

# Minutes Planning & Zoning Commission May 26, 2022

The Planning & Zoning Commission met in a regular session on May 26, 2022 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

**P&Z Members Present:**

Chair Joyce Cardon  
Clete Berens  
Shay Davis  
Cheryl Ragsdale  
Gary Smouse  
Ryan Brown

**P&Z Members Absent:**

Vice Chair Clint Freeman  
Gary Hanson  
Elizabeth Lockmiller  
Cody Waldroup

**Staff Present:**

Beth Escobar  
Tami Spencer

**Others Who Addressed the Commission:**

None

**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.

**Approval of the Agenda**

A motion was made by Commissioner Davis and seconded by Commissioner Ragsdale to approve the agenda of the May 26, 2022 Planning & Zoning Commission meeting. This motion passed unanimously by a 6-0 vote.

**Approval of the Minutes**

A motion was made by Commissioner Berens and seconded by Commissioner Smouse to approve the minutes of the May 12, 2022 Planning & Zoning Commission meeting. This motion passed unanimously by a 6-0 vote.

**Swearing of Witnesses**

There were no witnesses present to swear in.

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**PETITION NO. FP 22-35 – Discussion & possible action regarding a request from BC Land Developers Inc., represented by Robert Echols with C-W-E, for final plat approval of an 18-lot residential subdivision.**

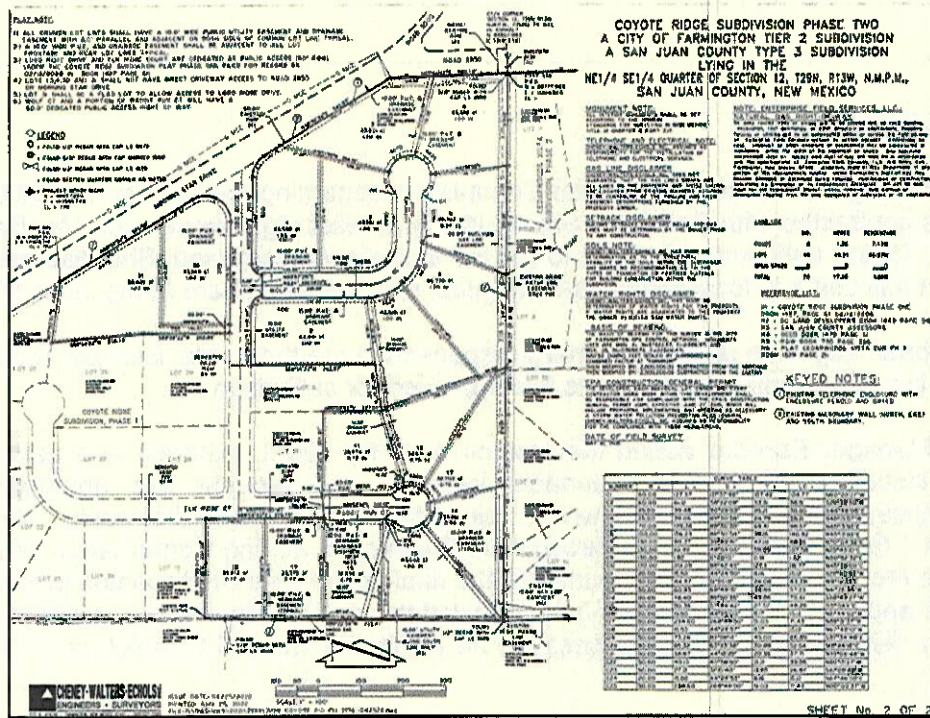
Planning Manager Escobar presented the following:

**Petition**

- Applicant: BC Land Developers, Inc.
- Representative – Robert Echols, C-W-E
- Location: San Juan County



**Final Plat Sheet 2**



**Staff Recommendation**

The Community Works Department recommends approval of Petition 22-35, a Final Plat for Coyote Ridge Phase Two Subdivision, a submittal from BC Land Developers, represented by Robert Echols of Cheney-Walters-Echols for Final Plat approval of a 18-lot, Class 1, subdivision of a vacant 10.41-acre parcel located in Tier II, San Juan County.

1. All technical corrections to the plat and construction drawings will be finalized and approved prior to submittal of the final plat for signature, including noted issues in this report.

**Discussion:**

Commissioner Brown asked Planning Manager Escobar if this subdivision would be on a septic system. Planning Manager Escobar replied yes, the lots range from an acre to just above an acre to meet the required size to allow for septic. The permits would be issued from San Juan County under the purview of New Mexico Environmental Department.

