

AGENDA
City of Hobbs Planning Board – Regular Meeting
November 15, 2016 at 10:00 AM

W. M. “Tres” Hicks, Chairman
Bill Ramirez
Brett Drennan
Larry Sanderson

Guy Kesner, Vice Chairman
Bobby Shaw
Dwayne Penick

Tentative Agenda for the Planning Board Regular Session Meeting to be held on Tuesday, November 15, 2016 at 10:00 AM at the City of Hobbs Annex Building, First Floor Commission Chambers located at 200 E. Broadway, Hobbs, NM 88240.

AGENDA

- 1) Call To Order.**
- 2) Review and Consider Approval of Agenda.**
- 3) Review and Consider Approval of Minutes.**

October 18, 2016 – Regular Meeting
November 3, 2016 – Work Session

- 4) Communications from Citizens.**
- 5) Review Proposed Albertson Block 1 sketch plan located southwest of the intersection of Glorietta and Houston.**
- 6) Review Proposed Mesquite Draw Subdivision sketch plan located southeast of the intersection of Alabama and Braniff Drive an undeveloped ½ section line road.**
- 7) Public Hearing to Review and Consider a Request to Grant a Special Use Permit and Amend the Planning District Map to Allow an RV Park (RVP), on a proposed 1 +/- acre parcel to be created on Goings Road north of Pilot.**
- 8) Review and Consider Parking Variance Request located southwest of the intersection of W. Marland Boulevard and S. Texaco Road as submitted by Dollar General. The City of Hobbs Municipal Code requires 1 space per 200 net square feet of lease space; Dollar General is proposing 30 parking spaces instead of the required 36 spaces.**
- 9) Review and Consider proposed amendment of Municipal Code Title 16 (Subdivision Regulations).**

The City will make every effort to provide reasonable accommodations for people with disabilities who wish to attend a public meeting. Please notify the City at least 24 hours before the meeting. Telephone 397-9351.

“Notice is hereby given that a quorum of the Hobbs City Commission may be in attendance at this meeting.”

**PLANNING BOARD MEETING
MINUTES
October 18, 2016**

The Hobbs Planning Board met on October 18, 2016 at 10:00 a.m. at City of Hobbs Annex Building, First Floor Commission Chambers, located at 200 E. Broadway, Hobbs, NM 88240 with Mr. Guy Kesner, Vice Chairman presiding.

Members Present:

Guy Kesner, Vice Chairman
Bobby Shaw
Bill Ramirez
Larry Sanderson
Dwayne Penick

Members Absent:

Tres Hicks, Chairman
Brett Drennan

Also present were members of the public and City staff as follows:

Kevin Robinson, Development Director
Todd Randall, City Engineer
Julie Nymeyer, Staff Secretary
Todd Ray
Kendall Goad

Commissioner Buie
Commissioner Newman
Dennis Holmberg
David Pyeatt
Patty Collins

1) Call To Order.

Vice Chairman Guy Kesner called the meeting to order at 10:00 am.

2) Review and Consider Approval of Agenda.

The first item of business was to review and approve the Agenda for the October 18, 2016 meeting. Mr. Kesner asked if there were any changes or additions to the Agenda? Mr. Robinson said there are no changes or additions to the agenda. Mr. Shaw made a motion, seconded by Mr. Ramirez to approve the agenda as presented. The vote on the motion was 5-0 and the motion carried.

3) Review and Consider Approval of Minutes.

September 20, 2016 – Regular Meeting

Mr. Kesner asked if everyone has had a chance to read the Regular Minutes from September 20, 2016. Mr. Shaw made a motion seconded by Mr. Ramirez to approve the minutes as presented. The vote on the motion was 5-0 and the motion carried.

4) Communications from Citizens.

Mr. Shaw introduced Ms. Patty Collins as the new Executive Director for the Hobbs Chamber of Commerce.

- 5) **Review and Consider Dedication Plat dedicating a portion of N. Grimes located northeast of the intersection of Apodaca and N. Grimes as submitted by High Five Capital LP., property owner.**

Mr. Robinson said this is a dedication plat for a property that was purchased by Allsup's which is located south of the pole portion of Del Norte Park. He said this was an undivided portion that was purchased and they found out the street was never dedicated so they are now dedicating a portion of N. Grimes.

