

CITY OF FARMINGTON
CITY COUNCIL WORK SESSION AGENDA
September 15, 2020 – 9:00 a.m.
<https://us02web.zoom.us/j/87634270585>

DEPARTMENT HEAD REPORTS

1. Award of the Community Development Block Grant Coronavirus (“CDBG-CV”) funds for public service projects (Julie Baird) -----1

Action Requested of Council:

Award the CDBG-CV funds for public service projects.

2. Discussion of and direction to staff regarding Federal Fiscal Year 2020 Community Development Block Grant (“CDBG”) capital project funds (Julie Baird)

Action Requested of Council:

Provide input and give direction for allocating the CDBG funds for capital projects.

3. Bid for purchase of relays for the Hood Mesa Substation (Rosalyn Potter) -----2

Action Requested of Council:

Approve the recommendation for award.

Background/Rationale:

Bids opened September 8, 2020 for purchase of relays for the Hood Mesa substation (Electric) with four bidders participating.

Staff Recommendation:

Award the bid to Western United Electric Supply as the lowest and best bidder meeting specifications after application of the in-state and Veterans preferences (\$47,634.04).

Instructions Upon Approval:

Award the contract.

4. Bid for a multi-term contract for crossarms and braces (Rosalyn Potter) -----3

Action Requested of Council:

Approve the recommendation for award.

Background/Rationale:

Bids opened September 10, 2020 for a multi-term contract for crossarms and braces (Electric) with two bidders participating.

Staff Recommendation:

Award the bid to Western United Electric Supply as the lowest and best bidder meeting specifications after application of five percent in-state preference (\$237,003.75).

Instructions Upon Approval:

Award the contract.

5. Discussion regarding the proposed ordinance amending Section 5.8 of Article 5 of the Unified Development Code regarding signs (Jennifer Breakell and Beth Escobar) -----4

Action Requested of Council:

Discussion only. Final action is scheduled for September 22, 2020.

6. Discussion regarding the proposed ordinance amending Section 23-2-7 of the City Code to provide for an increase in residential and commercial charges for sanitation service (Jennifer Breakell) -----5

Action Requested of Council:

Discussion only. Final action is scheduled for October 13, 2020.

AGENDA ITEM SUPPORT MATERIALS ARE AVAILABLE FOR INSPECTION AND/OR PURCHASE AT THE OFFICE OF THE CITY CLERK, 800 MUNICIPAL DRIVE, FARMINGTON, NEW MEXICO.

ATTENTION PERSONS WITH DISABILITIES: 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.

Memorandum

To: Mayor and City Councilors

From: Julie Baird, Assistant City Manager

Cc: Rob Mayes

Date: September 15, 2020

Subject: CDBG Coronavirus funds

The City of Farmington received \$229,696 in Community Development Block Grant Coronavirus funds (CDBG-CV) authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The CARES Act adds additional flexibility in the utilization of these funds.

Staff recommends awarding the following:

Family Crisis Center - \$20,000 -- In the need to implement Covid Safe Practices in the operations of the Family Crisis Center, additional space has been rented to increase spacing requirements and to be prepared for the need to quarantine individuals or families if needed. Funds will be used to support CSPs and amended operations.

Navajo United Methodist Center - \$21,844 -- The Center has focused on maintaining the physical safety and health of current residents including increasing spacing, cleaning and sanitization for residents. They have set aside one residential unit for new clients to quarantine for 14 days before being assigned to another house in unit. Funds will be used to support CSPs and amended operations.

People Assisting the Homeless (PATH) - \$45,000 -- PATH has seen significant increases for cleaning supplies to support the shelter clients and operations. Spacing requirements have been implemented and additional space has been arranged for quarantine uses. The Daily Bread has changed their process for the distribution of food to meet Covid Safe Practices including the need to utilize more single-use supplies and bottled water. Funds will be used to support CSPs and amended operations at both the shelter and the Daily Bread.

San Juan County Partnership, Inc - \$40,000 -- San Juan County Partnership has seen an increase in housing needs with the Covid-19 pandemic. Their program has witnessed an increase in financial needs, as well as housing needs with many more referrals as well as individuals and families calling for housing assistance.

ECHO, Inc. - \$102,852 -- The City of Farmington currently contracts with ECHO Inc. for administration of utility assistance. These funds would be used to assist residents with rental, mortgage and utilities costs.

CITY OF FARMINGTON
INTER-OFFICE MEMORANDUM

TO: Mayor Duckett and City Council
FROM: Rosalyn Potter, CPPB
Contracts Administrator
DATE: September 9, 2020
SUBJECT: Relays for Hood Mesa, Bid #21-138830
USING DEPARTMENT: Electric Utility



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A bid opening was held on September 8, 2020 for Relays for Hood Mesa, Bid #21-138830. Four (4) bidders responded.

The Central Purchasing Department concurs with the recommendation from the Electric Utility to award the bid to Western United Electric Supply from Albuquerque, NM, a responsible bidder submitting the lowest responsive bid meeting specifications for a total awarded amount of \$47,634.04. The In-State or Veterans preference was given to qualified bidders.

