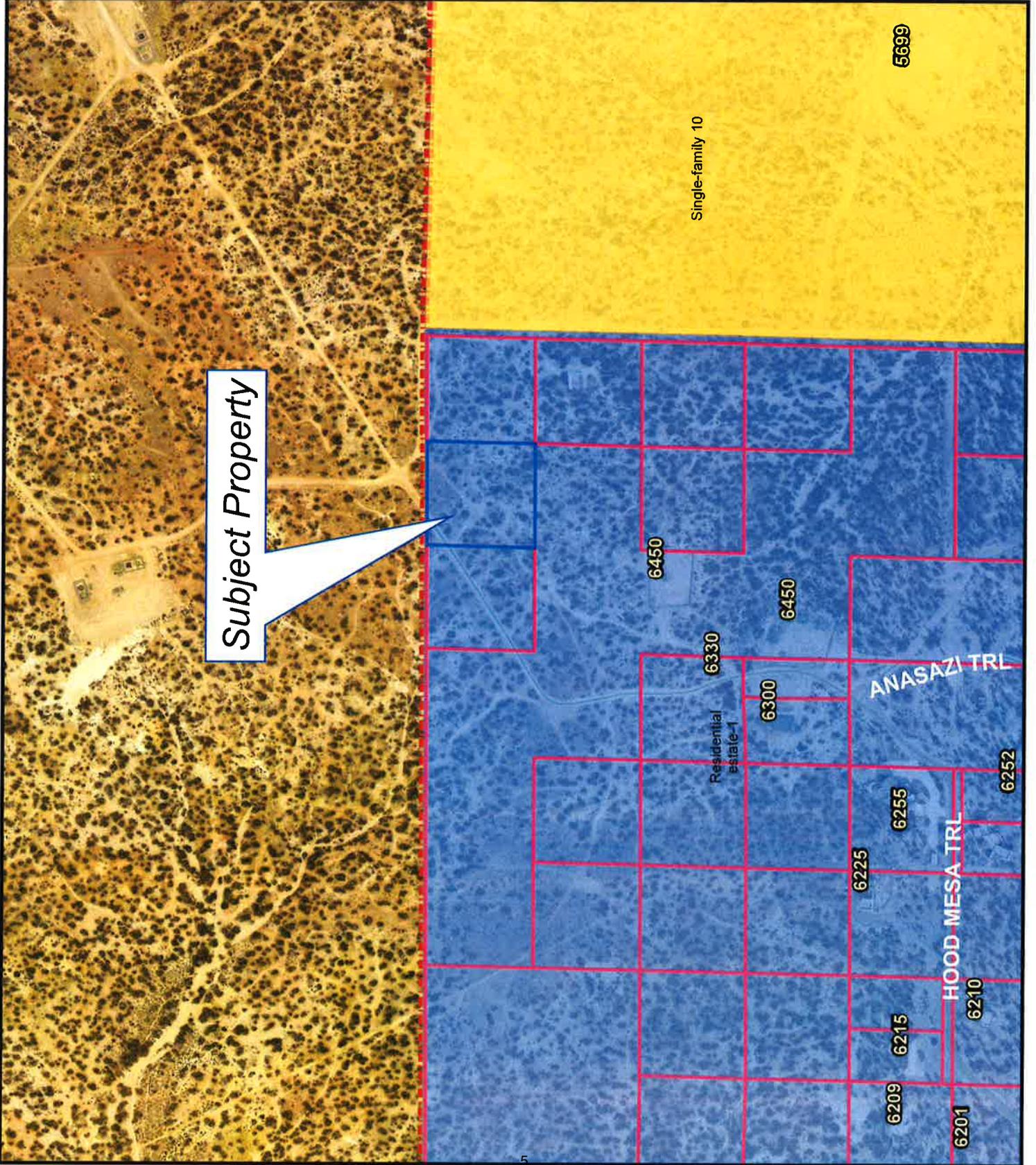


410
Feet



COMMUNITY
DEVELOPMENT
DEPARTMENT

Date: 6/2/2016

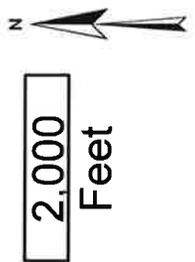


City Annexations

year

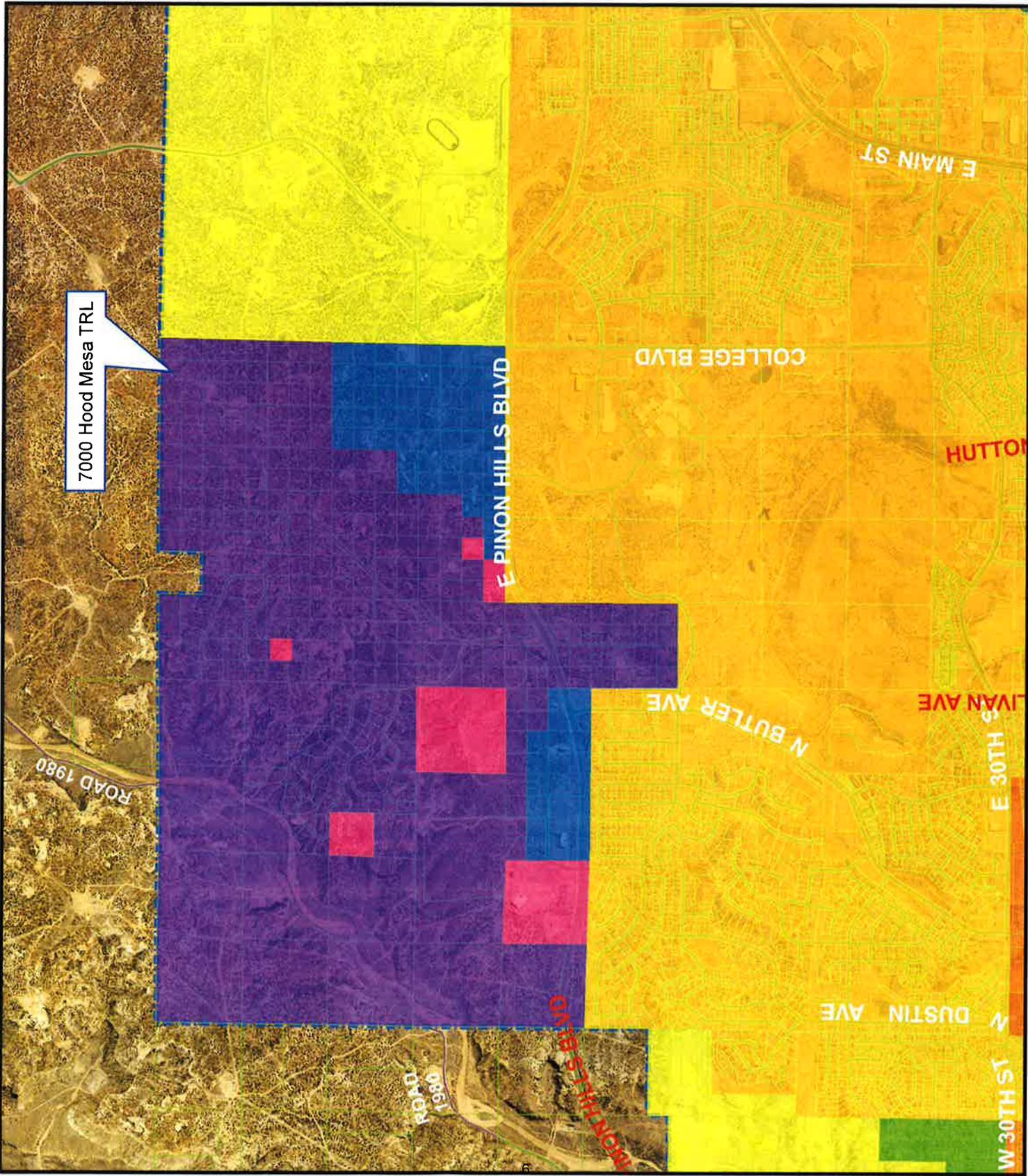
- 1948 - 1955
- 1956 - 1961
- 1971 - 1977
- 1978 - 1981
- 1987 - 1997
- 1998 - 2001
- 2002 - 2010

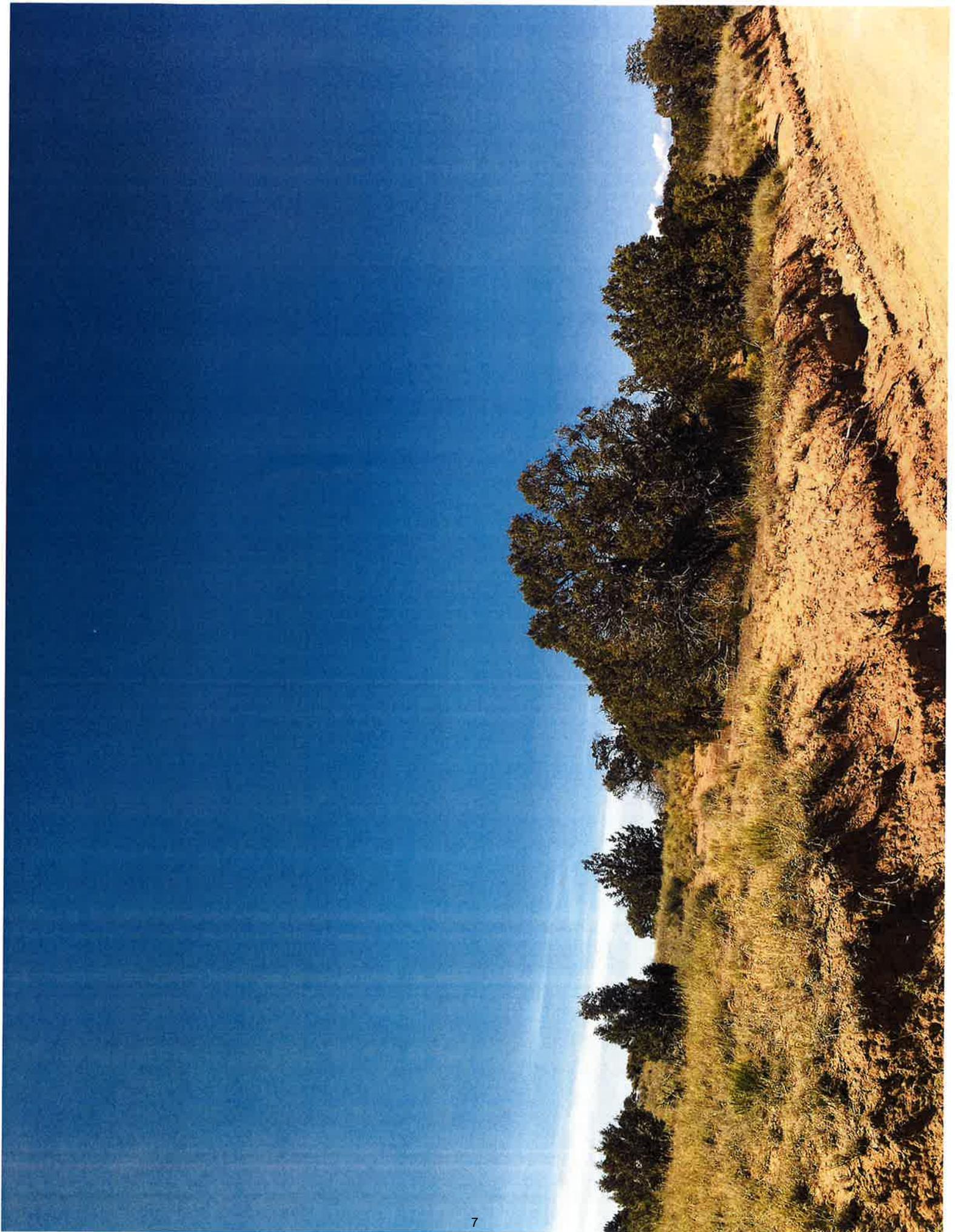
- Owner Parcels
- FMTN City Limit
- Roads Labels



COMMUNITY DEVELOPMENT DEPARTMENT

Date: 6/2/2016







PLANNING MEMO COMMENTS SUMMARY

ZC 16-35 VERA MATTHEWS-RE TO RA AND ALLOW 3 HORSES ON 2.5 ACRES

Deadline: 5/24/16

City of Farmington Departments

CD	Director	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official	Building inspection has no comment on ZC 16-35 Vera Matthews.
CD	Long Range Planner	
CD	MPO	
CD	Oil & Gas Inspector	
CITY	City Manager's Office	No comment-J. Baird
ELEC	Customer Care Manager	
ELEC	Electrical Engineering	
ELEC	T & D	
FIRE	Fire Marshall	
LEGAL	City Attorney	
LEGAL	Deputy City Attorney	
POLICE	Code Compliance	
POLICE	Sergeant	
PRCA	Director	No comment
PW	City Engineer	No engineering concerns for the zone change.
PW	Engineering	No comment
PW	Streets Superintendent	
PW	Traffic Engineer	
PW	Water/Waste Water	No comment-M. Tso

Other Entities

New Mexico Gas Company	
CenturyLink	No comment
Enterprise Field Services	
Comcast Cable	
CH2MHILL OMI	
Field Services	
Farmington School District	

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)

- Annexation / Zoning
- Preliminary Plat
- Final Plan

- Summary Plat
- Special Use Permit
- Variance (ARB)

- Zone Change to
 - Temporary Use Permit
- Proposed Length of Use:
- Well site equipment modification

INFORMATION

Applicant's Name: <u>Vera Matthews</u>	Project Location: <u>T30N R13W sec 26 NW1/4NE1/4NE1/4NE1/4</u>
Address: <u>5991 Hood Mesa Trail</u>	Existing Use: <u>Vacant land</u>
E-Mail: <u>Royal Easy L999@aol.com</u>	Proposed Use: <u>RA - to house personal horses</u>
Telephone: <u>719-320-6523</u>	Current Zoning: <u>RE</u>
Relationship to Property Owner: <u>Self</u>	Assessor's Parcel I.D. and/or Tax I.D. Number:

Legal Description of Subject Property: T30N R13W sec 26 NW1/4NE1/4NE1/4NE1/4

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: <u>Neudelt...</u>	E-Mail: <u>Royal Easy L999@aol.com</u>
Phone: <u>719320 6523</u>	Address: <u>5991 Hood Mesa Trl. Farmington, NM 87401</u>

OWNERSHIP

<p>PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)</p> <p>Name: _____ Phone: _____</p>	<p>MORTGAGE HOLDERS (If any)</p> <p>Name: _____ Phone: _____</p>
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 _____	<input type="checkbox"/> Site Plan
Date _____	<input type="checkbox"/> Ownership List (subject and surrounding properties)
Project File No. _____	<input type="checkbox"/> Legal Description
Date of Hearing/Meeting: _____	<input type="checkbox"/> Project Description