Commissioner Davis asked Ms. Escobar if this subdivision is outside the city limits. Ms. Escobar replied it is out of the city limits. Commissioner Davis then asked how it falls under the purview of the City of Farmington. Planning Manager Escobar answered per state regulations the City of Farmington and all municipalities within the State of New Mexico have what is called planning and plating jurisdiction from 5 miles from the city boundaries. Tier I is three miles and Tier II is up to the five miles. She added this particular subdivision is not likely to be annexed into the City. These regulations are put in place so the City has some control as to what happens in that area, like making sure the streets meet fire safety standards. The City of Farmington and San Juan County will both look at the plat.

Commissioner Brown asked Planning Manager Escobar how the street names are decided. Ms. Escobar explained the names of the streets are approved through the San Juan County Addressing Division. When there is a submittal to the City in Tier I, San Juan County gets the same submittal. The County will review for septic requirements, any improvements to their roads, and they review for addressing. The City will review per our subdivision regulations, right of way width, access and lot configuration.

Commissioner Berens asked Ms. Escobar for clarification on green space regulations. The City's subdivision regulations do require a set aside for green space. There are areas in the city where a development fee is collected per lot, but this is not done outside the city limits.

The Commission had no further questions, Chair Cardon called for a motion.

A motion was made by Commissioner Brown and seconded by Commissioner Berens to approve the final plat SUP 22-35 as recommended by staff. The motion carried 6-0.

**Cannabis Discussion:**

Planning Manager Escobar updated the Commission regarding the signage at 918 E. Main; the owner has contracted with San Juan Signs, who is at least eight weeks out. Ms. Escobar gave the Grass Station until June 30, 2022 to get the sign issues corrected. She also added the first application has come in for a cannabis-testing lab, which will be heard at the June 16 meeting.

Commissioner Ragsdale asked how many dispensaries are there. Ms. Escobar replied four that are open, two are pending, and there is five approved for cultivation.

Planning Manager Escobar added the restriction of the 300 ft. distance to a daycare, school, religious institution or another cannabis location, has brought five applications to the Administrative Review Board (ARB), which have all been approved for that waiver. Mayor Duckett has asked if those waivers can go through the Planning & Zoning Commission, rather than the ARB, to be recommended to City Council for the final action. The ARB's action is final unless the decision is appealed. Mayor Duckett has appealed the decision for PurLife, which is the medical dispensary next to Dunkin Donuts, because he wants the Council to weigh in on this variance request

Ms. Escobar explained the ARB is sworn in as a quasi-judicial board, per state regulations they stand as the final decision, unless the decision is appealed within 15 days. It is a public hearing and the standard notice process is done.

Commissioner Smouse asked what the process is for re-writing code. Ms. Escobar answered we would come forward to the P&Z with a suggested code regulation change. It will be as simple as in the Cannabis Code the Planning & Zoning Commission and City Council hear all variance and waiver request for cannabis related businesses. It would then be published for 30 days; there are three hearings at the City Council during those 30 days before it becomes regulation. The requested code has been written and submitted to the City Attorney's Office. The City Attorney will handle publication of the notices and presentation to Council. . The City Attorney will put it on an agenda for the City Council first, and then it will go to the Planning & Zoning, and back to the Council two more times.


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

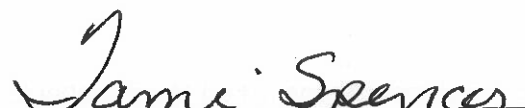
**Business from the Chair:** There was no business from the Chair

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

**Business from Staff:** Planning Manager Escobar stated the recommendation to deny the cell tower was set to be heard by City Council in a public hearing last Tuesday. Unfortunately, the Mayor and one of the Councilors were not in attendance, the hearing was tabled to the June 14, 2022 meeting, if they have a quorum. The Council on the Consent Agenda approved the two preliminary plans that were recommended for approval. Ms. Escobar also added that CDBG Associate Planner Colby Gibson has started putting together a housing plan, which is an action item in our Comp Plan. This will be brought to the second meeting in June for discussion. The housing plan will focus on availability of affordable housing, availability for funding for new homebuyers, potential locations for development of multifamily projects and possible funding for those developments and a possibility for expansion of our bus routes.

**Adjournment:** With no further business, a motion to adjourn was made by Commissioner Davis and seconded by Commissioner Smouse. The motion carried unanimously 6-0 and the meeting was adjourned at 3:22 p.m.

  
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Joyce Cardon  
Chair

  
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Tami Spencer  
Administrative Assistant