Rosalyn Potter (Presenter)
Work Session 9/15/20

Copy to:
Teresa Emrich, Administrative Services Director
Hank Adair, Electric Utility Director
John Armenta, Electric Engineering Manager
Shawn Weiss, Electric Engineer

File – 21-138830SN

21-138830

Relays for Hood Mesa

Bid

8/26/2020 08:00:00 AM (MT)

9/8/2020 02:00:00 PM (MT)

Organization
 Workgroup Farmington, NM Online Bidding System
 Event Owner Purchasing
 Email Sharron Nelson
 Phone snelson@fimt.n.org
 Fax (505) 599-1376

Responding Supplier	City	State	Lines Responded	Response Total	w/In-State Preference
Western United Electric Supply (Mele)	Albuquerque	NM	4	\$47,634.04	\$45,252.34
Stuart C Irby	Albuquerque	NM	4	\$49,136.88	\$46,680.04
Winn Marion LLC	FARMINGTON	NM	4	\$52,022.00	N/A
Western Electrical Services, Inc	Phoenix	AZ	4	\$58,520.00	N/A

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

CITY OF FARMINGTON
INTER-OFFICE MEMORANDUM

TO: Mayor Duckett and City Council

FROM: Rosalyn Potter, CPPB
Acting Chief Procurement Officer

DATE: September 10, 2020

SUBJECT: Multi-Term Contract for Crossarms and Braces, Bid #21-138700

USING DEPARTMENT: Electric Department
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A bid opening was held on September 10, 2020 for Multi-Term Contract for Crossarms and Braces. Two (2) bidders responded with three (3) suppliers submitting no bid.

The Central Purchasing Department concurs with the recommendation from the Electric Department to award the bid to Western United Electric Supply from Albuquerque, NM, a responsible bidder submitting the lowest responsive bid meeting specifications for a total awarded amount of \$237,003.75. In-State preference was given to qualified bidders.

Rosalyn Potter (Presenter)
Work Session Council Meeting September 15, 2020

Copy to:
Teresa Emrich, Acting Administrative Services Director
Hank Adair, Electric Utility Director
Bob Schrag, Warehouse Superintendent
File - 21-138700

Organization
Workgroup
Event Owner
Email
Phone
Fax

21-138700 Addendum 2
 Crossarms and Braces (Multi-Term Contract)
 The City of Farmington (City) is requesting Bids from suppliers (Bidders) for crossarms and braces to be utilized by the Farmington Electric Utility Service.
Bid
 8/24/2020 10:04:11 AM (MT)
 9/10/2020 02:00:00 PM (MT)

Event Number
Event Title
Event Description
Event Type
Issue Date
Close Date

Rosalyn Potter
 rpotter@fmtn.org
 (505) 599-1365

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total	In-State Preference
Western United Electric Supply (Mele)	Albuquerque	NM	9/9/2020 01:57:38 PM (MT)	27	\$237,003.75	Yes
Stuart C Irby	Albuquerque	NM	9/10/2020 08:58:55 AM (MT)	27	\$247,307.50	No

Memo

To: Mayor and City Council

From: Beth Escobar, Planning Manager

Date: September 18, 2020

Subject: Discussion and direction regarding revisions to Section 5.8 Signs of the Unified Development Code

Background

Regulations for signage within the City of Farmington are contained within Section 5: Development Standards of the Unified Development Code (UDC). The purpose of the sign regulations are:

- to encourage the effective use of signs as a means of communication in the city;
- to maintain and enhance the pleasing look of the city;
- to preserve Farmington as a city that is attractive to business;
- to improve pedestrian and traffic safety;
- to minimize the possible adverse effects of signs on nearby public and private property; and
- to otherwise implement relevant provisions of the Farmington Comprehensive Plan.

Modifications to the sign regulations are a component of the overall update of the Unified Development Code. Staff hopes to bring the entire draft update of the UDC to Council in October.

Summary of proposed revisions to the Sign Code

5.8 Signs

The following changes are proposed to the sign regulations:

1. Clarification to allow for murals without advertising copy as an allowed use.
 - a. *Murals are not currently addressed in the UDC.*
2. Adds an allowance for portable signs (sandwich boards) with an approved permit.
 - a. *Section 5.8.4.G prohibits portable signs. This regulation is not consistently enforced. There are areas, like downtown, where portable signs are effective in promoting businesses, especially for restaurants and retail stores.*
 - b. *Suggested changes include allowing portable signs with the following requirements:*
 - (i) *shall be located so as to not block any pedestrian access*
 - (ii) *shall not impede access to fire suppression equipment*
 - (iii) *shall be weighted to prevent signs from becoming windborne*

(iv) shall be taken inside at close of business

3. Adds an allowance for home based business signs, 3-square feet and wall only, with an approved permit.
4. Revisions to political signs in public right-of-way:
 - a. Prohibits political signs in public right-of-way or easements except for specific location for specific time period as approved by City Council.
 - b. Limits political signs on private property to one per candidate or issue per property.
5. Adopts height maximums of five feet (residential areas) and 10 feet (commercial area) for construction signage
6. Adopts a height maximum of 25 feet for freestanding signs in commercial areas
7. Adopts a height minimum of eight feet for signs crossing a walkway
8. Adopts a maximum size and heights for programmable and projecting signs.
 - a. 10 foot height maximum and 50 square feet size maximum in multi-family, mixed-use, office professional and local neighborhood commercial districts
 - b. 25 foot height maximum and 200 square feet size maximum in commercial and industrial districts.