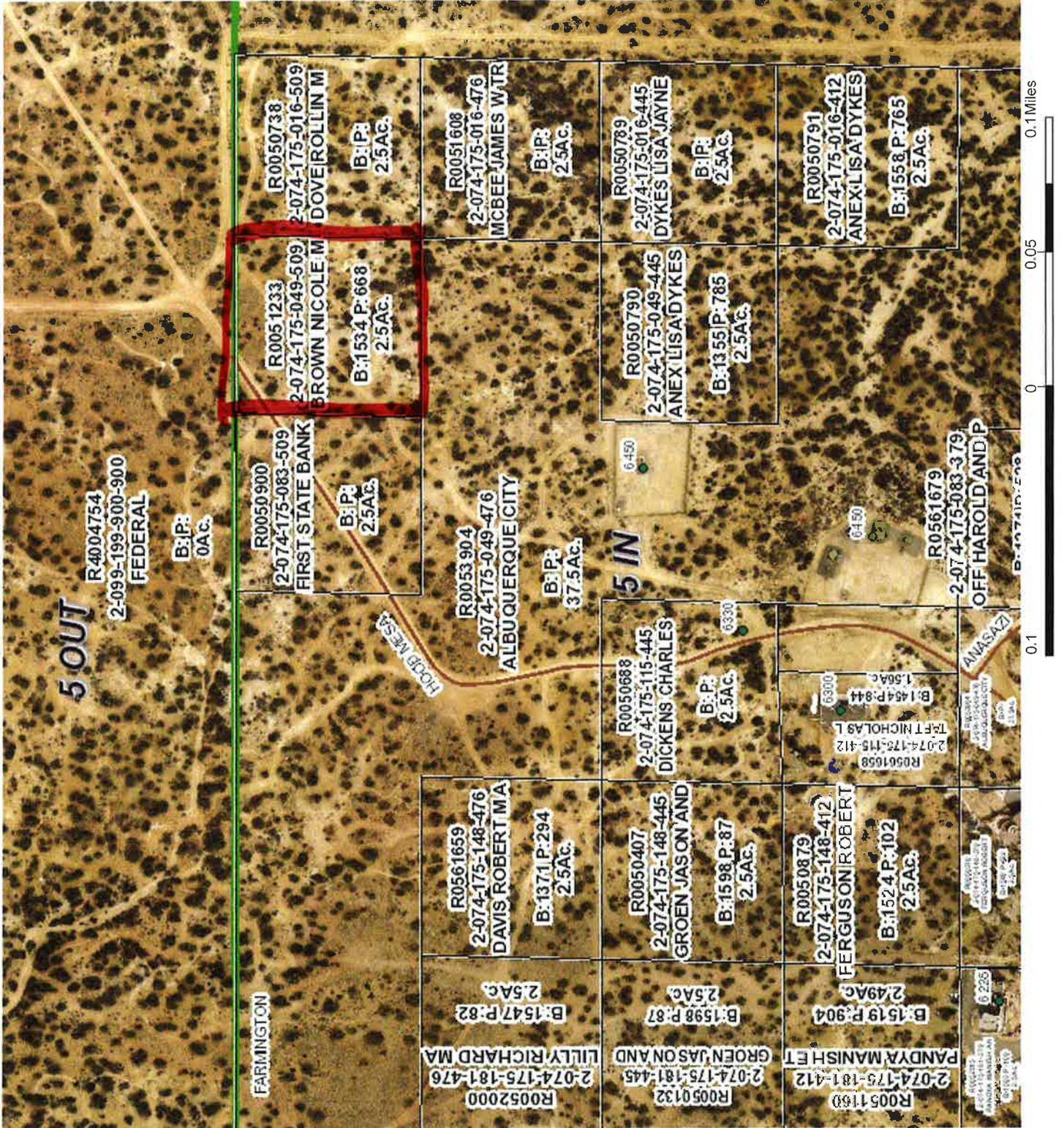
Legend

- County & City Addresses - Nur
- Searchable Parcels
- Parcels - No Labels
- Regional Highways-US
- Regional Highways-State
- City Roads
- Other Roads
- County Maintained
- Lesser County Maintained
- Navajo Route
- Oilfield Roads
- Private Roads
- Lakes
- Rivers
- Aztec City Limits
- Bloomfield City Limits
- Farmington City Limits
- School Districts
- San Juan County Bounds
- Reservation

1:2,951



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.



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. ZC 16-35 - a request from Vera Matthews for a zone change from RE-1 Residential Estate 1 to RA Rural Agriculture and a variance to allow three horses on 2.5 acres. Pursuant to UDC 11.1, a horse requires 1 acre of land. The property is 2.5 acres located at 7000 Hood Mesa Trail, in the City of Farmington, San Juan County, New Mexico, as described below:

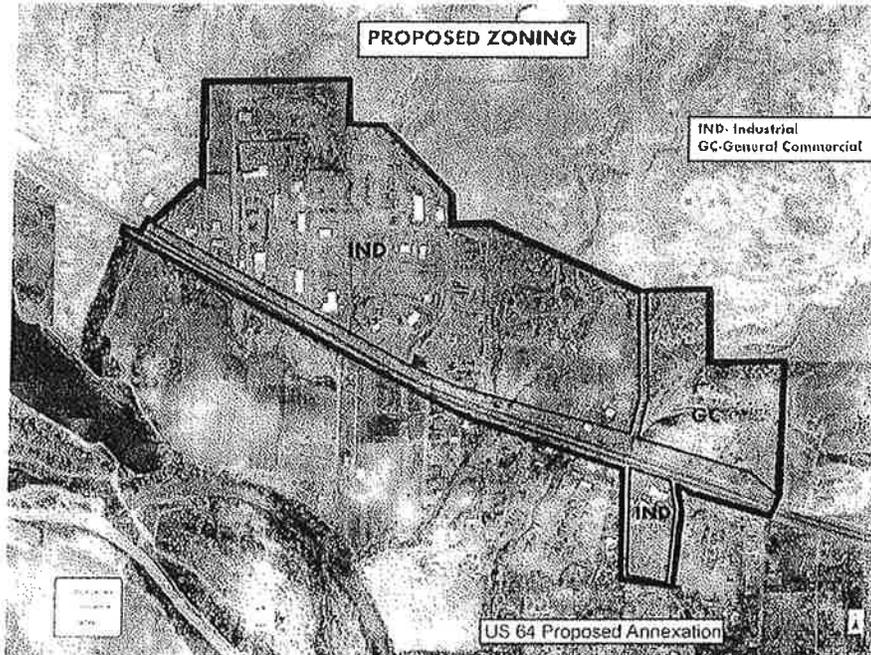
LEGAL DESCRIPTION
T29N, R13W, Sec. 26, NW1/4NE1/4NE1/4NE1/4, in the City of Farmington, San Juan County, New Mexico.
Otherwise located at 7000 Hood Mesa Trail

Petition No. ANX 16-02 - a request from the City of Farmington to consider an annexation of 235.23 acres of land located immediately east and south of the corporate boundaries of the City along the north side of US 64 from east of 1150 Madison Lane to approximately 1,310 feet east of Andrea Drive, plus 5525 US 64 which is located on the south side of US 64, as depicted in the map below and located in San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

A tract of land lying in the East one-half of the Northeast one-quarter (E1/2 NE1/4) of Section 24 T29N R13W and in Section 19 T29N R12W N.M.P.M. San Juan County, New Mexico, being described as follows:

Beginning at the Northwest corner of said Section 19;
THENCE: N88°25'48"E for a distance of 1280.16 feet along the North line of said Section 19;
THENCE: S00°36'54"W for a distance of 397.88 feet;
THENCE: S89°24'06"E for a distance of 318.08 feet;
THENCE: S44°53'02"E for a distance of 854.61 feet;
THENCE: S01°36'07"E for a distance of 283.63 feet;
THENCE: N88°06'53"E for a distance of 355.97 feet;
THENCE: S64°42'14"E for a distance of 1439.66 feet;
THENCE: N88°16'41"E for a distance of 653.98 feet;
THENCE: S00°05'05"W for a distance of 657.32 feet;
THENCE: N88°18'50"E for a distance of 655.97 feet to the East one corner of said Section 19;
THENCE: S02°03'55"W for a distance of 1431.80 feet along the East line of said Section 19 to a point on the South right-of-way line of U.S. Highway 64;
THENCE: 156.23 feet along said right-of-way around a 17,288.58 feet radius curve to the right having a central angle of 0°31'04" and a chord bearing and distance of N71°27'16"W 156.23 feet;
THENCE: N71°07'46"W for a distance of 777.95 feet along said right-of-way;
THENCE: S11°30'00"E for a distance of 227.30 feet along the Easterly right-of-way of Road 5793;
THENCE: S06°52'00"W for a distance of 686.03 feet along said Easterly right-of-way;
THENCE: S74°18'00"W for a distance of 54.78 feet;
THENCE: S06°50'27"W for a distance of 26.02 feet;
THENCE: N84°49'44"W for a distance of 362.72 feet to a point on the West right-of-way line of a road as shown on the plat of the TOWN & COUNTRY SUBDIVISION, as shown on the plat of said subdivision filed for record on March 23, 1962;
THENCE: N00°19'04"E for a distance of 1064.91 feet along said West right-of-way to a point on the South right-of-way of U.S. Highway 64;
THENCE: N71°07'46"W for a distance of 1458.07 feet along said right-of-way;
THENCE: 1064.89 feet along said right-of-way around a 5829.32 feet radius curve to the right having a central angle of 10°28'00" and a chord bearing and distance of N65°53'46"W 1063.41 feet;
THENCE: N60°39'46"W for a distance of 1664.32 feet along said right-of-way to a point on the section line common to said sections 24 and 19;
THENCE: N60°39'46"W for a distance of 659.54 feet along said right-of-way line;
THENCE: N30°06'55"E for a distance of 200.00 feet to a point on the North right-of-way of U.S. Highway 64;
THENCE: N50°47'25"E for a distance of 518.96 feet;
THENCE: N20°02'26"E for a distance of 166.06 feet;
THENCE: N02°23'53"W for a distance of 243.21 feet;
THENCE: S88°34'35"E for a distance of 36.16 feet to a point on the section line common to said Sections 24 and 19;
THENCE: N00°29'12"E for a distance of 509.84 feet along said Section line to the point of beginning.
Containing 235.23 ac.



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, June 16, 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 28, 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

Legal No. 72764 published in The Daily Times on May 29, 2016.

**NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 16-35**

May 25, 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 Vera Matthews for a zone change from RE-1 Residential Estate 1 to RA Rural Agriculture and a variance to allow three horses on 2.5 acres. Pursuant to UDC 11.1, a horse requires 1 acre of land. The property is 2.5 acres located at 7000 Hood Mesa Trail, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

T29N, R13W, Sec 26, NW1/4NE1/4NE1/4NE1/4, in the City of Farmington, San Juan County, New Mexico.

Otherwise located at 7000 Hood Mesa Trail

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, June 16, 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 28, 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 Steven Saavedra at 505-599-1282 or ssaavedra @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: **T29N, R13W, Sec. 26**
NW1/4NE1/4NE1/4NE1/4

OWNER: Matthews, Vera
5991 Hood Mesa Trail
Farmington, NM 87401
1601/253

<u>ADJOINING OWNER</u>	<u>ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
Dove, Rollin M. 384/13	6100 Gray St Arvada, CO 80003-5145	T30N, R13W, Sec. 26 NE1/4NE1/4NE1/4NE1/4
McBee, James W. Trustee 1265/420	1502 N Chaco Farmington, NM 87401-7006	T30N, R13W, Sec. 26 SE1/4NE1/4NE1/4NE1/4
City of Albuquerque 959/228	P.O Box 1293 Albuquerque, NM 87103-1293	T30N, R13W, Sec. 26 Pt. NE1/4
First State Bank 576/299	P.O Box Z Socorro, NM 87801-0479	T30N, R13W, Sec. 26 NE1/4NW1/4NE1/4NE1/4
United States of America (Federal Lands)	Attn: BLM Office 6251 College Blvd. Ste. A Farmington, NM 87402 (Per Phone Book) Note: No address in San Juan County records For United States of America	T30N, R13W, Sec. 23 Pt. SE1/4

COMMUNITY DEVELOPMENT PETITION REPORT
Staff Report
Proposed Annexation and Zoning Assignment
ANX 16-02 – Southeast of City Limits along US 64

1. PROJECT INFORMATION

Petitioner	The City of Farmington
Representative	The City of Farmington
Date of Council Direction	May 3, 2016
Requested Action	Consider Annexation and Zoning Assignment
Location and/or Legal Description	<p><u>Legal Description:</u> A tract of land lying in the East one-half of the Northeast one-quarter (E1/2 NE1/4) of Section 24 T29N R13W and in Section 19 T29N R12W N.M.P.M. San Juan County, New Mexico, being described as follows:</p> <p>Beginning at the Northwest corner of said Section 19; THENCE: N88°25'48"E for a distance of 1280.16 feet along the North line of said Section 19; THENCE: S00°36'54"W for a distance of 397.88 feet; THENCE: S89°24'06"E for a distance of 318.08 feet; THENCE: S44°53'02"E for a distance of 854.61 feet; THENCE: S01°36'07"E for a distance of 283.63 feet; THENCE: N88°06'53"E for a distance of 355.97 feet; THENCE: S64°42'14"E for a distance of 1439.66 feet; THENCE: N88°16'41"E for a distance of 653.98 feet; THENCE: S00°05'05"W for a distance of 657.32 feet; THENCE: N88°18'50"E for a distance of 655.97 feet to the East one-corner of said Section 19; THENCE: S02°03'55"W for a distance of 1431.80 feet along the East line of said Section 19 to a point on the South right-of-way line of U.S. Highway 64; THENCE: 156.23 feet along said right-of-way around a 17,288.58 feet radius curve to the right having a central angle of 0°31'04" and a chord bearing and distance of N71°27'16"W 156.23 feet; THENCE: N71°07'46"W for a distance of 777.95 feet along said right-of-way; THENCE: S11°30'00"E for a distance of 227.30 feet along the Easterly right-of-way of Road 5793; THENCE: S06°52'00"W for a distance of 686.03 feet along said Easterly right-of-way; THENCE: S74°18'00"W for a distance of 54.78 feet; THENCE: S06°50'27"W for a distance of 26.02 feet; THENCE: N84°49'44"W for a distance of 362.72 feet to a point on the West right-of-way line of a road as shown on the plat of the TOWN & COUNTRY SUBDIVISION, as shown on the plat of said subdivision filed for record on March 23, 1962; THENCE: N00°19'04"E for a distance of 1064.91 feet along said West right-of-way to a point on the South right-of-way of U.S. Highway 64; THENCE: N71°07'46"W for a distance of 1458.07 feet along said right-of-way; THENCE: 1064.89 feet along said right-of-way around a 5829.32 feet radius curve to the right having a central angle of 10°28'00" and a chord bearing and distance of N65°53'46"W 1063.41 feet; THENCE: N60°39'46"W for a distance of 1664.32 feet along said right-of-way to a point on the section line common to said sections 24 and 19; THENCE: N60°39'46"W</p>

	for a distance of 659.54 feet along said right-of-way line; THENCE: N30°06'55"E for a distance of 200.00 feet to a point on the North right-of-way of U.S. Highway 64; THENCE: N50°47'25"E for a distance of 518.96 feet; THENCE: N20°02'26"E for a distance of 166.06 feet; THENCE: N02°23'53"W for a distance of 243.21 feet; THENCE: S88°34'35"E for a distance of 36.16 feet to a point on the section line common to said Sections 24 and 19; THENCE: N00°29'12"E for a distance of 509.84 feet along said Section line to the point of beginning. Containing 235.23 ac.
Existing Land Use	The current land uses within the subject area are primarily industrial. One parcel contains residential uses. Many properties remain undeveloped. Possible future land uses would most likely include industrial and commercial.
Existing Zoning	Unincorporated San Juan County
Surrounding Zoning and Land Use	North: SF-7, (Mesa Vista) Residential; IND, Industrial; RE-20/SMHA & PD 10-01 (Bluffview Valley), Residential South: Unincorporated San Juan County East: Unincorporated San Juan County West: IND, Industrial
Notice	Publication of Notice for this public hearing appeared in the Farmington Daily Times on Sunday, May 29, 2016. The City of Farmington notified property owners whose land is included in the annexation by certified mail on Wednesday, May 25, 2016, and signs were posted on Friday, June 3, 2016.
Staff Planner	Mary L Holton, AICP, Community Development Director

