

CITY OF HOBBS

RESOLUTION NO. 5482

A RESOLUTION APPROVING AND ADOPTING BUFFERING, SCREENING AND LIGHTING STANDARDS, AS RECOMMENDED BY THE PLANNING BOARD.

WHEREAS, the City of Hobbs Planning Board has received numerous complaints concerning negative impacts of new commercial development of adjacent established residential neighborhoods; and

WHEREAS, the Comprehensive Plan suggests a primary goal is to preserve and protect existing residential neighborhoods; and

WHEREAS, the Hobbs Planning Board has studied these proposals at several meetings, and after careful deliberations, the attached proposals are recommended.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that

1. The City of Hobbs hereby approves and adopts the Minimum Development Standards for Buffering, Screening and Lighting Standards, as follows and as included in this Resolution.

Revised Minimum Development Standards for Buffering and Screening and Building Lighting For Commercial and Industrial Buildings and Residential Housing Projects. February 2010

A. Applicability.

Screening and Buffering is required where any new development – either residential, commercial or industrial uses are locating adjacent to or near an existing residential neighborhood, or where any new multi-family residential use is located nearby or adjacent to an existing single-family residential neighborhood or a single residential use. The provision and maintenance of screening and buffering shall be the responsibility of the property owner. Policies are also established to reduce glare and brightness of lighting from commercial. Buildings under construction at the time of adoption of this regulation must comply with these policies. Existing buildings will be requested to comply retroactively with lighting and other public nuisance issues. All existing and planned development must comply with these policies. The City will coordinate and cooperate with existing buildings to negotiate retroactive compliance.

B. Purpose.

The purpose of this requirement is to reduce and mitigate the impact of new development, especially where there are common rear alleys or common rear yards between existing residential development and the new development property. This requirement has been established in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals, and the general welfare of the City and in order to mitigate the negative impact between adjacent uses and facilitating the transition from one type of use and another; and to reduce the negative visual impact from on-site service areas and equipment to public streets and adjacent uses. Depending on the severity of the potential impacts of a particular new development proposal on the existing adjacent development, the City Manager may require a specific screening method to be built from the options presented below.

C. Screening Requirements and Options.

C1. Screening is required between new commercial uses and existing residential uses and between new multi-family residential uses and existing single-family residential uses.

C2. Minimum Standards. Minimum standards for screening elements require full visual screening and include the following:

C2(a). A screening wall shall be constructed a minimum 6 feet in height and constructed of masonry, decorative reinforced concrete, or painted metal panels with no openings. Prefabricated, patterned concrete panels may be used when embossed with a pattern which resembles masonry units. All wall openings shall be equipped with gates equal in height and screening characteristics and materials compatible with the wall. The side of the screening walls facing the residential use shall be finished with masonry patterns. Plans and designs for masonry walls and painted metal panel walls shall be submitted to the City Engineer for review. These walls shall include adequate footings and foundations and shall be built according to City code requirements.

C2(b). A screening wall of an opaque Wood Picket Fence with steel supports shall be constructed a minimum six (6') feet in height. The fence design shall include four (4") inch diameter vertical steel corner support posts on each end and forty (40') feet on center which are to be set in a concrete pier having a minimum diameter of 18" and a depth of 48". Metal support line posts are required at a maximum distance of eight (8) feet on center with a minimum diameter of 2-3/4" and a minimum wall thickness of 3/16", set in a concrete pier having a minimum 12" diameter and 18" depth, with each post capped at the top. Three (3) horizontal support rails are required to be constructed of 3/16" minimum metal hat channel. Pickets should be made of cedar, redwood, or treated fir or treated pine, secured by screws or bolts to the vertical rails in such a way as to eliminate any

abrasive protrusions on the back side of the fence. The wood shall be treated after erection of the fence. Alternative designs achieving similar structural integrity will be considered for approval by the City Engineer.

C2(c). A combination of screening walls with landscaping, including evergreen shrubs and evergreen trees may be used in combination to achieve a minimum screening height of six (6) feet height at the time of planting. Walls shall be a minimum of (4) feet in height, as measured from the top of adjacent street curbs and comply with the above material standards. An irrigation system shall be installed, with plans to be submitted with the site plan approval and prior to obtaining the building permit.