The entire section has been re-formatted for ease of use and clarity.

Council Action

This is a discussion item only. Staff is seeking input from Council on the proposed revisions.

ORDINANCE NO. 2020-XXXX

AN ORDINANCE AMENDING SECTION 5.8 OF ARTICLE 5 OF THE UNIFIED DEVELOPMENT CODE

WHEREAS, by Ordinance No. 2007-1184, the governing body of the City of Farmington adopted the current Unified Development Code regulating public and private development within the City of Farmington; and

WHEREAS, it is now necessary to amend Section 5.8 of Article 5 related to Signs; and

WHEREAS, the governing body of the City of Farmington finds and determines that Section 5.8 of Article 5 of the Unified Development Code dealing with sign regulations should be amended to reflect updates and current best practices as revised aforesaid.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON Section 5.8 of Article 5 of the Unified Development Code shall be amended to read as follows:

Sec. 5.8 - Signs.

5.8.1 Purpose. The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the pleasing look of the city; to preserve Farmington as a city that is attractive to businesses; to improve pedestrian and traffic safety; to minimize the possible adverse effects of signs on nearby public and private property; and to otherwise implement relevant provisions of the Farmington Comprehensive Plan.

For purposes of this section, a site refers to the entire project as planned and developed together as follows:

- A single apartment complex shall be considered as occupying one site.
- A shopping center, including out-parcels and separate buildings within it (regardless of whether ownership is common or separate) shall be considered as occupying one site.
- A group of office buildings, warehouses or industrial buildings under common ownership or management and approved within one site plan with the city, shall be considered as occupying one site.
- In general, buildings that share parking or access shall be presumed to occupy one site, subject to proof by the owners that the nature of the sharing arrangement is such that it should not be considered determinative for purposes of this UDC.

5.8.1.A Definitions. Definitions specific to the administration, interpretation and enforcement of this Section are contained within Article 11 of the UDC.

5.8.2 Authorized Signs allowed without a permit. The following signs are exempt from the requirements of this UDC, but remain subject to the building code requirements:

- A. Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance;
- B. Traffic control signs and devices installed by city or state agencies on public or private property or rights-of-way, such as "Stop," "Yield" and similar signs;
- C. Any sign inside a building that is not attached to a window or door;
- D. Signs that are not visible beyond the boundaries of the lot or parcel on which they are located or from any public rights-of-way;
- E. Any sign inside an athletic field or other enclosed outdoor space, where the sign is not legible from ground level and not

- visible from public right-of-way beyond the lot line of the site on which it is located;
- F. Works of art with no commercial message; including murals on exterior walls.
- G. Holiday decorations displayed between November 15 and January 15;
- H. Flags used as political or religious symbols;
- I. Flags used solely for decoration and not containing any copy or logo;
- J. Window signs;
- K. Balloons and/or other gas-filled objects located in any zoning district; which balloon and/or gas filled object shall not exceed 20 feet in height from the ground and shall not contain or display any logo but shall be used solely for decorative purposes; and
- L. Temporary signs on private property.

5.8.3 Prohibited signs. All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the previous section are prohibited. Such signs include, but are not limited to:

- A. Any sign that copies or imitates an official sign or purports to have official status;
- B. Signs, other than official government signs, located within the public rights-of-way or easements, public parks, or on public properties with the exception of signs permitted by the City Manager or designee at a specific location for a specific time period;
- C. Beacons;
- D. Windblown devices;
 - 1. Pennants;
 - 2. Flashing signs;
- E. Moving signs;
- F. Any sign on or extending above the roofline, which is illustrated at right;
- G. Any sign attached to an accessory structure, except an incidental sign, if such sign is legible from the public right-of-way or from other property;
- H. Any other attention-attracting device, except for those conforming to the dimensional, design, lighting, and other standards applicable to a sign in the same location;
- I. Any unofficial sign attached to or affixed in any way to utility poles, light poles, rocks, trees, or other natural features;
- J. Mobile signs, except on licensed food trucks; and
- K. Graffiti on public property.

5.8.4 Permit required. Except as otherwise expressly provided in this section, all persons erecting, hanging, installing, or otherwise placing signs in the city must first obtain a sign permit in accordance with the procedures of section 8.4, Sign Permits. A permit is not required where only the changeable copy is changed, or the sign is cleaned, painted, repainted, or for normal maintenance and repair.

5.8.5 Permitted Signs, locations and size. Signs shall be permitted in accordance with Table 1 summary of permitted signs.