2. STAFF ANALYSIS

Project Description

As indicated on the enclosed Annexation Plat, the proposed annexation area consists of 235.23 acres. A Parcel Map and a corresponding Parcel Database is enclosed for your reference. Approximately 3 housing units, or up to 8 persons reside within one (1) parcel (Parcel no. 92) located within the proposed annexation area. Approximately 20 businesses are located within the subject area, including: Farmington DTC LLC; D & L Repair; CBH Trucking; D & L Trucking; ConocoPhillips; Fesco Gravel Products; Southwest Safety Services; Arrowhead Propane; H & M Precision Products LLC; Calder Services; Bearcat Drilling; Dawn Trucking; Tefeller Inc.; Jade Sales & Service; Weatherford UBS; UNIVAR USA INC; Ferguson Express; and, Maxwell Energy Services, LLC. Staff estimates that approximately 557 jobs are located within the annexation area.

If approved, the annexation would increase the land area for the City by 1%.

The area includes approximately 40 acres of public roadway, including a portion of US 64 and all or portions of County Roads 5860, 5859, 5820, 5817, and 5793.

The subject area is located within Tier 2 of the City's Planning & Platting Jurisdiction (PPJ).

Lee Acres Water Association provides water to properties in the subject area. The City currently provides electricity and sewer to the proposed annexation area, administers

subdivision standards, assigns addresses, provides some traffic enforcement and police patrol, and provides some emergency response to the subject area.

The proposed service plan for the annexation area is below:

US 64 Annexation – Proposed Service Plan			
<u>Municipal Service</u>	<u>To Be Provided By</u>	<u>When Available</u>	<u>Where Available</u>
Water	Lee Acres Water Association	Now	
Sanitary Sewer	City of Farmington	Now	Presently available in US 64 ROW
Police	City of Farmington	Upon Annexation	
Fire and Ambulance	City of Farmington	Upon Annexation	
Solid Waste	City of Farmington	Upon Annexation	
Electric Service	City of Farmington	Now	Already located in FEUS Service Area

History of this Annexation Proposal

The City has long expressed a need for additional land to be located within the City which is suitable for industrial development. Many of the tracts located within the unincorporated area adjacent to the City’s southeast side have experienced development over the past few years. However, much of this land area remains undeveloped and would provide the City and property owners with potential opportunities for growth and development. Many of the businesses, property owners, customers, and employees in the proposed area utilize City of Farmington services, and should therefore support the City’s tax base.

Additionally, the location of the annexation area along US 64 and on the City’s far eastern side makes the area Farmington’s gateway, as well as the entryway to Farmington’s Bluffview Valley residential neighborhood. From this perspective, it is in the City’s interest to guide future growth in the area and to ensure that the area’s land use and development standards are consistent with the goals and objectives of the City.

The possible annexation of this area has been a topic of discussion for the City for at least the past 17 years. This area was designated in the City’s 2002 Comprehensive Plan as an annexation area (See Area #6 on Figure 5.1, Proposed Annexation Areas, below). The possibility of the annexation of the area along US 64 east of the City also became a topic of discussion after the City, along with San Juan County, constructed the sewer line in US 64, initially to serve McGee Park, a San Juan County facility. However, the sewer line is sized to serve the entire area. More formal discussions regarding an annexation of the approximately 2,446 acres located along both sides of US 64 to McGee Park began in April 2013.

At the City Council’s direction, staff hosted a community meeting/open house at McGee Park on May 29, 2013, to discuss the proposed annexation with the public. Advertising for the meeting was published in the Farmington Daily Times and post card invitations were sent out to all property owners. Many City departments were in attendance at this meeting with exhibits to provide information regarding City services to citizens and businesses, including the Police, Fire, Public Works, and Parks, Recreation, and Cultural Affairs Departments. A brochure on City services and benefits was given out at the meeting.

Approximately 40 persons attended that first meeting. A survey was administered at the meeting, and was additionally sent out with the brochure to the remaining property owners who did not attend the meeting. A total of 292 surveys were sent out.

On October 15, 2013, City Council directed staff to conduct additional community outreach, including holding a second public meeting and redistributing the annexation receptiveness survey (enclosed) to ensure that all property owners in the entire area were contacted and were given the opportunity of providing input regarding a possible annexation.

At the same meeting, the City Council also directed staff to prepare annexation studies for two (2) smaller subset areas. The first area, referred to as Area 1, consisting of the approximately 230+ acres that include the land area between the current boundaries of the City to just east of Andrea Drive plus the ConocoPhillips site on the south side of US 64. The second area was referred to as Area 2, consisting of approximately 515 acres, including Area 1 plus the remaining parcels on the north side of US 64 to CR 350 minus some of the larger BLM-owned tracts in the eastern portion.

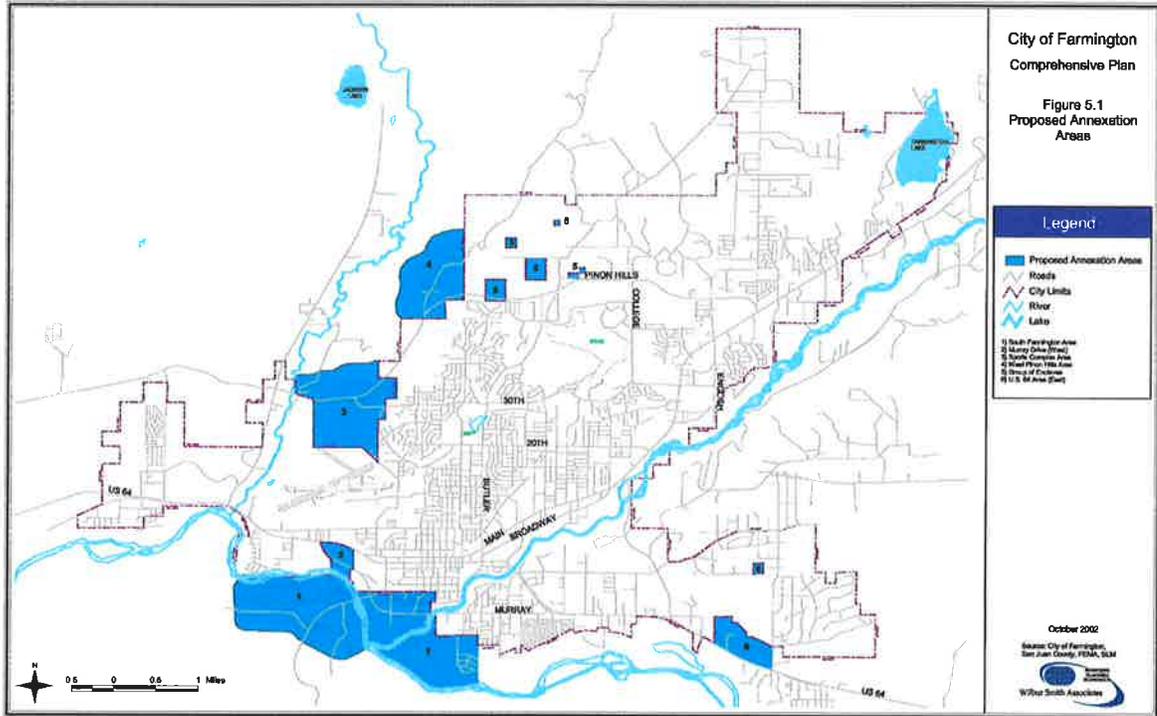
On October 21, 2013, the surveys were sent to those property owners who did not respond to the first survey distribution. Staff hosted a second open house at McGee Park on December 2, 2013. Advertising for the meeting was published in the Farmington Daily Times and post card invitations were sent out to all property owners. Approximately 30 persons attended this open house. The annexation receptiveness surveys were distributed and collected at this meeting, as well.

Staff reported on the additional annexation studies and the results of the annexation receptiveness surveys to the City Council on March 18, 2014. The survey for this subject area, Area 1, indicated that 40% of the owners were open or receptive to annexation. This survey had a 58% response rate. The City Council directed staff to proceed with contacting property owners in Area 1 to request that they sign the annexation petition.

Staff hosted a third open house on September 29, 2014, at Mesa View Middle School. Advertising for the meeting was published in the Farmington Daily Times and post card invitations were sent out to all property owners and businesses. Approximately 20 persons attended this open house. The annexation receptiveness surveys were distributed and collected at this meeting, as well. Staff continued discussing the proposal with property owners. A report on the status of collecting signed petitions is provided below.

More recently, staff discussed this proposal with the City Council during their strategic planning session on May 3, 2016. At that time, staff was directed to proceed with continuing to collect petitions from property owners while developing a petition to submit to the Municipal Boundary Commission. If sufficient petitions were to be attained, staff would proceed with the Petition Method. If not, staff would return to the City Council for the necessary approvals for the petition to be submitted to the Municipal Boundary Commission.

For additional information on annexation methods, please see “The Three Methods of Annexation in New Mexico,” enclosed.



Current Status of the Annexation Petition

The following information provides the current status of the annexation petition using that annexation method:

**Properties within the US 64 Annexation Area –
Property Owners Who Have Signed Annexation Petitions
May 19, 2016**

Map Reference No.	Owner	Verified Acres
73	Carl & Donna Rhames	3.5441
76	Farmington DTC LLC	4.8798
77	Farmington DTC LLC	9.3865
80	CLM Properties Inc.	5.2193
82	Z-C, Inc.	4.0800
83	Farmington DTC LLC	0.9167
84	Aspen Properties	0.9163
86	Farmington DTC LLC	2.0176
90	Farmington DTC LLC	15.1694
95	Animas Valley Land and Water Co LLC	24.7909
204*	ConocoPhillips Company*	0.1733
205*	ConocoPhillips Company*	7.6189
Subtotal		78.7128

*Signatures on Water/Sewer Service Agreements agreeing to be annexed.

Total Land Area currently proposed in this Annexation is 235.23 acres. A minimum of 50.001% of the land area, whose owners have signed an annexation petition, or 117.6173 acres, would be needed to proceed with the Petition Method.

78.7128 acres represents 33.462% of 235.23 acres

Staff continues to discuss signing the annexation petition with various property owners. The BLM has been contacted as well, as NMSA §3-7-4 will only allow annexation of land owned by the federal government if the federal agency consents to the annexation. We should be receiving the BLM's response for Parcel nos. 134 and 135 soon. While the BLM has consented to previous annexations, if they do not consent here, the annexation plat will need a revision to delete the parcels.

If there are any changes after the distribution of this staff report, an update will be provided at the Commission's Meeting.

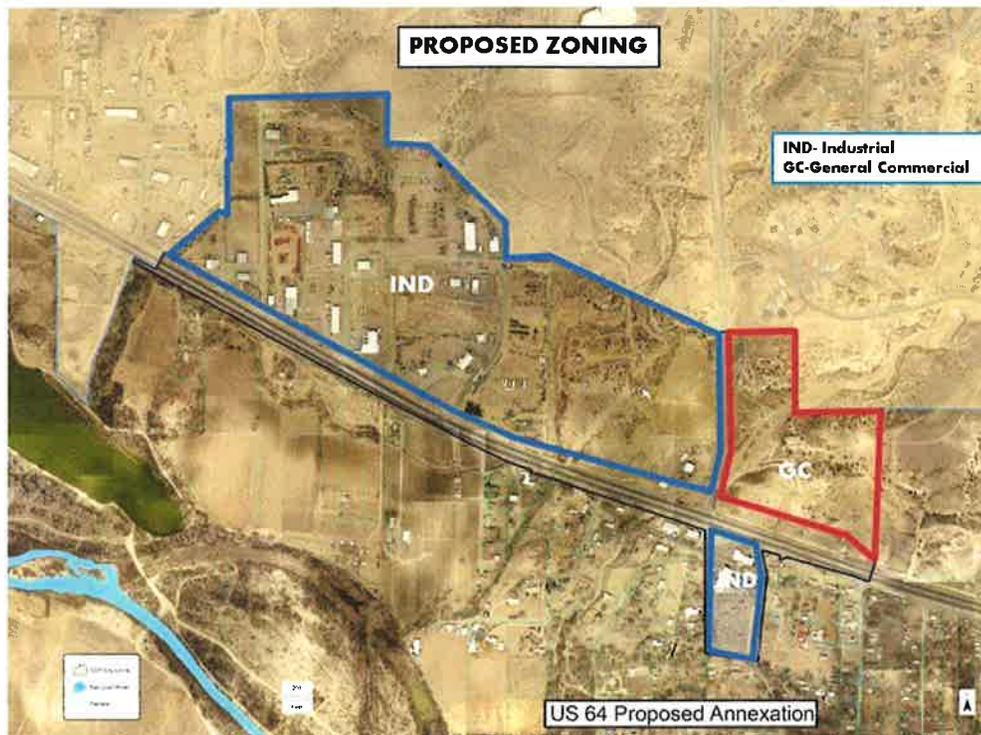
Municipal Boundary Commission Annexation Method

A memo prepared by Jennifer Breakell, City Attorney, that explains the statutory requirements of this annexation method, is enclosed. It is noted that the City of Farmington successfully utilized this annexation method in 1984 to annex 1179.1 acres in the Peninsula Area (east of the Confluence), and contemplated using it in 1999-2000 to annex Bluffview Valley. The City of Bloomfield was also successful at utilizing this method in late 2013 when it annexed 6,775 acres.