Mr. Robinson said additionally there are two of items for discussion only. He said there will be a surface improvement by Allsup's on a small portion of City property and an easement was granted to Allsup's. He said there will also be a subservice for Allsup's electrical lines and fuel lines. He said spanning the property in the middle will be an underground occupation and a service occupation. He said they will have canopies and truck parking for this facility. Mr. Kesner asked if they were going to have pumps on the premises? Mr. Robinson said yes. Mr. Ramirez asked if everything will be done on their property? Mr. Robinson said yes but the lines will be crossing municipal property and they will be putting a layer of concrete on city property. Mr. Kesner asked if it was a right of way? Mr. Robinson said no it is fee simple property by the municipality. He said fuel underground storage tanks will be located on their property.

Mr. Kesner asked if there was gas in the property line? Mr. Robinson said he believed so. Mr. Kesner suggested contacting Seborn South with the gas company. Mr. Penick made a motion, seconded by Mr. Shaw to approve the dedication plat. The vote on the motion was 5-0 and the motion carried.

- 6) **Review and Consider front yard setback variance request for Lots 7, 8, 9 & 10 of the Windsor Estates Subdivision as submitted by Hobbs Windsor Estates, LLC, property owner.**

Mr. Robinson said Mr. David Pyeatt is with Windsor Estates, LLC and is here representing the variance setback request for lots 7, 8, 9 and 10. He said he is requesting a variance from our normal setback of 21 feet to 10 feet setback from property line. He said staff recommends granting the variance and retaining the 25 foot setback required for all driveways. He said the house proper could be located 10 foot from property line or 15 feet whichever is greater. He said the garage entry would still be 25 feet from property line. Mr. Kesner asked Mr. Pyeatt if that would work? Mr. Pyeatt said he did not have an issue with it. Mr. Shaw made a motion, seconded by Mr. Ramirez to approve the variance with staff's notations. The vote on the motion was 5-0 and the motion carried.

- 7) **Review and Consider Proposed amendment to MC 15.20 (Parking) to address on street parking of commercial vehicles.**

Mr. Robinson said this item was submitted to the Planning Board at the last public meeting and the Planning Board suggested notifying the public about the proposed amendment. He said there was a press release and staff has received some phone calls and they were for the amendment and none against.

Mr. Robinson discussed the changes to the parking amendment. He said this is regulating the on street parking and restricting the on street parking from those vehicles that are unable to fit into 8.5 x 22 foot spot. He said if your vehicle is larger than that size you will be disallowed to park on the street within the areas that are within 300 foot of a residential property. Mr. Shaw asked why the 300 foot restriction? Mr. Robinson said the municipality does not have zoning and has not passed a zoning ordinance but we do not restrict the usages of the properties. He said we do know that some are being used for residential purposes and some for commercial purposes. He said the properties that are being used for residential purposes which are primarily in residential neighborhoods then those parcels are being restricted from the parking. He said there will be occasion where there is a single residential house in the middle of a commercial property. Mr. Shaw asked how they would deal with that. Mr. Robinson said if you had a trucking company and it is on your site but you have a residential house on that site then the trucks would have to move 300 foot from your residence and parked on a street or move the vehicles on your site.

Commissioner Buie said after this came out in the paper the phone calls he received is many of the people are worried about what would happen with their motorhomes? Mr. Buie said they can park their motorhomes on the street to load or unload. He doesn't think they should be so worried about the motorhomes and camper trailers. He thinks the main goal is to get crude oil haulers off of residential streets. He said the hot shot companies and 18 wheelers with a 40 foot covered van parked on the street for 2-3 weeks is the problem. He said he receives calls all over town about these types of vehicles, not motorhomes and campers.

Mr. Robinson said the area that Mr. Randall has highlighted states non-motorized trailers of any type, disconnected from a motorized vehicle are prohibited from on street parking. He asked if that was the Boards intent? Mr. Kesner asked if this is going to drive the vehicles on premises. He said instead of someone parking on the street they will just park next to their front door. Mr. Robinson said this will not restrict that activity at all. Mr. Shaw said that was discussed at the meeting and the recommendation by Mr. Stone was to hold off on onsite parking. Mr. Pyeatt asked if this was a complaint basis on this or is Code Enforcement driving around ticketing everyone. Mr. Robinson said mainly complaint driven but Code Enforcement can do on site enforcement. Mr. Robinson said there are a lot of communities that have the gross vehicle weight tied to these ordinances. He said it would be hard for Code Enforcement to know what the gross vehicle weight for a specific vehicle is. He thought the size was easier to decipher.