Zoning Districts Reference:

- MF - Multi-family
- OP - Office Professional
- MU - Mixed Use
- LNC - Local Neighborhood Commercial
- CB - Central Business District
- PIP - Planned Industrial Park
- I - Industrial

Type of Sign	Zoning	Location	Maximum Size	Maximum Height at top of sign	Comments	Standards	Permit Required
Awning signs	MF (all) OP, MU, LNC, GC, CB, PIP & I	Attached to a building	20 percent of the total awning face area of any face that is visible when viewed from either a frontal or side direction or the maximum allowable wall sign area for the building frontage, whichever is less	N/A	If an awning is mounted on a multi-tenant building, the awning sign shall comply with the approved master sign program in color, size, material and letter style.	5.8.7.A.(6)	Approval from Planning Division is required
Banners	MF (all) OP, MU, LNC, GC, CB, PIP & I	Attached to a building or privately owned light or pole			Allowed twice a year per business. Allowed in addition to wall and freestanding signs. Not permitted on City owned utility poles	5.8.7.A.(7)	Approval from Planning Division is required Banner signs crossing roadways shall be addressed through the special event permit
Building markers	ALL	Permanently affixed to a building	3 square feet of area		Shall contain no logo or commercial message One marker per building	5.8.7.A.(8)	Approval from Planning Division is required
Construction signs	Residential	Freestanding, on private property	32 square feet	5 feet	Upon completion of the construction project or issuance of Certificate of Occupancy.	5.8.7.A.(9)	
	MF (all) OP, MU, LNC, GC, CB, PIP & I	On site	Same as 'principal freestanding signs'	10 feet	Upon completion of the construction project or issuance of Certificate of Occupancy.	5.8.7.A.(9)	Includes signs for public projects
Directory signs	MF (all) OP, MU, LNC, GC, CB, PIP & I	Sites with more than one building or tenant.			May contain logos and business names and directional information but no commercial message	5.8.7.A.(11)	Approval from Planning Division is required
	Shopping Centers	At least 50 feet from intersection of entrance and public right-of-way	16 square feet	6 feet		5.8.7.A.(11)a	
	Multifamily projects, office complexes or business parks	Away from any public right-of-way so as not to impede traffic flow	12 square feet	5 feet		5.8.7.A.(11)b	
Free standing signs, including monument and pole signs*	MF All	All free standing signs shall comply with safe sight triangle requirements of Section 5.3.6	50 square feet	6 feet		5.8.7.A	A Building Permit is also required

Type of Sign	Zoning	Location	Maximum Size	Maximum Height at top of sign	Comments	Standards	Permit Required
		corner setback and intersection visibility					
	OP, MU, LNC	See above	50 square feet	10 feet	Any freestanding sign that crosses a walkway must be eight feet from the ground	5.8.7.A b	A Building Permit is also required
	CG, CB, PIP & I	See above	200 square feet	25 feet		5.8.7.A c	A Building Permit is also required
Fuel price signs	MF (all) OP, MU, LNC, GC, CB, PIP & I	Service Stations One sign allowable per street frontage	16 square feet	Same as freestanding sign allowance for zoning district	Must follow setback and visibility triangle requirements	5.8.7.A.(12)	A Building Permit is also required
Home business signs	All residential zones	Wall or free standing on private property	3 square feet	3 feet	Illuminated, flashing and electronic signs are not permitted	5.8.7.A.(13)	
Identification signs		Affixed to a building wall	3 square feet	3 feet	Shall not contain a commercial message	5.8.7.A.(14)	
Incidental signs	All	On site or on buildings	3 square feet	3 feet	Shall not contain a commercial message	5.8.7.A.(15)	
Off-site signs and billboards	MF (all) OP, MU, LNC, GC, CB, PIP & I	Along principal arterial streets as shown on the major thoroughfare with a medium right-of-way 200 feet	One square feet for each five lineal feet of highway frontage not to exceed 200 square feet	26 feet	Shall be 750 feet from any other off-site sign and 100 feet from any on-site sign, including both sides for the street Back to back parallel faces shall constitute one sign	5.8.7.A.(18)	A Building Permit is also required
Political signs	All	Shall be placed on private property with the permission of the property owner. May be placed in City of Farmington right-of-way or easement at a specific location and a specific length of time with permission of the City Manager or designee	32 square feet	6 feet	Not permitted on public property	5.8.7.A.(19)	
Programmable (digital) signs	MF (all) OP, MU, LNC,	On premises or attached to building	50 square feet	10 feet	Images shall not change more than once every three seconds, with the exception of time and temperature, which can change every second	5.8.7.A.(10)	A Building Permit is also required

Type of Sign	Zoning	Location	Maximum Size	Maximum Height at top of sign	Comments	Standards	Permit Required
	GC, CB, PIP & I		200 square feet	25 feet		5.8.7.A.(10)	
Projecting signs	MF (all) OP, MU, LNC, GC, CB, PIP & I	Attached to a building or other private structure	50 square feet	Height of building or sign to which attached	Bottom of sign shall be eight feet above ground Encroachment shall be a minimum of two feet from back of curb	5.8.7.A.(20)	A Building Permit is also required
Real Estate signs	All					5.8.7.A.10	
Residential Neighborhood	All	One or both sides of principal entrance	32 square feet	6 feet	Shall not contain a commercial message	5.8.7.A.(22)	
Suspended signs	MF (all) OP, MU, LNC, GC, CB, PIP & I MF (all) OP, MU, LNC, GC, CB, PIP & I	Under canopies attached to buildings	Two-thirds the width of the area under the canopy		One per entrance Shall not be separately illuminated	5.8.7.A.(5)	Approval from Planning Division is required
Temporary Signs on Commercial Property	MF (all) OP, MU, LNC, GC, CB, PIP & I	Attached to building or freestanding				5.8.7.A.(23)	Approval from Planning Division is required
Wall signs	MF (all) OP, MU, LNC, GC, CB, PIP & I MF (all) OP, MU, LNC, GC, CB, PIP & I		One square foot of wall sign for each linear foot of building	Shall not extend beyond the top of wall		5.8.7.A.(2)	
Window signs	MF (all) OP, MU, LNC, GC, CB, PIP & I MF (all) OP, MU, LNC, GC, CB, PIP & I	Inside of window	N/A	N/A		5.8.7.A.(4)	
Yard Sale signs	ALL	One on premise sign and one	Four square feet per side or eight square feet total		Not allowed in right-of-way Shall be removed 72 hours	5.8.7.A.(24)	