Proposed Assigned Zoning Districts

The proposed zoning map for the annexation area is below. Staff has worked closely with property owners in developing the zoning proposal. The zoning preferences made by those owners who have signed the annexation petition are reflected in the proposal. Any changes resulting from on-going discussions with property owners will be provided to the Commission during the meeting.

Additionally, the land use recommendations provided by Figure 4.2, 2020 Future Land Use Plan from the City's Comprehensive Plan (enclosed), as well as consideration of existing zoning in adjacent districts already in the City were factored into the proposal.



STAFF ISSUES

Issues identified here relate to the technical review of the annexation plat map and/or the proposed service plan. Review comments relating to the potential impacts of the annexation were part of the cost-benefit analysis, which is enclosed. Staff comments relating to the development of individual parcels will be conducted and provided as part of a development review (i.e., rezone petitions; subdivision petitions; building permits; etc.) for those individual parcels at the time of those reviews.

Luwil Aligarbes, Senior Distribution Engineer / Farmington Electric Utility, laligarbes@fmtn.org, 505-599-8321

The proposed area in Petition ANX 16-02 is currently served by Farmington Electric Utility System (FEUS). Annexation will not affect load change on FEUS electrical system. If in the future this area will be developed, the FEUS is ready to serve the additional electrical load as substation capacity permits.

Toni Sitta, Associate Project Engineer / Public Works Department, tsitta@fmtn.org, 505-599-1399

I plotted the legal description as shown on the Annexation Plat and checked it against the graphical description of the survey. The closure error distance for the surveyed plat and legal description is within NMED Survey Regulation Tolerances (Accuracy) per 12.8.2.16 NMAC for an Urbanized area.

3. CONCLUSION

The Community Development Department concludes that approval of this annexation request is appropriate. The City's Comprehensive Plan, adopted in 2002, identified this area for annexation. Annexation of this area would provide both the City and property owners with opportunities for growth and development, and would ensure businesses, property owners, customers, and employees in the area who utilize City of Farmington services support the City's tax base.

Additionally, the annexation would ensure that the City guides the future growth in the area while ensuring that the area's land use and development standards are consistent with the goals and objectives of the rest of the City. The annexation would also provide the City the ability to protect its eastern gateway and the entrance to a residential neighborhood already located in the City. Furthermore, the cost-benefit analysis indicates that the projected short-term and long-term costs can be absorbed by current departmental budgets and the projected increase in revenues.

4. RECOMMENDATION

The Community Development Department recommends **approval** of Petition ANX 16-02, a request from the City of Farmington for the annexation and future zoning of 235.23 acres located southeast of the present municipal boundaries of the City of Farmington along US 64.

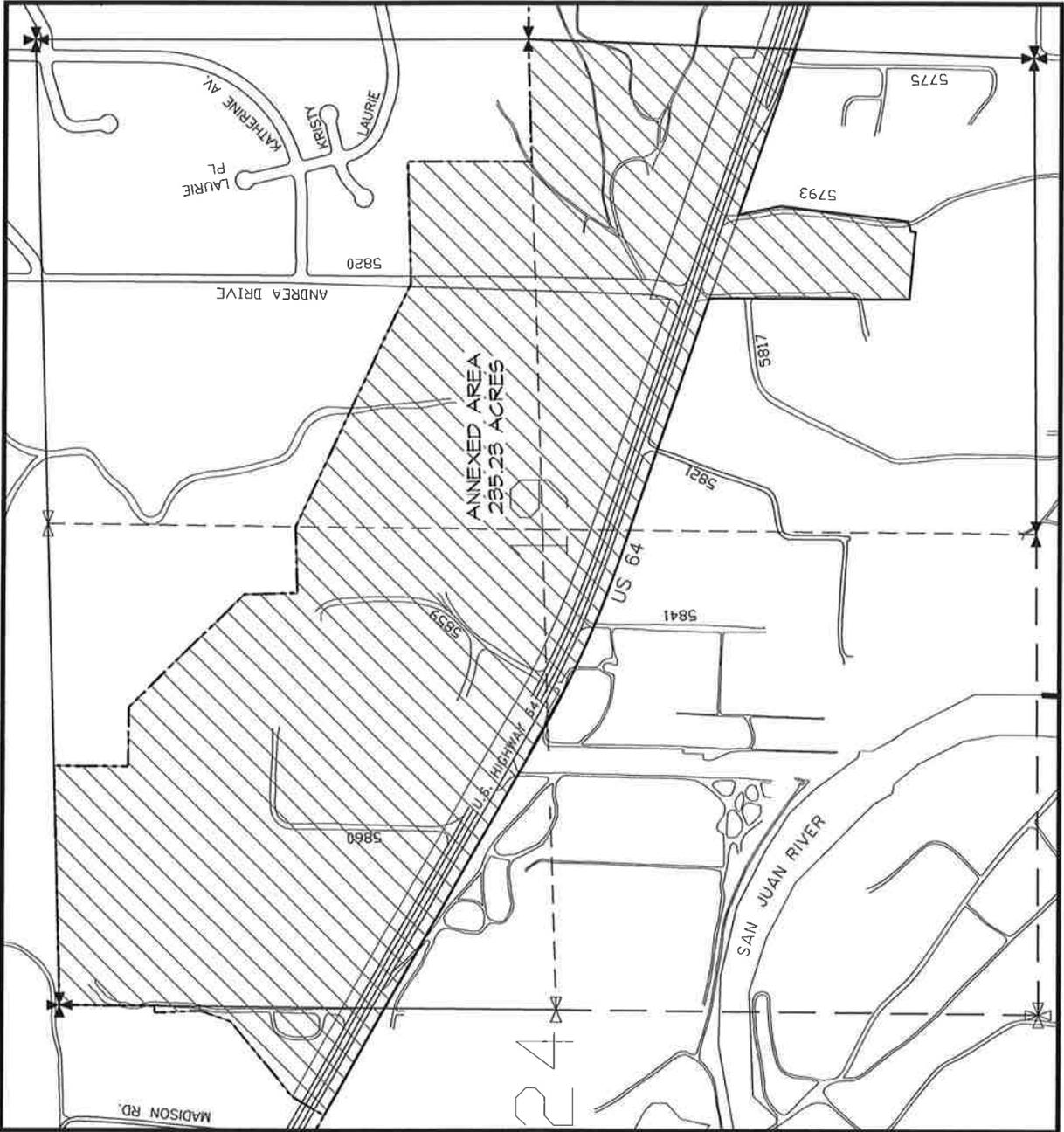
When developing their recommendation, the Commission should direct staff to continue to proceed with the Petition Method at this time, and if a sufficient acreage of petitions is not attained prior to the City Council meeting, the Commission should recommend that the City Council authorize the Mayor and City Clerk to sign the Municipal Boundary Commission petition, and direct staff to submit it as directed by the City Council.

ANNEXATION PLAT
of lands lying in the
E1/2 NE1/4 of Section 24, T29N R13W and
Section 19 T29N R12W N.M.P.M.
San Juan County, New Mexico

ORDINANCE NO. _____
ADOPTION DATE: _____
ORDINANCE BOOK _____ PAGE _____

LEGAL DESCRIPTION

A tract of land lying in the East one-half of the Northeast one-quarter (E1/2 NE1/4) of Section 24, T29N R13W and in Section 19 T29N R12W N.M.P.M. San Juan County, New Mexico, is described as follows:
Beginning at the Northwest corner of said Section 19;
THENCE: N89°25'48"E for a distance of 1280.18 feet along the North line of said Section 19;
THENCE: S00°00'00"W for a distance of 397.68 feet;
THENCE: S89°24'06"E for a distance of 318.09 feet;
THENCE: S44°53'02"E for a distance of 854.61 feet;
THENCE: N89°06'53"E for a distance of 355.97 feet;
THENCE: S84°43'14"E for a distance of 1438.86 feet;
THENCE: S00°00'00"W for a distance of 1720.32 feet;
THENCE: N89°15'05"E for a distance of 653.57 feet in the East one-half of said Section 19 to a point on the South right-of-way line of U.S. Highway 64, said right-of-way being a 1720.32 foot radius curve to the right having a central angle of 0°30'04" and a chord bearing and distance of N72°16'16"W 562.23 feet;
THENCE: N70°14'49"W for a distance of 777.95 feet along said right-of-way;
THENCE: S17°30'00"E for a distance of 227.30 feet along the Easterly right-of-way of Road 5793;
THENCE: S04°32'00"W for a distance of 686.03 feet along said Easterly right-of-way;
THENCE: S74°00'00"W for a distance of 54.78 feet;
THENCE: N84°48'44"W for a distance of 362.72 feet to a point on the West right-of-way line of a road shown on the plat of the San Juan River and the San Juan River Irrigation Application filed for record on March 23, 1982;
THENCE: N00°19'04"E for a distance of 1064.91 feet along said West right-of-way to a point on the South right-of-way of U.S. Highway 64;
THENCE: N70°14'49"W for a distance of 1469.07 feet along said right-of-way;
THENCE: N60°39'46"W for a distance of 529.32 feet along said right-of-way around a 529.32 foot radius curve to the right having a central angle of 0°30'04" and a chord bearing and distance of N65°25'46"W 1063.41 feet;
THENCE: N60°39'46"W for a distance of 1664.32 feet along said right-of-way to a point on the section line common to said Sections 24 and 19;
THENCE: N60°39'46"W for a distance of 659.54 feet along said right-of-way;
THENCE: N00°00'00"E for a distance of 200.00 feet to a point on the North right-of-way of U.S. Highway 64;
THENCE: N00°00'00"E for a distance of 588.06 feet;
THENCE: N02°25'55"W for a distance of 243.21 feet;
THENCE: S88°54'38"E for a distance of 361.6 feet to a point on the section line common to said Sections 24 and 19;
THENCE: N00°29'12"E for a distance of 508.84 feet along said Section line to the point of beginning.
Containing 235.23 ac



VICINITY MAP

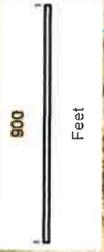
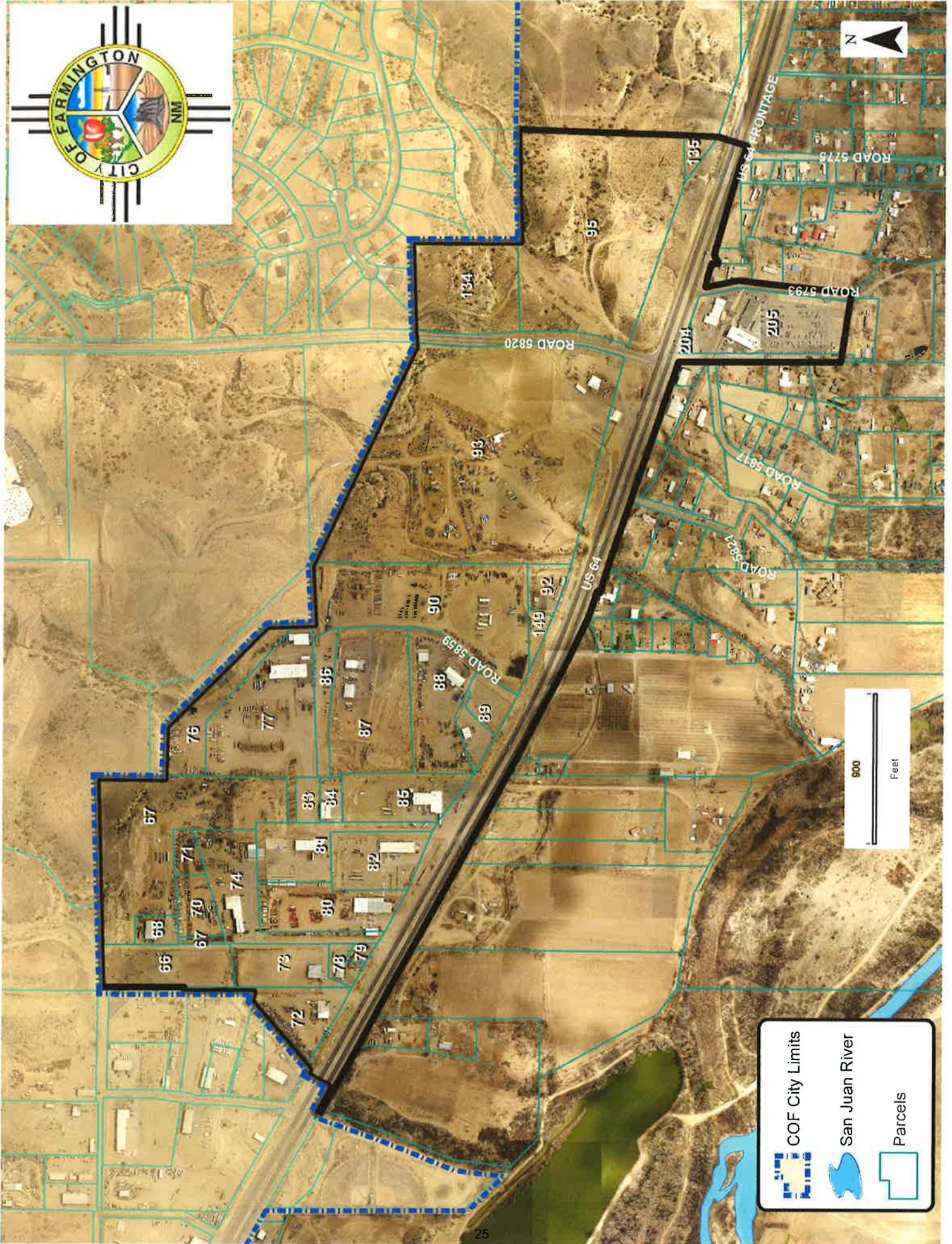


CERTIFICATION
I, George T. Walters, a New Mexico Professional Surveyor, certify that I conducted said and related surveys for the purposes and in the manner and to the effect herein set forth, and that this Boundary Survey Plat meets the Minimum Standards for Surveying in New Mexico, including Tract and is not a land division or subdivision as defined in the New Mexico Subdivision Act.

George T. Walters
Professional Land Surveyor No. 8159
State of New Mexico
Date _____

DATE OF FIELD WORK: 03/2016
ISSUE DATE: 03/23/2016 - CRT
PROJECT: 03/2016
FILE: C:\D:\DWG-GR\T\2016\GR\T\64\35\16-435.dwg
130 N. WILSON - TAMARACK, NEW MEXICO 87401 - (505) 837-3383





COF City Limits

San Juan River

Parcels

The legend contains three items: a blue dashed line representing "COF City Limits", a blue irregular shape representing "San Juan River", and a cyan outline representing "Parcels".