Mr. Pyeatt said it would be nice to have a caveat that says even if it does fit the size specified if it is a safety hazard it will not be allowed. Mr. Robinson said that is in the UTO. Mr. Kesner said this is a pretty restrictive. Mr. Penick agreed and said it is pretty restrictive for the little guy with a trailer. Commissioner Buie said large trucks were his main concern. He said his intent is to get the large dangerous vehicles out of neighborhoods. Ms. Collins said the way she reads this the non-motorized trailers cannot park her boat the night before

in front of her house and load and unload. Mr. Robinson said that would be a violation. Mr. Penick said a lot of times it takes 2 or 3 days to load and unload a camper. He said he thought the Board should look into it a little more on the campers and RV's. Mr. Kesner said he is worried about the statement non-motorized trailers of any type. He said there is one down the street from him that has a 4-wheeler on it and they use it every weekend and then we are going to force him to park it on premises or have to find someplace to store it permanently. Mr. Sanderson said the non-motorized trailer of any type is so broad but he does get the notion of permanent parking on the street. Mr. Kesner said he thinks the key to this is definition. He said if everyone understands the terminology inside the ordinance it makes it clearer. He said it states commercial trucks, trailers, and other similar vehicles. He said you basically defined commercial trailers and then any vehicles. That could mean any vehicle. Mr. Shaw said Mr. Stone said the more specific you can be the better.

Mr. Shaw made a motion, seconded by Mr. Penick to table this item. The Board requested a Work Session with Legal and Code Enforcement for further discussion. The vote on the motion was 5-0 and the motion carried.

8) Review and Consider proposed amendment of Municipal Code Title 16 (Subdivision).

Mr. Robinson said this is the amendment for Title 16. He said there was a subcommittee formed and over 5 weeks all of the changes before you were discussed. He said this amendment came back in front of this board and was tabled. Mr. Pyeatt said the significant change that he saw was in the ET Zone. He said currently the city has joint platting and planning jurisdictions with the county for tracts of 5 acres or less. He said from a closing stand point probably 25 to 35% of all divisions of land are more than 5 acres. Mr. Kesner said he does not agree with the statement "any" subdivision. He said for example the parcel of land on Lovelady Lane off of Denver City Hwy and there are twenty 10 acre parcels that is close enough to the city limits then there needs to be some planning on those parcels. He said farther north or south of town may be different.

Mr. Pyeatt asked what staff's reasoning is for involvement in larger tracts. Mr. Robinson said the dedicated right of ways and other issues where the city and county have different views and are not on the same page. Mr. Shaw said he didn't think they would ever be on the same page. He said there are certain things they should be allowed to do in the county that is not allowed in the city. Mr. Robinson said it becomes a problem for the city once they are annexed in to the city. Mr. Kesner said he is more worried about the dedication of right of way than anything else. Mr. Shaw said his feeling is that anything over 5 acres should not have to come to the city. Mr. Penick agreed. Mr. Robinson said staff doesn't feel like that is a problem if all the subdivisions are compliant.

Mr. Pyeatt said there are surveyors from Albuquerque that come in and use the HOB Monument which is at the airport and he said there is no way as a title person he can verify that. He said it would be nice if that particular provision states that they have to come from a monument in the same section of land that the property is located in. The Board agreed. Mr. Kesner said the preliminary or the final plat? Mr. Robinson said he thinks it needs to be on both the preliminary and final plat. Mr. Kesner asked the Board if they felt comfortable with moving this item onto the City Commission? Mr. Robinson asked if the two changes

were reinserting the sentence into 1) B2 “compliant” with Lea County Subdivision Regulations” and 2) requiring monument ties within a section in the preliminary and final plat requirements.

Mr. Penick made a motion, seconded by Mr. Ramirez to approve the Municipal Code Title 16 to the Commission with the changes. The vote on the motion was 5-0 and the motion carried.

9) Report of Subdivisions approved via MC 16.12 – Alternate Summary Procedure since July 19, 2016.

Mr. Robinson said this is a Summary Procedure review. He said the last one was in June 2016. He said a lot of these plats get approved quickly but occasionally we have to call the County Clerk for the plats because staff never sees them again. He said one of the plats in the packet has not been approved as summary approval but will be soon which is Surete Subdivision. He said this will be the last one in this subdivision. He said it is 100% compliant with the summary plat approval.