5.8.6 Computation and measurement.

- A. Area computation of individual signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, base, bracing or decorative fence or wall when such fence or wall otherwise meets the regulations of this UDC and is clearly incidental to the display itself. For a single wall, all pieces of information or other graphic representations on that wall shall be measured as though part of one sign, encompassed within one rectangle, which may not exceed the maximum permitted sign area.
- B. Area computation of multi-faced signs. Where the sign faces of a double-faced sign are parallel or the interior angle formed by the faces is 60 degrees or less, only one display face shall be measured in computing sign area. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger face. In all other cases, the areas of all faces of a multi-faced sign shall be added together to compute the area of the sign. Sign area of multi-faced signs is calculated based on the principle that all sign elements that can be seen at one time or from one vantage point should be considered in measuring the size of the sign.
- C. Sign height computation. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: existing grade prior to construction; or newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the site, whichever is lower.
- D. Building frontage. Building frontage shall mean the horizontal length of a building (building length) on the side with its principal entrance. If that side is a straight wall, then the building frontage shall be the length of the wall. If the side is not a straight wall, the building frontage shall be the horizontal distance from the corner at one end of the side of the building with the principal entrance to the other corner on the same side of the building; where that side of the building is concave, then the measurement shall be made in a straight line from corner to corner; where the side of the building is convex or has one or more sections that project in front of the front corners, then the measurement shall be made as the shortest distance between two lines projected from the two front corners of the building, with such lines parallel to each other and as close as practicable to perpendicular to the front of the building.
- E. Street frontage. Street frontage shall mean the horizontal length of the street frontage along the subject lot side and shall be measured in accordance with the requirements of subsection 2.8.3B., lot width.

5.8.7 Permitted signs; locations, number and size. Signs shall be permitted in accordance with the Table in Section 5.8.5, summary of permitted signs. The number in the "Conditions" column for a particular

type of sign shall refer to the same-numbered "Condition" on the following pages, which shall apply to that sign in accordance with its terms.

A. Conditions.

(1) Principal free-standing signs. Principal freestanding signs shall be permitted, subject to the following:

a. Allowable area. One square foot in sign area shall be allowed for each linear foot of street frontage up to a maximum of 200 square feet and limited as follows:

- (1) The MF, OP, MU, and LNC districts are limited to a maximum of 50 square feet.
- (2) The GC, PIP and I districts is limited to a maximum of 200 square feet.

b. Allowable height. The maximum allowable height to the top of the sign is as follows:

MF (ALL)	OP	MU	LNC	GC	CB	PIP	I
6	10	10	10	-	-	-	-

c. Corner setbacks and visibility. All freestanding signs shall comply with safe sight triangle requirements of section 5.3.6, corner setback and intersection visibility.

d. Single- and double-occupant projects. For single- or multi-occupant projects, there shall be only one freestanding sign, plus an additional freestanding sign for each of the following, provided that no two freestanding signs shall be within 300 feet of each other on the same street frontage:

- (1) Street frontage on a 2nd street, provided that the street frontage on such street is at least 150 feet in length; and
- (2) Street frontage on a 3rd street, provided that the street frontage on such street is at least 150 feet in length; and
- (3) For every 300 feet of street frontage on any one street in excess of 300 feet.

(2) Wall signs, nonresidential. Nonresidential wall signs shall be permitted in accordance with the following provisions:

Commentary:
Siting of nonresidential buildings closer to thoroughfares is encouraged in the interest of more attractive streetscapes for the City of Farmington. Also, allowable wall signs will be more effective where buildings are placed closer to the street, rather than far away.

a. The total area of wall signs on a particular wall or a section of wall shall not exceed one square foot of wall sign for each linear foot of length of that wall, which length shall be measured by applying the same principles as are used to measure building frontage, subject to residential restrictions.

b. The total area of all wall signs on a building shall not exceed one square foot of wall sign for each linear foot of building frontage or the maximum total area per district, whichever is less. The fact that signs may be permitted on more than one wall of the building shall not increase this maximum.

c. On a multi-tenant building, there may be a separate wall sign for each occupant with an outside entrance serving the general public, but this provision shall not increase the total area of signage permitted on the building.