Proposed US 64 Annexation - Parcel Database - May 2016						
Map Number	Acct. Type	Owner	Location, Address	Tax Assessor Parcel Number or ROW	Land Use/Business	Area In Acres - Tax Assessor
66	Vacant Land	State of New Mexico, San Juan County	Various	ROW	Roadway	40.3860
67	Vacant Land	Cecil & Dorothy Daniel Trust	Monroe Drive	2072170513488	Parking, outdoor storage	4.6900
68	Commercial	Leonard C. Jones	N/A	2072170447485 (2 parcels)	Well site, parking, outdoor storage	14.9600
70	Vacant Land	Bear Cat Drilling LLC	5426 US 64	2072170491492	D & L Repair	1.0000
71	Vacant Land	Bear Cat Drilling LLC	US 64	2072170450473	Outdoor storage	2.0000
72	Commercial	Cecil & Dorothy Daniel Trust	5418 US 64	2073170016408	Bumper to Bumper Salvage	3.8820
73	Commercial	Carl & Donna Rhames	5422 US 64	2072170506422	CBH Trucking, D & L Trucking	3.5441
74	Commercial	Bear Cat Drilling LLC	5424 US 64	2072170462444	Bearcat Drilling	5.2370
76	Vacant Land	Farmington DTC LLC	18 Road 5860	2072170374472	Cell tower, outdoor storage	4.8796
77	Commercial	Farmington DTC LLC	16 Road 5860	2072170363426	Dawn Trucking	9.3865
78	Commercial	Neil and Billie M. Tefeller	X US 64	2072170513410	Tefeller Inc.	0.8654
79	Commercial	Tefeller Inc.	5420 US 64	2072170506375	Lada Sales & Service	0.3880
80	Commercial	CLM Properties Inc.	298 US 64	2072170477396	Weatherford UBS	5.2193
81	Commercial	La Roche LR	15 Road 5850	2072170448418	UNIVAR USA INC	4.5400
82	Commercial	Z-C Inc.	5440 US 64	2072170451375	Ferguson Express	4.0800
83	Vacant Land	Farmington DTC LLC	Road 5860	2072170414398	Undeveloped	0.9167
84	Commercial	Aspen Properties	14 Road 5860	2072170414385	MVCI Energy Services	0.9163
85	Commercial	Amarillo Diamond LTD	5444 US 64	2072170411356	Roberts Truck Center	4.9974
86	Vacant Land	Farmington DTC LLC	Road 5860	2072170351388	Undeveloped	2.0176
87	Commercial	Maxwell Energy Services, LLC	17 Road 5859	2072170349364	H & M Precision Products LLC	10.0472
88	Commercial	Henry B. Jr. and Shannon L. Monk Trust	7 Road 5859	2072170350324	Calder Services	6.0842
89	Commercial	Jerry & Judy Neely	3 Road 5859	2072170333289	Arrowhead Propane	1.5600
89	Commercial	Jerry & Judy Neely	5 Road 5859	2072170351298	Southwest Safety Services	1.1500
90	Vacant Land	Farmington DTC LLC	Road 5859	2072170283330	Outdoor storage	15.1894
92	Res. Mix	Brandon Stafford	5496 US 64	2072170272255	Residential - Three (3) DUs	1.3200
93	Commercial	Walter H. Bump, et al	5510 US 64	2072170203305	Fesco Gravel Products	43.1600
95	Vacant Land	Animas Valley Land and Water Co LLC	Andrea Drive	2072170069234	3 well sites, undeveloped (rough terrain)	24.7909
134	Vacant Land	Federal	US 64	2099199900900	Undeveloped (rough terrain)	7.9200
135	Vacant Land	Federal	US 64	2099199900900	Undeveloped (rough terrain)	0.6800
149	Res. Mix	Thomas F. and Evelyn H. Kerby Trust	5471 US 64	2072170354197	Undeveloped	0.6600
204	Commercial	ConocoPhillips Company	US 64	2072170110125	Parking	0.1733
205	Commercial	ConocoPhillips Company	5525 US 64	2072170120166	ConocoPhillips Offices	7.6189
TOTAL						235.2300

**CITY OF FARMINGTON
ANNEXATION PROPOSAL SURVEY**

Are you an owner of property located between Farmington and County Road 350 or County Road 5500? (Please circle one)

Yes No

What is your name, and the address of the property you own?

How receptive are you to having your property annexed by the City of Farmington? (Please circle one)

Yes Open to it Don't care Not receptive No

Would you like to discuss the proposal further? (Please circle one)

Yes No

If so, please list the best way for us to contact you below:

Thanks for letting us know!

THE THREE METHODS OF ANNEXATION IN NEW MEXICO*

Arbitration Method

If the City Council desires to annex contiguous territory, it may, by resolution, declare that the benefits of municipal government are or can be made available within a reasonable time to the territory proposed to be annexed and that it desires to annex such territory. A copy of the resolution with a copy of a plat of the territory proposed to be annexed must be filed with the San Juan County Clerk.

After the adoption of the resolution and the filing of the plat, a seven-member board of arbitration must be created. Three members are elected from the territory proposed to be annexed. These members must be property owners of land within the territory and must live in the territory. The election must take place within two months of the filing of the resolution and plat. An additional three members are appointed by the City Council prior to the election of the first three members. The appointed members must live within the City and be property owners of land located within the City. The remaining one member is selected by the six-member board of arbitration after the election. The seventh member cannot live or own land located within the territory or the City, but must live and own land within San Juan County.

The expense of the election would be paid by the City of Farmington.

If the Board is unable to select the seventh member, the District Court would appoint that member. After all members of the Board have been selected, they meet to elect a chairman and begin holding meetings upon the call of the chairman. The Board is charged with determining if the benefits of the government of the municipality are or can be available within a reasonable time to the territory proposed to be annexed. The Board may investigate as it may deem advisable in order to obtain information and data as to the availability of the benefits of the municipal government and may require the City Council to furnish it with any records pertaining to the benefits. The cost of the investigation would be paid by the City of Farmington.

Determination by a majority of the seven members of the board of arbitration must be made within 60 days after the selection of the seventh member, and is final. If a majority of the members of the Board determine that the territory should not be annexed, the City Council cannot proceed further and cannot pass any other resolution seeking to annex the territory for a period of two years. If a majority of the members of the Board determine that the territory or a portion should be annexed, it will certify such by signatures of the board members to the Farmington City Clerk, the San Juan County Clerk, the NM Secretary of Finance and Administration and the NM Secretary of Taxation and Revenue.

Thereafter, the annexation shall be deemed complete as to the territory certified as proper to be annexed. The City of Farmington would then need to pass an ordinance, consistent with law, which would effectuate the terms of the annexation.

*General information is presented here. State Statutes should be consulted for timing and specific steps.

Boundary Commission Method

The New Mexico Municipal Boundary Commission, a standing commission appointed by the Governor, reviews requests when a municipality or a majority of landowners of the territory petition the commission to annex a territory of land to a municipal boundary. Legal counsel for the Commission is provided by the State Attorney General's Office, and administrative staff support is provided by the Department of Finance and Administration, Local Government.

The members of the Commission are paid as provided in the Per Diem and Mileage Act by the municipality if the municipality petitions the municipal boundary commission to annex territory to the municipality; or a majority of the landowners who petition the municipal boundary commission to annex territory to the municipality and the municipal boundary commission orders the territory annexed to the municipality; or by the landowners who petition the municipal boundary commission to annex the territory to the municipality, if the municipal boundary commission does not order the territory annexed to the municipality.

After receipt of a petition, the secretary to the Commission calls a meeting of the Commission. This meeting to consider the petition must occur within sixty days of the receipt of the petition. The secretary to the Commission publishes a notice, of a public hearing on the petition, once each week for four consecutive weeks, with the last publication being at least twenty days before the day of the hearing. The notices must contain the date when the meeting of the Commission is scheduled, the place of the meeting and a general description of the boundary of the territory petitioned to be annexed to the municipality.

The Commission must meet in the municipality to which the territory is proposed to be annexed and shall hold a public hearing on the question of annexing to the municipality the territory petitioned to be annexed.

At the public hearing held for the purpose of determining if the territory proposed to be annexed to the municipality shall be annexed to the municipality, the Commission must determine if the territory proposed to be annexed is contiguous to the municipality and whether it can be provided with municipal services by the municipality to which the territory is proposed to be annexed. If the Commission determines that the conditions are met, the commission orders that the territory be annexed to the municipality.

If the Commission determines that only a portion of the territory petitioned to be annexed meets the conditions, the commission may order that portion to be annexed to the municipality.

If the Commission determines that the conditions are not met, the commission will not order the annexation to the municipality of the territory petitioned to be annexed.

Any order of the Commission shall be final unless any owner of land within the territory proposed to be annexed, within thirty days after the filing of the final order in the office of the San Juan County Clerk and the office of the City Clerk, is granted a review of the order by the District Court.

*General information is presented here. State Statutes should be consulted for timing and specific steps.

Within ten days after the Commission makes its determination, the Secretary of the NM Department of Finance and Administration shall file certified copies of the order of the Commission in the Office of the City Clerk of the municipality to which the territory has been petitioned to be annexed and in the Office of the County Clerk. The Secretary is to also transmit a copy of the order to the NM Secretary of Taxation and Revenue.

If the Commission orders the annexation of territory to a municipality, the annexation shall be complete after the filing of certified copies of the order.

Petition Method

This method is initiated by the filing of a petition:

- (1) That seeks the annexation of territory contiguous to the municipality; and,
- (2) Is signed by the owners of a majority of the number of acres in the contiguous territory; and,
- (3) Is accompanied by a map that shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the municipality; and
- (4) Is presented to the City Council.

The City Council must, by ordinance, express its consent or rejection to the annexation of such territory within 60 days of receiving the petition.

If the ordinance consents to the annexation of the contiguous territory, a copy of the ordinance, with a copy of the plat of the territory so annexed, shall be filed in the office of the San Juan County Clerk. After the filing, the contiguous territory is part of the City. The City Clerk must also send copies of the ordinance annexing the territory and of the plat of the territory so annexed to the NM Secretary of Finance and Administration and to the NM Secretary of Taxation and Revenue.

Within thirty days after the filing of the copy of the ordinance with the San Juan County Clerk, any person owning land within the territory annexed to the municipality may appeal to the district court questioning the validity of the annexation proceedings. If no appeal to the district court is filed within thirty days after the filing of the ordinance or if the court renders judgment in favor of the municipality, the annexation shall be deemed complete.

INTEROFFICE MEMORANDUM

To: Mayor and Council

From: Jennifer N. Breakell

Date: May 31, 2016

Re: Annexation- Boundary Commission Process

The purpose of this memo is to explain the Boundary Commission process for the annexation of U.S. 64 property.

A petition for annexation can be submitted to the Commission by a municipality or a majority of the landowners of the territory proposed for annexation. (Sec. 3-7-11, NMSA 1978). The Municipal Boundary Commission ("Commission") consists of three members appointed by the governor, one of which is an attorney licensed to practice law in New Mexico and two from differing political parties. The members must be from separate counties. The municipality pays the Boundary Commission fees if the municipality petitions or the landowners successfully petition. If the landowner's petition fails, the landowners pay the Commission fees.

Pursuant to Sec. 3-7-13, NMSA 1978:

"A. The petition shall:

- (1) describe the territory proposed to be annexed;
- (2) be signed by;
 - (a) the mayor and clerk of the municipality; or
 - (b) a majority of the landowners of the territory proposed to be annexed; and
- (3) be accompanied by a map of the territory proposed to be annexed which shall show:
 - (a) the external boundary of the territory proposed to be annexed;
 - (b) any federal, state or county highways which may exist in the territory proposed to be annexed; and
 - (c) the relationship of the territory proposed to be annexed to the existing boundary of the municipality.

B. The petition shall be filed with the department of finance and administration."

The Commission must meet within 60 days of receipt of the petition. The Commission secretary must publish notice of a public hearing once a week for 4 consecutive weeks with the last publication being at least 20 days before the hearing. The meeting must take place in the municipality to which the territory is proposed to be annexed and "shall hold a public hearing on the question of annexing to the municipality the territory petitioned to be annexed." (Sec. 3-7-14, NMSA 1978).

At the meeting, the Commission must determine if the territory to be annexed:

“(1) is contiguous to the municipality; and

(2) may be provided with municipal services...” (Sec. 3-7-15(A), NMSA 1978).

If the conditions are met, the Commission shall order the annexation. If the Commission determines only a portion of the conditions are met, it **may** order annexation of only that portion of the territory that meets the conditions. If the Commission determines the conditions are not met, the Commission **shall not** order the annexation [emphasis added] (Sec. 3-7-15(B), (C), and (D), NMSA 1978).

Any order of the Commission is final unless any owner of property within the territory proposed to be annexed, within 30 days of the filing of the order with the offices of the county and municipal clerks, obtains a review of the order by the district court. (Sec. 3-7-15(E), NMSA 1978).