Mr. Kesner asked if someone other than staff should be looking at Surete? He said he thought they should come to the Planning Board from a public point of view. Mr. Robinson said they could. Mr. Randall said the property for the CORE has already been conveyed. He said now that the construction reward was given to Haydon and they are under construction that kicks in the commitment for the offsite infrastructure improvements. He said they would want some public input on this project. Mr. Kesner said he just wants to make sure since it is a parcel of land owned by the city and the city is subdividing it he thinks it would make sense to have some public oversight other than the city itself.

Mr. Robinson said it is staff’s policy and this Board’s policy that any large dedications are reviewed by the Planning Board and the Commission. He said this is a large dedication but it is compliant. Mr. Kesner said it is being reviewed today and getting some oversight. Mr. Robinson said it was included in the Summary Procedure more for the naming of the streets. He said he believes there have been several public meetings on this already. Mr. Kesner said they have reviewed the report of the summary plats and can send them to the Commission.

Mr. Kesner asked about the last meeting and Mrs. Felkins coming before the Board about flood issues on Bender. He said staff was going to follow up on that issue. Mr. Randall said one of the things they were going to bring back was a map of right of ways that are being city maintained. He said she has two different issues, one being the maintenance of the culverts and the weeds in the right of ways. He said the second issue that was brought up is what sort of suggestions or recommendations as far as controlling volume and discharge of water from newly developed areas. Mr. Kesner said the Board would like to have a report from staff about the flooding and maintenance for the Bender properties. Mr. Robinson said staff has been tasked with redoing the weed ordinance. He said they are not at the point of completion of that task yet. Hopefully at the next meeting they can be addressed.

With nothing further to discuss the meeting adjourned at 11:42 am.

Guy Kesner, Vice Chairman

**PLANNING BOARD WORK SESSION MEETING
MINUTES
November 03, 2016**

The Hobbs Planning Board met on November 03, 2016 at 10:00 a.m. at City of Hobbs Annex Building, First Floor Commission Chambers, located at 200 E. Broadway, Hobbs, NM 88240 with Mr. W.M. "Tres" Hicks Chairman presiding.

Members Present:

Tres Hicks, Chairman
Bobby Shaw
Larry Sanderson
Dwayne Penick
Brett Drennan

Members Absent:

Guy Kesner, Vice Chairman
Bill Ramirez

Also present were members of the public and City staff as follows:

Kevin Robinson, Development Director
Todd Randall, City Engineer
Julie Nymeyer, Staff Secretary
John Caldwell
Cory Needham

Commissioner Newman
Efren Cortez
Dennis Holmberg
Bruce Reid

1) Call To Order.

Chairman W.M. "Tres" Hicks called the meeting to order at 10:07 am.

2) Review and Consider Approval of Agenda.

Mr. Hicks asked if there were any changes or additions to the agenda? Mr. Robinson said there were no changes. Mr. Drennan made a motion, seconded by Mr. Penick to approve the agenda as presented. The vote on the motion was 5-0 and the carried.

Mr. Hicks said there are no actions items today it is a Work Session for discussion purposes.

3) Review and Discuss Proposed Amendment to Municipal Code 15.20 (Parking) to address on street parking of commercial vehicles.

Mr. Robinson said this is a Work Session for the parking code and purposed amendments. He said staff has discussed this many times and the latest discussions were that it would be better in the Uniform Traffic Offense than in the Development Codes. He said last month at the Planning Board Meeting there were a lot of questions about enforcement and that is currently in the UTO. He said Efren Cortez, Assistant City Attorney is here and will answer questions and help guide the Board.

Mr. Efren Cortez said this situation was brought to light to the City Attorney's Office and he has read over it. He said after reading the proposed changes to section 15 it became evident to him that what they are attempting to regulate through these amendments is the use of public streets and specifically a vehicles use of public streets. He said it is his understanding and his assertion legally that any amendments that they would suggest dealing with commercial motor vehicles and how they park would be best served in Chapter 10.