(3) Wall signs, residential and institutional.

a. Single-family residential units (either attached or detached) in zoning districts or portions of planned developments designated for single-family use shall be permitted one wall sign meeting the following criteria:

- (1) The sign shall not exceed two square feet in area;
and
 - (2) The sign shall not be separately illuminated.
- b. Multifamily residential or institutional uses located in residential zoning districts, including portions of planned developments designated for residential use, shall be permitted one wall sign per public entrance, which wall sign shall be subject to the following:
 - (1) No such sign shall exceed six square feet in area;
and
 - (2) Each sign may be illuminated only by direct, external illumination.
- (4) Window signs. Signs may be placed on the interior of window glass.
- (5) Suspended signs. Suspended signs shall be permitted under canopies attached to buildings only to identify entrances to businesses or other users under that canopy. Suspended signs shall be subject to the following specific conditions:
 - a. There may be one suspended sign per entrance, and the suspended sign may have copy on both sides.
 - b. A suspended sign shall not be separately illuminated.
- (6) Awning signs.
 - a. The maximum area an awning sign(s) shall cover is 20 percent of the total awning face area of any face that is visible when viewed from either a frontal or side direction, or the maximum wall sign area for the building frontage, whichever is less.
 - b. If the awning is mounted on a multi-tenant building, the awning sign shall comply with the approved master sign program in color, size, material, and letter style.
- (7) Banners. In addition to other allowable signs, banners visible from public right-of-way shall be permitted, subject to the following conditions:
 - a. Banners shall be attached to a building or to a privately owned light or other existing pole.
 - b. Banners shall be permitted for a use by commercial operations only twice a year, for a total time period of 30 days and further, provided there is only one attached banner per property.
 - c. Banners shall be in addition to other allowable wall and principal freestanding signs.
- (8) Building markers. Building marker signs shall be permitted, subject to the following conditions:
 - a. Such signs shall not exceed three square feet in area;
 - b. Such signs shall be made of permanent material, such as bronze or masonry, and shall be permanently affixed to or made part of the building;
 - c. There shall be only one such sign on any building; and
 - d. Such signs shall be affixed to a building wall.
- (9) Construction signs. Construction signs shall be permitted where there is an active building permit, subject to the following conditions:
 - a. For nonresidential, institutional, or multifamily residential buildings, in the same location and subject to the same size and other conditions applicable to a "principal freestanding sign." The construction sign shall be removed no later than the date of issuance of a certificate of occupancy for the premises or any part thereof.
 - b. In other residential areas, a single construction freestanding sign as an accessory use to a subdivision real estate sales office permitted under the UDC, and only as long as such office is permitted and actually used. Such sign shall not exceed 32 square feet in area.
- (10) Programmable signs. Programmable signs shall be permitted, subject to the following conditions:
 - a. The image (pictures, as opposed to words) cannot change more frequently than once every three seconds, with the

- exception of time and temperature, which can change every second.
- b. Background on worded messages shall not be lit during the dusk to dawn hours.
 - c. If a worded message is longer than the sign's display capability, the set of words on the sign cannot change more frequently than once every second.
 - d. Continuous streaming signs are allowed.
 - e. Programmable signs shall be limited to the maximum allowable square footage of the underlying zoning district.

Commentary:

Any sign on which the message is regularly changed more than once per minute is considered a "flashing" sign under this UDC.

- (11) Directory signs. Directory signs shall be permitted where a particular site includes more than one tenant or occupant, subject to the following conditions:
 - a. In shopping centers. Director or designee signs in shopping centers may be located near entrances to parking areas, but at least 50 feet from any public right-of-way, and at principal intersections within the center, where such intersections are at least 50 feet from any public right-of-way. Such signs shall not exceed 16 square feet in area or 72 inches in height. Such signs may contain logos or business names with arrows or other directional information
 - b. At multifamily projects, office buildings or business parks. One Director or designee sign may be located near the principal entrance to a parking area for multifamily projects, office buildings, or business parks. Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up to and read the Director or designee without impeding traffic on any driveway or entrance serving the development. Such sign may contain an unlimited number of pieces of information. Such sign may not exceed 12 square feet in area and five feet in height.
- (12) Fuel price signs. Service stations will be allowed, in addition to one permitted freestanding sign, one fuel price sign per street frontage, the area of which shall not exceed 16 square feet and will not be included in the allowable area of any freestanding sign. This sign shall follow the setback requirements for a freestanding sign and shall not be located within the right-of-way.
- (13) Home business signs. Total square feet of home business signs shall not exceed three square feet per lot. Such signs shall be limited to wall signs or free standing, monument signs. Such signs shall not be internally illuminated. Temporary signs, flashing signs, and electronic reader boards are prohibited.
- (14) Identification signs. Identification signs shall be permitted, subject to the following conditions:
 - a. Such signs shall not exceed three square feet in area;
 - b. Such signs shall be affixed to a building wall.
- (15) Incidental signs. Incidental signs shall not exceed three square feet in surface area. Incidental freestanding signs shall not exceed three feet in height.
- (16) Marquees. Marquees shall be permitted as additional wall signs only at theaters and entertainment venues and may have changeable copy on each face.
- (17) Off-site signs and billboards. Such signs may be placed along principal arterial streets as shown on the city's major thoroughfare plan, except along the designated Native Heritage Trails Byway (U.S Highway 64, including Murray Drive), which have a minimum right-of-way width of 200 feet, but only:

- a. Having a total area of not more than one square foot for each five lineal feet of highway frontage;
 - b. Having a total area of not more than 200 square feet;
 - c. Having a height not exceeding 26 feet;
 - d. Being at least 750 feet from any other off-site sign and shall include both sides of the street; back-to-back parallel faces shall constitute one sign; and
 - e. Being at least 100 feet from any on-site, freestanding sign or residential building; such distance shall be measured as a radius.
- (18) Political signs.
- a. Such signs shall be limited to no more than one per candidate or issue on any single parcel;
 - b. Such signs may be located on private property, with permission of the owner;
 - c. Such signs may be located in City of Farmington right-of-way or easements at a specific location and for a specific time period with the approval of the City Manager or designee;
 - d. Such signs shall not exceed 32 square feet in surface area per side, except that where such sign is erected in place of another type of sign permitted at that location, then it may be the same size and shall be subject to the same conditions as such sign;
 - e. A sign which pertains to a specific election or event shall not be erected prior to 60 days before the date of such election or event and must be removed no later than five days after the date of such election or event;
 - f. Notwithstanding the requirements of subparagraph e. above, a candidate that is successful in a primary election or a candidate that becomes eligible to be placed on the ballot for the general election after the primary election is concluded, shall be allowed to retain or erect signs during the interim period between the primary and general election unless a different time limit is specified under Section 19.c; and
 - g. All political signs erected pursuant to this paragraph shall be properly maintained in good condition or removed.
- (19) Projection signs. Such signs shall be attached perpendicular to a building or other structure. Only one such sign is permitted per building frontage with an entrance available to the public. Such signs shall not project into any adjacent right-of-way without an encroachment permit. In no case shall such an encroachment be closer than two feet from the back of the curb. The bottom of such signs shall be a minimum of eight feet above the walkway.
- (20) Real estate signs. Signs advertising property "for sale" or "for lease" or "open house" shall be allowed only in accordance with the following provisions:
- a. In residential districts, one sign not more than six square feet in total area shall be permitted on any lot;
 - b. In nonresidential districts, for single-occupancy properties, one sign of not more than 16 square feet in total area;
 - c. In nonresidential areas for multi-occupancy properties, one sign not more than 12 square feet in total area shall be permitted per space that is available for sale, rent or lease;
 - d. On vacant lots in residential areas, one sign per lot, which sign shall not exceed six square feet in total area; and
 - e. On vacant land in nonresidential areas, one sign per lot or tract, which sign shall not exceed the height or other dimensions applicable to a freestanding sign otherwise permitted on the property. When individual lots or tracts are five acres or larger additional signs may be allowed at a maximum of one sign per every five acres.
 - f. "Open house" signs may go up the day of the open house and shall be removed within one hour after the responsible real estate agent leaves the property at the close of the open house.

- g. One directional sign, of a maximum of six square feet, may be placed on a lot. The sign must be removed within five days of the closing date.
 - h. One off-site real estate sign not exceeding 32 square feet in total area and not exceeding ten feet in height shall be permitted on a property fronting a collector or arterial street outside the area of the for-sale/lease property. Given, however, that the off-site property owner has granted permission for said sign and that said sign is not within 100 feet of any other sign on the property. Such sign must be granted a sign permit which will remain in effect for not more than six months, unless an extension of time is granted by the Director or designee.
- (21) Residential neighborhood (identification signs). Monument signs with the name of the subdivision, mobile or manufactured home park, or multifamily development may be located on one or both sides of each principal entrance into the development, provided that:
 - a. Such sign shall not exceed 32 square feet in area; and
 - b. Such sign shall not exceed 72 inches in height.
 - (22) Temporary signs on non-residential property.
 - a. Signs for special events require a permit shall be limited to a duration of 30 days;
 - b. In no case shall there be issued more than one temporary sign permit within any 12-month period for the same single-occupancy premises or for the same tenant space in a multiple-occupancy premises;
 - c. Temporary free-standing signs may be:
 - (1) Attached to a wall of the building on which wall signs are permitted and shall be parallel to that wall; such signs may be made of cloth or canvas and are not subject to the construction and installation requirements otherwise applicable; or
 - (2) Balloons and/or other gas filled objects located in any zoning district, which balloon and/or gas filled object shall not exceed 20 feet in height and may contain or display a logo; or
 - (3) Portable, changeable signs.
 - (23) Yard sale signs. Signs for yard sales shall be permitted provided that:
 - a. Only one such sign shall be on the lot where the yard sale is located, plus no more than one additional sign located on a different property;
 - b. Such sign shall not exceed four square feet in area per side or eight square feet total;
 - c. Such sign shall remain in place for no longer than 72 hours; and
 - d. Such sign cannot be placed in the developed part of the rights-of-way, including medians, or attached to public utility or light poles.

All other provisions of Article 5 shall remain unchanged.

PASSED, SIGNED, APPROVED AND ADOPTED this 22nd day of September, 2020.