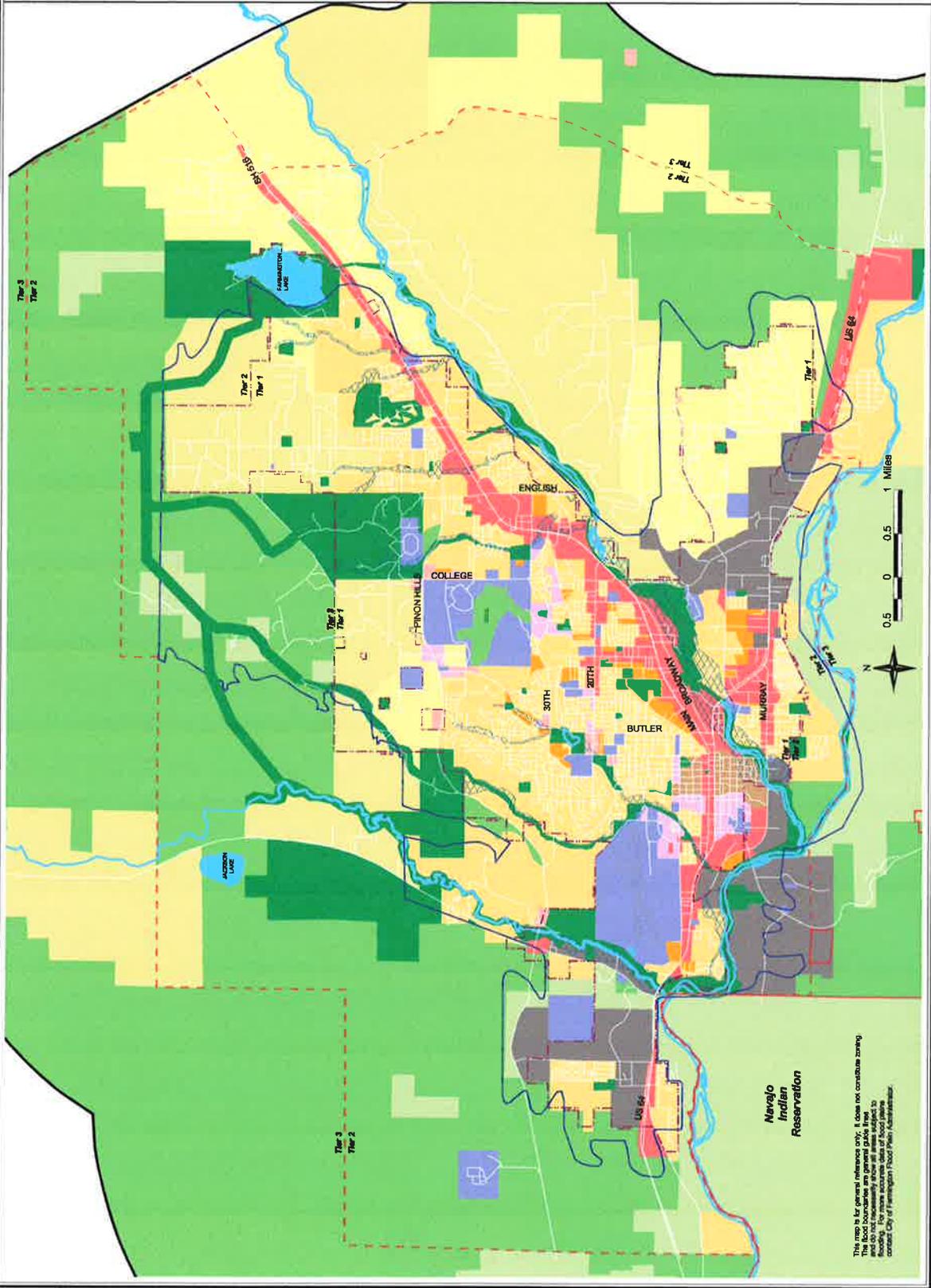
Should you have any questions please do not hesitate to contact me.

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, Wilbur Smith Associates

This map is for general reference only. It does not constitute zoning. The flood boundaries are general guide lines. For more information on flood plain boundaries, for more information on flood plain boundaries, contact the City of Farmington Flood Plain Administrator.

**Summary of Estimated and Projected Costs and Revenues
Proposed US 64 East Annexation
235.23 Acres**

Immediate to Short-Term Impacts		
	Expenditures	Revenues
Fiscal Impacts to City Departments		
Annual Costs	\$137,593	
Capital/One-Time Costs	\$151,436	
Annual Property Tax Collection		\$9,202
Annual Gross Receipts Tax Collection (estimated)		\$630,000

Long-Term Impacts		
	Expenditures	Revenues
Fiscal Impacts to City Departments		
Annual Costs	\$170,558	
Capital/One-Time Costs	\$N/A	
Annual Property Tax Collection		\$29,792
Annual Gross Receipts Tax Collection (estimated)		\$850,000

March 2016

Note that "immediate to short-term" refers to the first 5 years of an annexation, and that "long-term" refers to 20 years into the future.

Estimates & Projections for GRT using the IMPLAN Method and applying the City's share of tax rate:

The limitations of this method are the quality and calibration of the model in an attempt to simulate economic activity. Further, the accuracy of the inputs used in the model (in this case, the employment figures shown) affects the usefulness of the outputs. Also, any numbers projected into the future are only based on an expected rate of growth.

Employment estimates and projections provided by the Farmington Metropolitan Planning Organization. Assistance on the IMPLAN Method provided to staff by Robert Richards, Economist, NM Department of Workforce Solutions, Bureau of Economic Research and Analysis.

For this Study Area:

2013 Est. City's share of GRT is \$630,000 annually.
This is based on the business activity from approximately 300-350 jobs in the industries included.

For 2033, that dollar amount grown at the rate of 1.5% per year for 20 years is approximately \$850,000. The projected employment is approximately 400-470 jobs.

Projected Immediate to Short-Term Impacts to City Departments from the Proposed US 64 Annexation - Area 1

Department	Projected Additional Services, Staffing and/or Overtime Required	Projected Cost of Additional Services, Staffing and/or Overtime	Projected Additional Supplies, Equipment, and Facilities Required	Projected Cost of Additional Supplies, Equipment, and Facilities	Projected Benefits
Administrative Services	None	N/A	None	N/A	Collection of property & GRT revenue.
City Clerk	Notification to State of the annexation; Notification & issuance of business registrations; Revisions to the Voting District Map	N/A	Postage, paper, additional ballots.	Minimal	Additional business registration revenue -- Approx. \$600 initially
City Manager	None	N/A	None	N/A	N/A
Community Development	Building permit & inspection services; Zoning services; JDC enforcement services.	N/A	Fuel; Postage, Paper; Noticing.	Minimal	Increased Construction GRT; Permit & Petition revenue
Electric Utility	None -- Already within FEUS service area.	N/A	None	N/A	N/A
Fire	There currently exists a mutual-aid agreement between the City of Farmington and San Juan County concerning this area. Fire and EMS services will be provided by Farmington Fire if San Juan County requests aid. Upon annexation, Fire Station Four would be dispatched first to the subject area for all emergency calls. If the response requires additional units, the response would follow current FFD procedures used currently in the City of Farmington. Fire prevention and business inspection would be provided by the Fire Marshal. Add'l fuel and vehicle maintenance would be needed to cover addition responses into this new area.	Reoccurring annually: Fuel and vehicle maintenance -- Add'l \$10,000	None	N/A	N/A
General Services	None	N/A	None	N/A	N/A
Human Resources	None	N/A	None	N/A	N/A
IT	None	N/A	None	N/A	N/A
Legal	None	N/A	None	N/A	N/A
Library	None	N/A	None	N/A	N/A
PRCA	None	N/A	None	N/A	N/A
Police	Law Enforcement services: Emergency calls for police service, investigations, victim services, traffic enforcement, traffic crash investigations, traffic safety, code compliance, animal control, fire and ambulance service support, and preventative patrol activities. Add'l staff needed: 1.0 FTE Police Officer Position: most likely a traffic officer position. .15 FTE Code Compliance Officer (costs to be absorbed by current budget) .15 FTE Animal Control Officer (costs to be absorbed by current budget)	Reoccurring annually: Overtime \$6,550 On Call \$2,539 0.5 FTE Police Officer Position: most likely a traffic officer position. Salary/Benefits: \$32,964 Stipend and OT Stipend: \$2,000	Police Vehicle and accessories Uniforms and equipment Telephone and phone service Laptop computer Fuel & vehicle maintenance	Total First Year Start-up: \$63,696 Total Annual Estimated Costs After First Year: \$11,040	N/A
Public Works	Traffic Signal -- County currently maintains the traffic signal at US64 and Andrea Drive and the signal at US64. After annexation, the maintenance of the signal would be the City's	Reoccurring annually: Traffic Engineering - to maintain signal - additional overtime - \$5,000 Streets Division will need an	One-Time: Dump Truck w/ plow & sander or a street sweeper Street sign replacements	One-Time: Dump Truck w/ plow & sander or a street sweeper - \$87,500 Street sign replacements - \$240	Increased revenue to the 201 Fund (Street) in GRT and gas tax.

responsibility. Maintenance of the signal along with monthly electrical cost (\$60/month for a signal) annual cost \$5,000 per year for maintenance cost or replacement due to accident. Street sign replacement (\$120/intersection times 2 intersections – to meet larger sign requirement that goes into effect in 2014, Floodplain Management - Not in the City's jurisdiction, but would be after annexation. Upon annexation, additional flood mapping would need to be done for the arroyos that cross the highway and currently flow through many business yards along US 64; 2 major and 2 smaller ones, prior to allowing additional development in these areas. They are not even undetermined A zones. Not sure how many additional non-compliant buildings (problems) we would gain against our ISO/CRS rating. Utility - Water – this area is currently served by Lee Acres Water Users. Lee Acres Water Users Association owns the water system – approximately 2 miles of water – pipe size 4" & 6", no fire hydrants in the area. Utility - Sewer – City of Farmington has a force (pressure) sewer main located in US64 starting at Valentine Road and then continuing east in US 64 to the property line between McGee Park and 7 to 11. Monthly base and volume charges will remain the same, as current rates are the same as in City rates. Since this is a pressure sewer system each individual customer will need to install a pump system (at their expense) to connect to the system. Street Maintenance - patching and crack sealing for NMDOT roads US64 (5 lane miles) after annexation. Dirt streets (1 lane mile) in industrial area would need maintenance approximately 4 to 6 times per year. Arroyo crossings and several smaller culvert crossings will become ours to clean and maintain. Street sweeping, crack sealing will increase by ~5 lane miles for collector and arterial roads (more frequent sweeping). Additional 5 lane miles to maintain in the winter – snow plow and sanding. Fire Protection - If there is a desire in the future to serve this area, an underground fire protection system and improvement district should be pursued to accomplish the project.	additional 0.35 FTE (\$50,000 x 0.35= \$17,500	Recurring annually: Asphalt; Concrete; Snow Removal; Traffic Materials.	Recurring annually: Asphalt per year - \$20,000 Concrete per year- \$5,000 Snow Removal per year \$20,000 Traffic Materials per year - \$5,000	
TOTALS	\$76,553		\$61,040	
CAPITAL/ONE-TIME COSTS	N/A		\$151,436	

Projected Long-Term Impacts to City Departments from the Proposed Southwest Annexation – Area 1

Department	Projected Additional Services, Staffing and/or Overtime Required	Projected Cost of Additional Services, Staffing and/or Overtime	Projected Additional Supplies, Equipment, and Facilities Required	Projected Cost of Additional Supplies, Equipment, and Facilities	Projected Benefits
Administrative Services	None	N/A	None	N/A	Collection of property & GRT revenue.
City Clerk	Increase in number of business registrations as area grows. Any residential growth may require an add'l voting precinct & voting convenience center.	N/A	Postage, paper, additional ballots	Minimal	Additional business registration revenue –
City Manager	None	N/A	None	N/A	N/A
Community Development	Building permit & inspection services; Zoning services; UDC enforcement services.	N/A	Fuel; Postage, Paper; Noticing.	Minimal	Construction GRT; Permit & Petition revenue
Electric Utility	None	N/A	None	N/A	N/A
Fire	Fire Station Four would be dispatched first to the subject area for all emergency calls. If the response requires additional units, the response would follow current FFD procedures used currently in the City of Farmington.	Reoccurring annually: Fuel and vehicle maintenance – Add'l \$10,000	None	N/A	N/A
General Services	None	N/A	None	N/A	N/A
Human Resources	None	N/A	None	N/A	N/A
IT	None	N/A	None	N/A	N/A
Legal	None	N/A	None	N/A	N/A
Library	None	N/A	None	N/A	N/A
PRCA	None	N/A	None	N/A	N/A
Police	Law Enforcement services: emergency calls for police service, investigations, victim services, traffic enforcement, traffic crash investigations, traffic safety, code compliance, animal control, fire and ambulance service support, and preventative patrol activities. Add'l staff needed: 1.0 FTE Police Officer .15 FTE Code Compliance Officer (to be absorbed by current budget) .15 FTE Animal Control Officer (to be absorbed by current budget) <i>Note: Long-term impacts to the Police Dept. are difficult to ascertain, depending upon Traffic flows & development of current undeveloped areas.</i>	Reoccurring annually: Overtime \$6,550 On Call \$2,539 One FTE Police Officer Position: most likely a traffic officer position. Salary/Benefits: \$65,929 Stipend and OT Stipend: \$2,000	Police Vehicle and accessories Uniforms and equipment Telephone and phone service Laptop computer Fuel & vehicle maintenance	Total Annual Estimated Costs – After First Year: \$11,040	N/A
Public Works	Traffic Signal – County currently maintains the traffic signal at US64 and Andrea Drive and the signal at US64. After annexation, the maintenance of the signal would be the City's responsibility. Maintenance of the signal along with monthly electrical cost (\$60/month for a signal) annual cost \$5,000 per year for	Reoccurring annually: Traffic Engineering - to maintain signal - additional overtime - \$5,000 Streets Division will need an additional 0.35 FTE (\$50,000 x 0.35= \$17,500	Reoccurring annually: Asphalt: Concrete; Snow Removal; Traffic Materials.	Reoccurring annually: Asphalt per year - \$20,000 Concrete per year- \$5,000 Snow Removal per year \$20,000 Traffic Materials per year - \$5,000	Increased revenue to the 201 Fund (Street) in GRT and gas tax.

TOTALS																																																																																																																																																																													

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. ZC 16-35 - a request from Vera Matthews for a zone change from RE-1 Residential Estate 1 to RA Rural Agriculture and a variance to allow three horses on 2.5 acres. Pursuant to UDC 11.1, a horse requires 1 acre of land. The property is 2.5 acres located at 7000 Hood Mesa Trail, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

T29N, R13W, Sec. 26, NW1/4NE1/4NE1/4, in the City of Farmington, San Juan County, New Mexico.