C2(d). Earthen berms are permitted for screening with a maximum side slope of 3:1, a maximum height of three (3) feet, and shall be entirely vegetated with turf or groundcover. A combination of evergreen shrubs, at least thirty-six (36) inches in height and spaced triangularly at no greater than forty-eight (48) inch centers, may be combined with earthen berms having an average height of three (3) feet, to achieve the minimum screening height of six (6) feet. The wall shall be designed by an engineer. Combination earthen berm and landscaping walls shall not create water run-off and drainage problems which cause an adverse impact to contiguous and adjacent properties. An irrigation system shall be installed, with plans to be submitted with the site plan approval and prior to obtaining the building permit.

3. For options C2(c) and C2(d) above, the City will consider an alternative design using a hedge planting scheme which achieves similar buffering integrity to be considered for approval by the City Planner.

4. Screening is required for permanent locations of large commercial trash receptacles such as dumpsters, roll-off containers and similar containers. Screening is encouraged around on-site support uses that are visible from a residential use and/or a collector or arterial street right-of-way. On-site support uses include, but are not limited to: loading docks, delivery entrances, ground-mounted and/or roof-mounted mechanical equipment, including pad-mounted transformers, telephone switch boxes, and gas meters and similar equipment.

D. Alley Access Not Permitted for Employee and Customer Traffic.

Commercial development or industrial use shall not utilize an alley for parking of unattended vehicles or for access to parking lots. Secondary vehicular access allowing customers for pick up and delivery to the business site is permitted. Use of the alley to access a drive-up window for taking orders and subsequent pick-up by the customer is not permitted. Commercial and industrial deliveries are permitted as long as the City Noise Ordinance is not violated with night-time deliveries and the delivery vehicle does not block alley traffic. The use of an alley is primarily for residential access, emergency vehicle access, utility access,

refuse collection and other service related uses such as loading and unloading. Vehicles utilizing the alley shall not be permitted to idle truck engines (Chapter 8.20).

E. Illumination Standards.

1. Exterior illumination, if such is to be provided, shall be designed to light only buildings, parking areas and walkways and shall not produce glare on adjacent residential lots, streets or adjacent commercial building sites.

2. All floodlighting fixtures shall be depressed ground level or screened from public view. The lighting shall be designed to illuminate the building in a manner approved by the New Mexico Night Sky Ordinance.

3. Parking area lighting units, arcade lighting and other illumination of a "Pedestrian Scale" shall be in a style designed with full cut-off fixtures.

4. Flood light fixtures mounted on the building to shine away from the building are not permitted unless wall pack lighting fixtures are installed with appropriate glare shields, subject to the following distance and wattage standards:

<u>Wattage of HPS or Metal Halide Bulbs</u>	<u>Minimum Distance To Nearest Residential Structure</u>	<u>Spacing Minimum Wall Pack Fixtures</u>
50 Watt	50' feet	15' feet
70 Watt	75' feet	20' feet
150 Watt	150' feet	100' feet
250 Watt	300' feet	Not Applicable
400 Watt	Recommended for commercial & industrial yard area only.	

Notes: The distance to the residential structure is measured from the light fixture to the closest wall of the structure. The interval spacing minimum provides standards for how close in proximity the wall pack fixtures can be located. Wide flood type bulbs are recommended.

5. All full cut-off fixtures must be directed in a perpendicular direction to the ground surface. All lighting systems shall be designed to minimize negative impacts to traffic safety.

6. The City will request existing buildings to change out bulbs to lower wattage, exchange out lighting fixtures with reduced glare or to add glare screening to existing fixtures.

7. The City may request an Engineer certification report to verify that the lighting plan meets the above standards.

2. Repeal of Resolution No. 5048. Resolution 5048 passed May 5, 2008 is hereby repealed in its entirety and is deemed null and void.

3. That the Mayor be and he hereby is authorized and directed to execute on behalf of the City of Hobbs.

4. The City officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED, ADOPTED AND APPROVED this 1st day of February 2010.



GARY DON REAGAN, Mayor

ATTEST:



JAN FLETCHER, City Clerk