Nate Duckett, Mayor

SEAL

ATTEST:

Andrea Jones, City Clerk

ORDINANCE NO. 2020-XXXX

AN ORDINANCE AMENDING SECTION 23-2-7 OF THE FARMINGTON CITY CODE ESTABLISHING RESIDENTIAL AND COMMERCIAL CHARGES FOR SANITATION SERVICE

WHEREAS, the City of Farmington has contracted with Waste Management of New Mexico, Inc., to provide solid waste sanitation disposal services for the City; and

WHEREAS, said contract became effective September 1, 2016, and certain rates and fees for sanitation service need to be amended to comply with the annual required Consumer Price Index (CPI) and Landfill adjustment provisions of the Contract; and

WHEREAS, San Juan County has adjusted their landfill fees to the Consumer Price Index (CPI); and

WHEREAS, amendments to Section 23-2-7 of the Farmington City Code will allow the City to fulfill its obligations under the contract.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON:

SECTION 1: Sec. 23-2-7(a)(1) of the Farmington City Code (Individual residential solid waste and curbside recycling service - four units or less) is amended by deleting the figure \$14.66 and substituting the figure \$15.11, by deleting the figure \$5.54 and substituting the figure \$5.67, by deleting the figure \$3.73 and substituting the figure \$3.91 and by deleting the figure \$4.96 and substituting the figure \$5.08.

SECTION 3: Sec. 23-2-7(c) of the Farmington City Code (Commercial container service rates) is amended by deleting the "Container (Bin) Rate Schedule" and substituting the following "Container (Bin) Rate Schedule":

CONTAINER (BIN) RATE SCHEDULE

Container (Bin) Size (Yards) Cu.Yd.	1	2	3	4	5	6	7
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1 1/2 or less	\$53.14	\$88.94	\$124.69	\$160.37	\$196.14	\$231.85	\$267.90
2	\$70.68	\$112.05	\$153.42	\$194.78	\$236.19	\$277.55	\$318.92
3	\$83.33	\$144.03	\$195.66	\$251.76	\$307.92	\$364.11	\$420.19
4	\$100.22	\$167.61	\$235.09	\$302.55	\$369.95	\$437.04	\$504.77
6	\$132.54	\$216.97	\$306.79	\$385.91	\$470.30	\$554.70	\$639.20
8	\$175.95	\$269.14	\$362.21	\$455.31	\$548.40	\$641.54	\$734.61

SECTION 4: Sec. 23-2-7(d)(1) of the Farmington City Code (contractor direct charge) (Extra Collections) is amended to read as follows:

Extra collections. Extra collection charges requiring more than seven collections per week.

Per Collection	Container (bin) size cubic yards
\$ 50.33	1-1/2 or less
67.61	2
80.19	3
96.90	4
128.91	6
171.81	8

Direct Contract Commercial Hauling Units

Commercial Vertical Compactor Units	Container (Bin) Size in Cubic Yards	Per Haul Cost	
	2	\$130.89	
	6	\$392.64	
Roll-Off Compactor & Open Top Containers	Size in Cubic Yards	Per Haul Cost	
	25	\$303.96	Plus disposal
	30	\$303.96	Plus disposal
	35	\$303.96	Plus disposal
	40	\$303.96	Plus disposal
Relocate Fee	Per time	\$91.04	
Trip Charge	Per time	\$91.04	

SECTION 5: Sec. 23-2-7(d) (2) of the Farmington City Code (Lid Lock service charges) a. "Non-automatic lock" is amended by deleting the figure \$3.75 and substituting the figure \$4.14; b. "Automatic Locks" is amended by deleting the figure \$5.70 and substituting the figure \$6.27; and c. "Dumpster Lock" is amended by deleting the figure \$11.41 and substituting the figure \$12.56.

SECTION 6: Sec. 23-2-7(d) (3) of the Farmington City Code (Special access service charge) is amended by deleting the "Collections Per Week" and "Rate" schedule and substituting the following "Collections Per Week" and "Rate" schedule:

Frequency of Collections Per Week							
	1	2	3	4	5	6	7
	\$13.50	\$26.98	\$40.47	\$53.99	\$67.43	\$80.93	\$94.40

A new Overage fee of per incident will be charge after the first warning is \$65.00.

SECTION 7: Sec. 23-2-7(d) (4) of the Farmington City Code (Commercial corrugated cardboard collection service contractor direct charge) is amended by deleting the "Frequency of Collections Per Week Monthly Charges" and substituting the following "Frequency of Collections Per Week Monthly Charges" schedule:

(This is a direct bill fee provided for information and includes the 6% franchise fee.)

Container Size in Cubic Yards	Frequency of Collections Per Week Monthly Charges		
	1	2	3
2	\$ 43.74	\$ 87.43	\$131.18
3	56.84	113.68	170.51
4	69.95	139.90	209.82
6	96.17	157.40	288.50
8	131.15	174.90	309.52

Contamination fee per yard per event \$10.24

SECTION 8: A new paragraph (5) and (6) of Sec. 23-2-7(d) (recycle service rates) (contractor direct charge) is added as follows:

(5) Commercial polycart recycle service rates. Charges for polycart commercial recycle service shall be as follows per polycart for all businesses that elect to use and pay for this service:

Frequency of Collections	Rate
Every other week	\$13.18
Weekly	\$19.77

(6) RECYCLING DROP-OFF CENTER rates. Monthly Cost to Operate and Maintain Citizen Convenience Center Per Month \$ 6,092.65.

SECTION 9: The above rates will become effective the first cycle billing in October 2020.

SECTION 10: That the remaining provisions of Chapter 23 of the Farmington City Code shall remain unchanged.

PASSED, SIGNED, APPROVED AND ADOPTED this 13th day of October, 2020.

Nate Duckett, Mayor

SEAL

ATTEST:

Andrea Jones, City Clerk