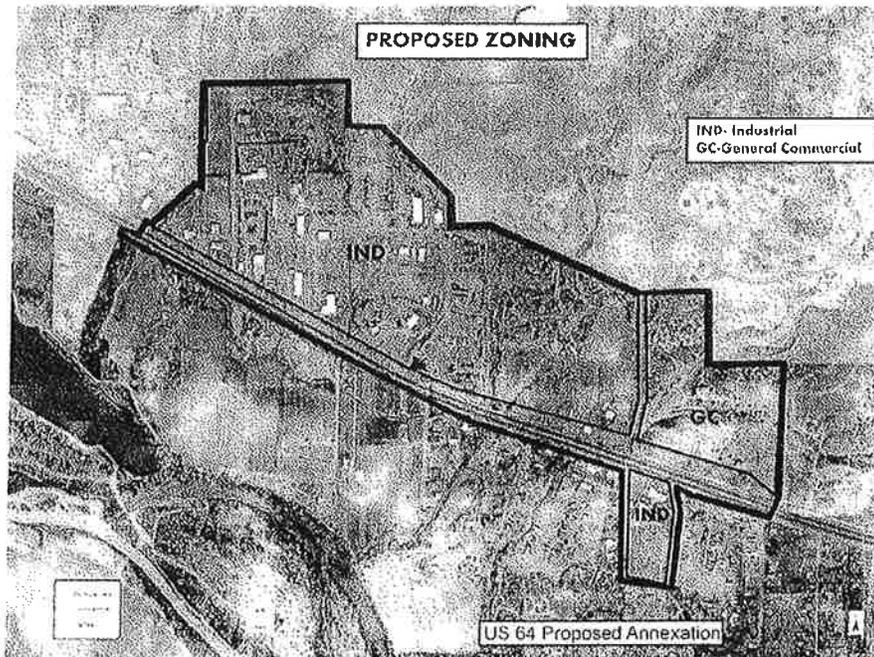
Otherwise located at 7000 Hood Mesa Trail

Petition No. ANX 16-02 - a request from the City of Farmington to consider an annexation of 235.23 acres of land located immediately east and south of the corporate boundaries of the City along the north side of US 64 from east of 1150 Madison Lane to approximately 1,310 feet east of Andrea Drive, plus 5525 US 64 which is located on the south side of US 64, as depicted in the map below and located in San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

A tract of land lying in the East one-half of the Northeast one-quarter (E1/2 NE1/4) of Section 24 T29N R13W and in Section 19 T29N R12W N.M.P.M. San Juan County, New Mexico, being described as follows:

Beginning at the Northwest corner of said Section 19;
THENCE: N88°25'48"E for a distance of 1280.16 feet along the North line of said Section 19;
THENCE: S00°36'54"W for a distance of 397.88 feet;
THENCE: S89°24'06"E for a distance of 318.08 feet;
THENCE: S44°53'02"E for a distance of 854.61 feet;
THENCE: S01°36'07"E for a distance of 283.63 feet;
THENCE: N88°06'53"E for a distance of 355.97 feet;
THENCE: S64°42'14"E for a distance of 1439.66 feet;
THENCE: N88°16'41"E for a distance of 653.98 feet;
THENCE: S00°05'05"W for a distance of 657.32 feet;
THENCE: N88°18'50"E for a distance of 655.97 feet to the East one corner of said Section 19;
19 THENCE: S02°03'55"W for a distance of 1431.80 feet along the East line of said Section 19 to a point on the South right-of-way line of U.S. Highway 64;
THENCE: 156.23 feet along said right-of-way around a 17,288.58 feet radius curve to the right having a central angle of 0°31'04" and a chord bearing and distance of N71°27'16"W 156.23 feet;
THENCE: N71°07'46"W for a distance of 777.95 feet along said right-of-way;
THENCE: S11°30'00"E for a distance of 227.30 feet along the Easterly right-of-way of Road 5793;
THENCE: S06°52'00"W for a distance of 686.03 feet along said Easterly right-of-way;
THENCE: S74°18'00"W for a distance of 54.78 feet;
THENCE: S06°50'27"W for a distance of 26.02 feet;
THENCE: N84°49'44"W for a distance of 362.72 feet to a point on the West right-of-way line of a road as shown on the plat of the TOWN & COUNTRY SUBDIVISION, as shown on the plat of said subdivision filed for record on March 23, 1962;
THENCE: N00°19'04"E for a distance of 1064.91 feet along said West right-of-way to a point on the South right-of-way of U.S. Highway 64;
THENCE: N71°07'46"W for a distance of 1458.07 feet along said right-of-way;
THENCE: 1064.89 feet along said right-of-way around a 5829.32 feet radius curve to the right having a central angle of 10°28'00" and a chord bearing and distance of N65°53'46"W 1063.41 feet;
THENCE: N60°39'46"W for a distance of 1664.32 feet along said right-of-way to a point on the section line common to said sections 24 and 19;
THENCE: N60°39'46"W for a distance of 659.54 feet along said right-of-way line;
THENCE: N30°06'55"E for a distance of 200.00 feet to a point on the North right-of-way of U.S. Highway 64;
THENCE: N50°47'25"E for a distance of 518.96 feet;
THENCE: N20°02'26"E for a distance of 166.06 feet;
THENCE: N02°23'53"W for a distance of 243.21 feet;
THENCE: S88°34'35"E for a distance of 36.16 feet to a point on the section line common to said Sections 24 and 19;
THENCE: N00°29'12"E for a distance of 509.84 feet along said Section line to the point of beginning.
Containing 235.23 ac.



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, June 16, 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 28, 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

Legal No. 72764 published in The Daily Times on May 29, 2016.

**NOTICE OF PUBLIC HEARING
PROPOSED ANNEXATION AND PROPOSED ZONING
PETITION NO. ANX 16-02**

May 25, 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, that consists of a request from the City of Farmington to consider an annexation of 235.23 acres of land located immediately east and south of the corporate boundaries of the City along the north side of US 64 from east of 1150 Madison Lane to approximately 1,310 feet east of Andrea Drive, plus 5525 US 64 which is located on the south side of US 64, as depicted in the map below, and as described below:

LEGAL DESCRIPTION

A tract of land lying in the East one-half of the Northeast one-quarter (E1/2 NE1/4) of Section 24 T29N R13W and in Section 19 T29N R12W N.M.P.M. San Juan County, New Mexico, being described as follows:

Beginning at the Northwest corner of said Section 19;

THENCE: N88°25'48"E for a distance of 1280.16 feet along the North line of said Section 19;

THENCE: S00°36'54"W for a distance of 397.88 feet;

THENCE: S89°24'06"E for a distance of 318.08 feet;

THENCE: S44°53'02"E for a distance of 854.61 feet;

THENCE: S01°36'07"E for a distance of 283.63 feet;

THENCE: N88°06'53"E for a distance of 355.97 feet;

THENCE: S64°42'14"E for a distance of 1439.66 feet;

THENCE: N88°16'41"E for a distance of 653.98 feet;

THENCE: S00°05'05"W for a distance of 657.32 feet;

THENCE: N88°18'50"E for a distance of 655.97 feet to the East one-corner of said Section 19;

THENCE: S02°03'55"W for a distance of 1431.80 feet along the East line of said Section 19 to a point on the South right-of-way line of U.S. Highway 64;

THENCE: 156.23 feet along said right-of-way around a 17,288.58 feet radius curve to the right having a central angle of 0°31'04"

and a chord bearing and distance of N71°27'16"W 156.23 feet;

THENCE: N71°07'46"W for a distance of 777.95 feet along said right-of-way;

THENCE: S11°30'00"E for a distance of 227.30 feet along the Easterly right-of-way of Road 5793;

THENCE: S06°52'00"W for a distance of 686.03 feet along said Easterly right-of-way;

THENCE: S74°18'00"W for a distance of 54.78 feet;

THENCE: S06°50'27"W for a distance of 26.02 feet;

THENCE: N84°49'44"W for a distance of 362.72 feet to a point on the West right-of-way line of a road as shown on the plat of the TOWN & COUNTRY SUBDIVISION, as shown on the plat of said subdivision filed for record on March 23, 1962;

THENCE: N00°19'04"E for a distance of 1064.91 feet along said West

right-of-way to a point on the South right-of-way of U.S. Highway 64;

THENCE: N71°07'46"W for a distance of 1458.07 feet along said right-

of-way;
THENCE: 1064.89 feet along said right-of-way around a 5829.32 feet
radius curve to the right having a central angle of 10°28'00"
and a chord bearing and distance of N65°53'46"W 1063.41 feet;
THENCE: N60°39'46"W for a distance of 1664.32 feet along said right-
of-way to a point on the section line common to said sections
24 and 19;
THENCE: N60°39'46"W for a distance of 659.54 feet along said right-
of-way line;
THENCE: N30°06'55"E for a distance of 200.00 feet to a point on the North
right-of-way of U.S. Highway 64;
THENCE: N50°47'25"E for a distance of 518.96 feet;
THENCE: N20°02'26"E for a distance of 166.06 feet;
THENCE: N02°23'53"W for a distance of 243.21 feet;
THENCE: S88°34'35"E for a distance of 36.16 feet to a point on the section
line common to to said Sections 24 and 19;
THENCE: N00°29'12"E for a distance of 509.84 feet along said Section line
to the point of beginning.
Containing 235.23 ac.

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, June 16, 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 28, 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.

You are receiving this letter because you may own property within the area 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 in the Planning Division at 599-1333.

Sincerely,

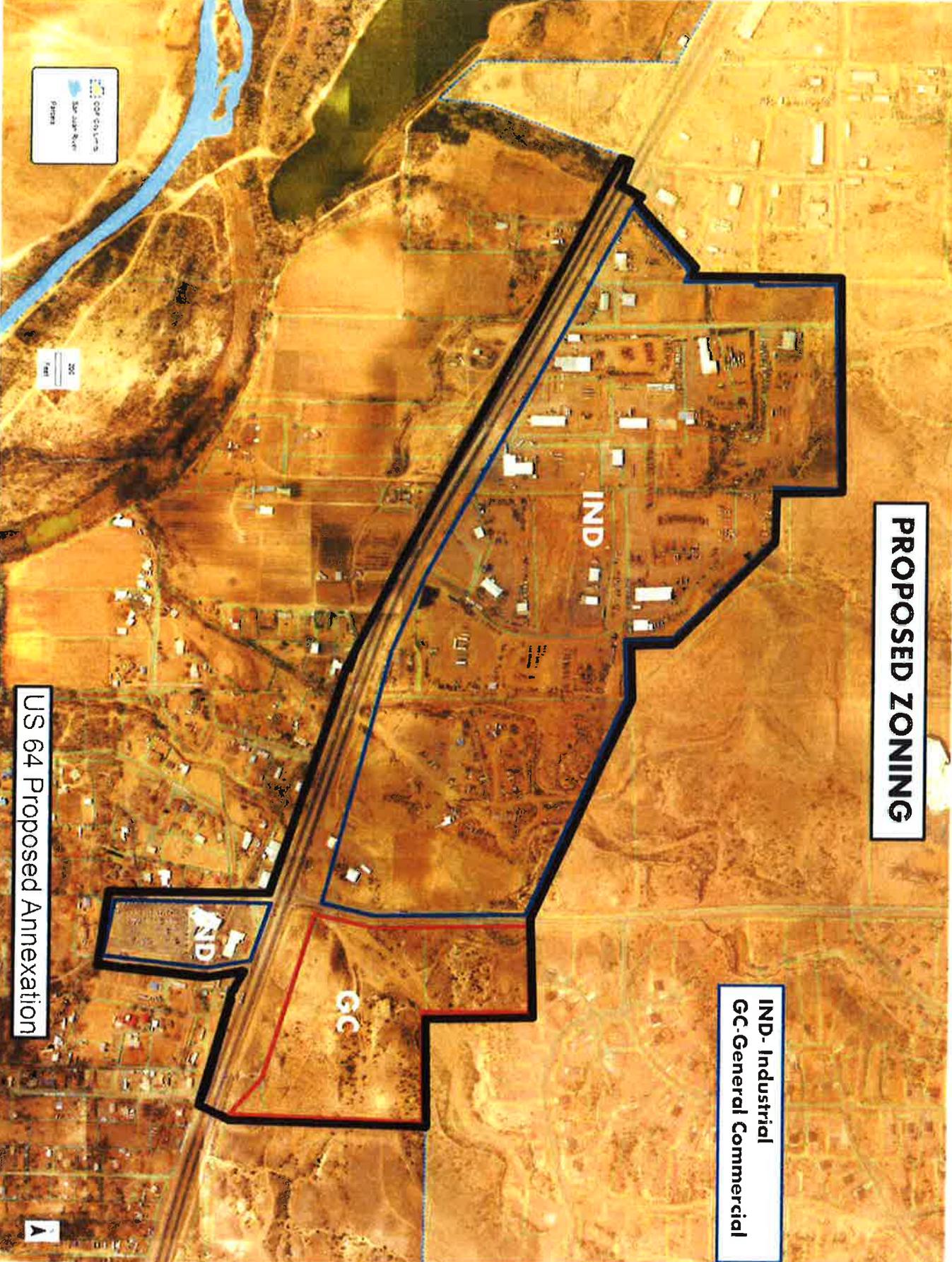


Karen Walker
Administrative Assistant

Attachment: Map with Proposed Zoning.

PROPOSED ZONING

IND - Industrial
GC - General Commercial



US 64 Proposed Annexation

UTAH

COLO.

ARIZ.

N.M.



June 6, 2016

CITY OF FARMINGTON

800 MUNICIPAL DRIVE
FARMINGTON, NEW MEXICO 87401-2663
FAX: (505) 599-1299
www.fmtn.org

Dear Property Owner:

The City of Farmington is proposing to annex approximately 235.23 acres of land located southeast of the City's current corporate boundaries. Though your property is not included in the proposal, you are being provided this information as you are located within 100-feet of the subject area.

Please be advised that the annexation proposal and its proposed zoning will be considered in public hearings held by the Planning and Zoning Commission during their regular meeting scheduled on Thursday, June 16, 2016, at 3:00 p.m., and by the City Council during their regular meeting scheduled on Tuesday, June 28, 2016, at 6:00 p.m.

Both meetings will be located in the City Council Chambers located at 800 Municipal Drive in Farmington. The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.

Please contact me at 505-599-1285 or via email at mholton@fmtn.org if you have any questions or comments regarding the proposal.

Sincerely,

Mary L. Holton, AICP
Community Development Director

PROPOSED ZONING

**IND- Industrial
GC-General Commercial**

US 64 Proposed Annexation

IND

GC

IND

200 Feet

Legend:

- CDP City Limits
- Sr. Juan River
- Parcels

UTAH

COLO.

ARIZ.

N.M.



CITY OF FARMINGTON

800 MUNICIPAL DRIVE
FARMINGTON, NEW MEXICO 87401-2663
FAX: (505) 599-1299
www.fmntn.org

June 6, 2016

New Mexico Department of Transportation
P.O. Box 1149
Santa Fe, NM, 87504-1149

RE: Proposed annexation of 235.23 acres located southeast of the Farmington City Limits

The City of Farmington is considering an annexation of 235.23 acres into the City of Farmington. The land is adjacent to the City's southwest municipal boundary. A map of the proposed land area is enclosed. Pursuant to NM State Statute, the right-of-way for US 64 would be included in the annexation.

This letter is to notify you of this proposed annexation.

The annexation proposal and its proposed zoning will be considered in public hearings held by the Planning and Zoning Commission during their regular meeting scheduled on Thursday, June 16, 2016, at 3:00 p.m., and by the City Council during their regular meeting scheduled on Tuesday, June 28, 2016, at 6:00 p.m.

Both meetings will be located in the City Council Chambers located at 800 Municipal Drive in Farmington. The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.

If you have any questions, please contact me at (505) 599-1285, or by email at mholton@fmntn.org.

Sincerely,

A handwritten signature in blue ink that reads 'Mary L. Holton'.

Mary L. Holton, AICP
Community Development Director

COMMUNITY DEVELOPMENT

UTAH

COLO.

ARIZ.

N.M.



CITY OF FARMINGTON

800 MUNICIPAL DRIVE
FARMINGTON, NEW MEXICO 87401-2663
FAX: (505) 599-1299
www.fmtn.org

June 6, 2016

Dave Keck
San Juan County
100 S. Oliver
Aztec, NM 87410

RE: Proposed annexation of 235.23 acres located southeast of the Farmington City Limits

The City of Farmington is considering an annexation of 235.23 acres into the City of Farmington. The land is adjacent to the City's southwest municipal boundary. A map of the proposed land area is enclosed. Pursuant to NM State Statute, the right-of-way for US 64 and San Juan County roads located in the proposed area would be included in the annexation.

This letter is to notify you of this proposed annexation.

The annexation proposal and its proposed zoning will be considered in public hearings held by the Planning and Zoning Commission during their regular meeting scheduled on Thursday, June 16, 2016, at 3:00 p.m., and by the City Council during their regular meeting scheduled on Tuesday, June 28, 2016, at 6:00 p.m.

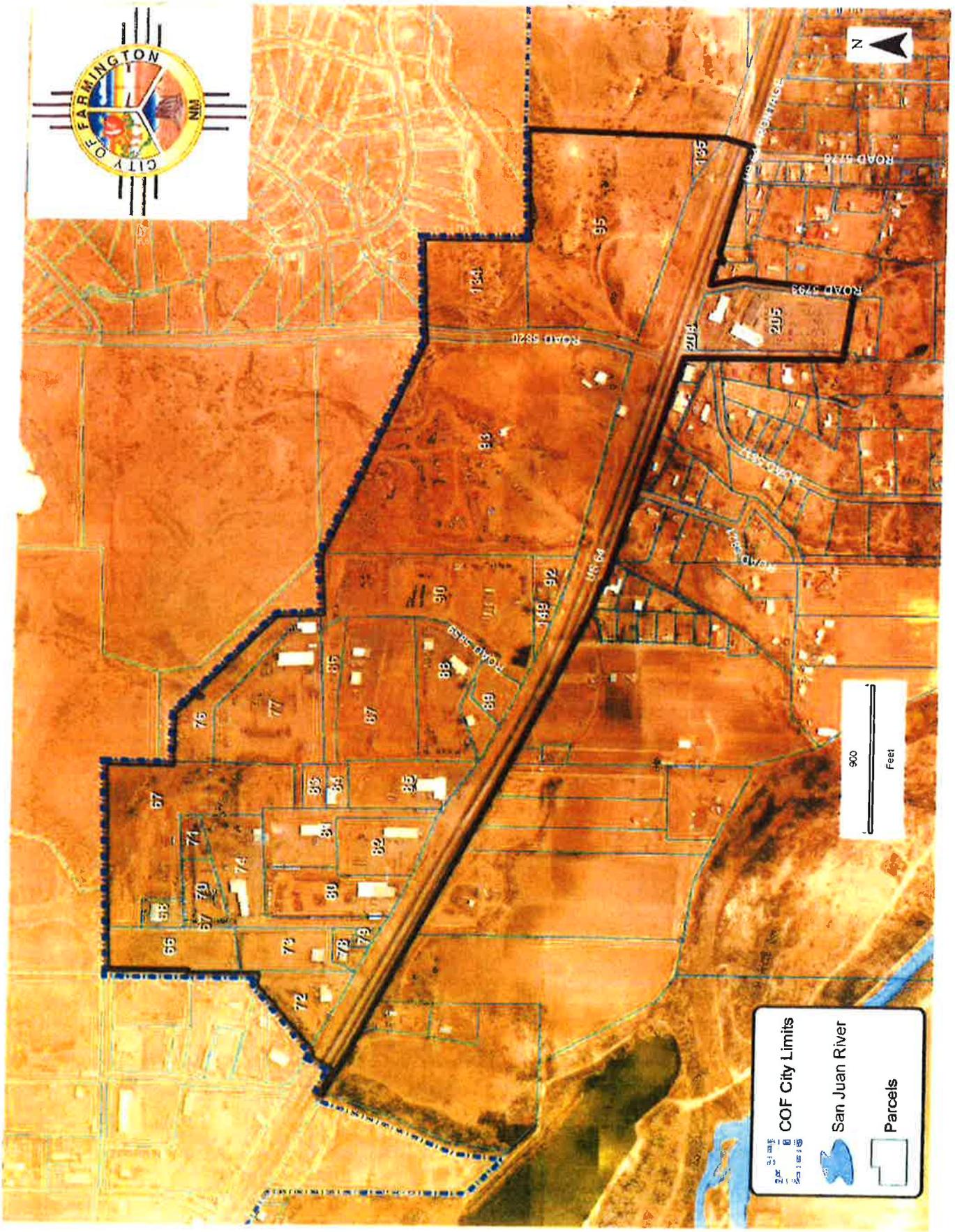
Both meetings will be located in the City Council Chambers located at 800 Municipal Drive in Farmington. The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.

If you have any questions, please contact me at (505) 599-1285, or by email at mholton@fmtn.org.

Sincerely,

Mary L. Holton, AICP
Community Development Director

COMMUNITY DEVELOPMENT



Amarillo Diamond LTD
P.O. Box 1071
Amarillo, TX 79189

Maxwell Energy Services, LLC
17 Road 5859
Farmington, NM 87401

Harry B Jr & Shannon L Monk Trust
3910 N. Mesa Verde Ave.
Farmington, NM 87401

Jerry S & Judy L Neely Trust
37383 Arroyo Verde Dr.
Saddlebrooke, AZ 85739

Brandon Stafford
5496 US 64
Farmington, NM 87401

Walter H. Bump Et Al
c/o Bernard Polanco
P.O. Box 2667
Farmington, NM 87499

Animas Valley Land & Water Co, LLC
P.O. 5520
Farmington, NM 87499

Thomas F & Evelyn H Kerby Trust
5471 US 64
Farmington, NM 87401

ConocoPhillips Company
ATTN: Nathan Coats
3401 E. 30th St.
Farmington, NM 87401

Cecil & Dorothy Daniel Trust
c/o Wrecker Boyz, LLC
5418 US 64
Farmington, NM 87401

Leonard C. Jones
P.O. Box 2495
Farmington, NM 87499

Bear Cat Drilling, LLC
12225 Greenville Ave, Ste 950
Dallas, TX 75243

Carl & Donna Rhames
c/o C And R Leasing, LLC
5615 US 64
Farmington, NM 87401

Farmington DTC, LLC
P.O. Box 568
Farmington, NM 87499

Neil & Billie M Tefteller
3007 Northwood Cir.
Farmington, NM 87401

CLM Properties, Inc.
3555 E. Main St. Ste. A
Farmington, NM 87402

Laroche LR
ATTN: Ryan
13155 Noel Rd. Ste 100
Dallas, TX 85240

Z-C Inc.
104 E. Main
Farmington, NM 87401

Aspen Properties, LLC
4350 Rancho De Animas Dr.
Farmington, NM 87402

Addresses within 100'

Charles & Patricia Hicks
5905 Kristy St.
Farmington, NM 87401

Adam Soukup
P.O. Box 6832
Farmington, NM 87499

EIS, LLC
P.O. Box 1980
Farmington, NM 87499

Padilla Properties Inc.
446 RD 3000
Aztec, NM 87410

McElvain Oil & Gas Properties, Inc.
1050 17th St. Ste. 2500
Denver, CO 80265

Digman Properties
P.O. Box 70024
Albuquerque, NM 87197

Mike & Laurie Hamilton
3300 Iles
Farmington, NM 87401

MINUTES
PLANNING & ZONING COMMISSION

May 26, 2016

The Planning and Zoning Commission met in a regular session on May 26, 2016 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico

P&Z Members Present:

Chair-Joyce Cardon
Clint Freeman
Ryan Brown
Shay Davis
Rory Jaquez
Kristin Langenfeld
Cheryl Ragsdale
Paul Thompson
Cody Waldroup
Del Washburn

P&Z Members Absent:

None

Staff Present:

Cindy Lopez
Keith Neil
Toni Sitta
Cory Styron
Karen Walker

Others Who Addressed the Commission:

Lance Myler
Barbara Tedrow

Call to Order

Chair Joyce Cardon called the meeting to order at 3:00 p.m. There being a quorum present the following proceedings were duly had and taken.

Presentation of the Agenda

Petition No. PPJ 16-01-a request from Mark Duncan, Mayor of the 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 was removed from the agenda at the request of Mayor Mark Duncan on May 24, 2016.

Approval of the Minutes

A motion was made by Commissioner Davis and seconded by Commissioner Waldroup to approve the minutes of the April 28, 2016 P&Z Meeting. This motion was approved unanimously by a 10-0 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. SUP 16-30

Special Use Permit for a Day Care

4500 Wildflower Mesa Drive

Planning & Zoning Commission Discussion of Petition SUP 16-30 on May 26, 2016

Senior Planner Cindy Lopez presented the staff report for SUP 16-30, a request from the City of Farmington, represented by Cory Styron, Director of Parks, Recreation and Cultural Affairs (PRCA), 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 Drive.

The property is owned by the City of Farmington PRCA. The Gold Star Academy has been awarded a lease from the City of Farmington to run a day care in the building for toddler and pre-kindergarten care, as well as, a licensed after-school program and summer programs.

Ms. Lopez stated that the properties to the north, east and west of 4500 Wildflower Mesa Drive are 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. The building and parking lot are located back from Wildflower Mesa Drive enough to accommodate traffic.

Staff concludes approval of SUP 16-30 is appropriate.

Cory Styron, PRCA Director with the City of Farmington, 901 Fairgrounds Road, informed the Commissioners that the building had originally been called Halvorson House and was a half-way house for the County. It was built as a large residential house, which makes it difficult to monitor children in multiple rooms. In 2014, discussion began on using the structure as a day care for 3 year olds and older. Children below 3 years of age present fire and management challenges.

Barbara Tedrow of 3101 McColm Drive and owner of Gold Star Academy stated that she is expanding her day care services to that area of Farmington. Ms. Tedrow stated that she will be instituting a pilot phase of a New Mexico Pre-K program for 3 year olds and wished to serve 3 year olds and after school programs.

Planning & Zoning Commission Action of Petition SUP 16-30 on May 26, 2016

A motion was made by Commissioner Waldroup and seconded by Commissioner Washburn to **approve** Petition 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 Drive, subject to meeting all requirements of the building and fire codes.

AYE: Chair Cardon, Commissioners Brown, Davis, Freeman, Jaquez, Langenfeld, Ragsdale, Thompson, Waldroup, and Washburn.

NAY: None

Abstained: None

Absent: None

Motion passed 10-0

<p style="text-align: center;">COMMUNITY DEVELOPMENT PETITION REPORT Petition No. SUP 16-31 Special Use Permit allowing a detached Family Care Unit 7100 Driftwood Avenue</p>

Planning & Zoning Commission Discussion of Petition SUP 16-31 on May 26, 2016

Associate Planner Keith Neil presented the staff report for SUP 16-31, a request from Lance Myler to allow a detached family care unit (Mother-in-law quarters), for property located at 7110 Driftwood Avenue.

According to the Unified Development Code (UDC), explained Mr. Neil, detached family care units are permitted when it is determined by the Planning & Zoning Commission and the City Council that it is not practical to attach the unit to the principal building due to special conditions to the lot or to the principal structure. The lot has grading issues toward the rear

that would require extensive dirt work, and the principal structure's master bedroom faces the north side of the house which makes it impractical to attach the family care unit.

According to the UDC, the floor area of the detached unit shall not exceed 500 square feet. The petitioner is asking for a 528 square foot unit. The additional square feet can be approved with this Special Use Permit. The unit will also have a minimum side yard of at least 5 feet and a minimum separation from the principal structure of 10 feet.

Mr. Neil stated that an accessory unit to a single-family dwelling must remain under single ownership. Both the principal structure and the accessory unit shall be occupied by one family, and no more than two persons may occupy the accessory unit. At least one person shall be 55 years of age or older. The proposed unit will be constructed for the petitioner's mother-in-law who is currently 79 years of age.

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 proposed unit will have a side entrance that faces the principal structure. The family care unit will also be required to have an additional off-street parking space behind the required front yard setback. The unit will have an attached 24' x 24' two car garage that is approximately 576 square feet to meet the requirements for off-street parking.

At such a time that the use is no longer necessary, the petitioner has plans to remove the stove and replace it with a cabinet which will meet the requirement for a guesthouse.

The proposed family care unit will not negatively affect the neighborhood and is compatible with the UDC. Staff received one concern from a neighbor on the drainage of the lot. City Engineer, Toni Sitta, looked at the property and made recommendations.

Staff concludes approval is appropriate with the mitigating of drainage concerns.

Commissioner Thompson asked to have the difference between a guest house and a Family Care Unit explained. Mr. Neil said the only difference was that a guest house could not contain a kitchen stove. The reason for this is to try to prevent property owners from renting the units to people who are not part of the family. Mr. Thompson asked if the utilities could be separated. Mr. Neil said the utilities could not be separated.

Lance Myler of 7110 Driftwood, stated that the garage will be attached to the unit and the garage doors will face the front of the property. The primary entrance to the unit will be on the

side of the unit. Mr. Myler stated that City staff have been very helpful. He felt this was the best option to have the ability to take care of his Mother-in-Law and still give her autonomy.

Mr. Thompson asked if there were covenants in the neighborhood. Mr. Myler said there were not any covenants and that there were several homes in the area with guest houses. Mr. Myler said he did not have any issues with the condition of a drainage plan by a New Mexico Professional Engineer.

Planning & Zoning Commission Action of Petition SUP 16-31 on May 26, 2016

A motion was made by Commissioner Freeman and seconded by Commissioner Davis to **approve** Petition 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 with the following condition:

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

AYE: Chair Cardon, Commissioners Brown, Davis, Freeman, Jaquez, Langenfeld, Ragsdale, Thompson, Waldroup, and Washburn.

NAY: None

Abstained: None

Absent: None

Motion passed 10-0

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

Business from the Chair: Chair Cardon mentioned that this meeting is the end of Commissioner Jaquez term and he is resigning. Ms. Cardon thanked Mr. Jaquez for his time and commitment.

Business from the Members: Commissioner Freeman asked if the Planning & Zoning Division was considering the movement toward 'Tiny Houses'. Ms. Lopez said there were building codes regulating the size of rooms, total square footage, and the smallest lot size. If the housing unit is on wheels, it is considered a Recreational Vehicle and must be in an RV Park. The Special Use Permit is used on these types of housing units so that neighbors will be included in the process.

Ms. Lopez mentioned that staff looks on smaller living units favorably for some couples or young families as they provide affordable places to live. Staff does not see an issue with these housing units.

Business from Staff: Ms. Lopez commented that Commissioners Cardon, Waldroup, Ragsdale, Freeman, and Brown were reappointed for two year terms to the Planning & Zoning Commission by Mayor Tommy Roberts at the May 24, 2016 City Council Meeting.

Adjournment: With no further business and a motion by Commissioner Waldroup and seconded by Commissioner Langenfeld the Planning and Zoning Commission meeting May 26, 2016 was adjourned at 3:32 p.m.

Joyce Cardon
Chair

Karen Walker
Administrative Assistant