Mr. Cortez said on August 1st of this year the Hobbs City Commission took into consideration and approved ordinance #1095. He said it scraped the old section 10 of the Municipal Code and adopted a new section 10. He said what that new section 10 did was to adopt the Uniform Traffic Ordinance. He said the UTO is an Administrative Code that was authored and drafted by the New Mexico Municipal League. He said its aim is to better address the traffic conditions that are germane to municipalities. He said the Motor Vehicle Code was enacted by the State Legislator and it has a lion share of how we deal with traffic and parking in the State of NM. He said it misses some very important points. He said some of the points are parking specifically.

Mr. Cortez said he would first like to review what is already on the books and see if it will work for this Board. He said if it does not work they have the authority to supplement with additional provisions. He said it was brought to his attention that unhitched trailers were something this Board would like to see addressed. He said 12-6 13.3 says no person shall leave any type of trailer unhitched upon a street. He said there is a penalty assessment program which allows the City of Hobbs to take a violation of the UTO and assign it a monetary fine and the Commission did approve a fine for \$45 plus \$39 in court cost.

Mr. Cortez said there is not anything specifically that prohibits the parking of commercial motor vehicles. He said the first provision is 12-6-6.3 which is stopped or parked vehicles not to interfere with other traffic. He said what this says is that no motor vehicle shall be stopped parked or left standing attended or unattended upon the travel portion of any street outside of a business or residence district. He said he understands the problem is the obstruction of view of someone exiting their driveway to oncoming traffic. He said there is another traffic code that prohibits parking on narrow streets. He said that the administrator may erect signs indicating no parking on any street when the width of the street does not exceed 24 feet.

Mr. Cortez said an officer can presume guilt of the owner of the vehicle. He said they can issue a citation and affix it to the vehicle. He said when they are commercial motor vehicle that presents a problem. He said the driver may not own it. He said that they will have to figure out how to cite someone for parking the commercial vehicle when the registered owner may not even have knowledge their driver is committing the violation. He said when the Commission adopted ordinance 1095 he did already assigned a monetary fine with a total penalty of \$64. He said if that doesn't go far enough for the Board the state statue does allow them to address specifically commercial vehicles. He said there is a posting requirement if we are going to restrict or intact an ordinance. Mr. Robinson said the only way we can restrict parking is to post every street in Hobbs?

Mr. Hicks asked if they would be making a separate ordinance if they wanted parking of commercial vehicles restricted or would it would be an addition to the UTO? Mr. Cortez said chapter 10 of the Municipal Code is our traffic ordinance. He said what chapter 10 does is incorporates the Uniform Traffic Ordinance which is the administrative code into our ordinance by reference. He said chapter 10 is specific to City of Hobbs municipal ordinance. He said if they passed an additional parking restriction on commercial vehicles it would be a subsection of chapter 10 and not a subsection of the UTO. Mr. Hicks said in summary if the Board wants to take the extra step of prohibiting commercial vehicles in the residential zones they would have to approve an ordinance amending chapter 10. Mr. Robinson said you cannot prohibit them without signage. Mr. Hicks asked if they could post signs at every entrance to Hobbs? Mr. Cortez he would need to research that information and bring it back to staff.

Mr. Robinson said 15.20 was amended by this Board 2 years ago and what they are looking at now is a minimum size off street parking stall. Mr. Randall said right now there is not an established parking standard for private property parking lots. He said he would like to come back to the board with standard sized parking stalls and driving isles. Mr. Robinson said staff will come back to the next Planning Board with a recommendation.

4) Review and Discuss Proposed Amendment to Municipal Code Title 16 (Subdivisions).

Mr. Robinson said at the last Planning Board Meeting they did pass the amended title 16 with the changes that were recommended by the Board. He said one of the things staff is concerned about is the extraterritorial subdivision and municipality's approval. He said the Board said as long as it is a subdivision that is compliant with the county's regulations on lots above 5 acres the city does not need to see it. He said where staff was remiss last meeting was the claim of exemption issue. He said the municipality does not want to see the 5 acre tract being created under a claim of exemption process and in staff's opinion not having any local authority approval. He said in staff's opinion what claim of exemption means is they are exempt from the county subdivision regulations.

Mr. Hicks said this is the question he has had about it all along. He said it actually exempts you from the complete subdivision process but it still is a subdivision of land. Mr. Robinson said staff thinks these two alternatives would meet the claim of exemption. He said every claim of exemption that is purposed in Lea County and within the ETZ would require municipal approval. He said the subdivisions that the county sees that are 5 acres and above and are compliant with the County Regulations the city does not want to see those. Mr. Shaw asked the County members of the public if they still had to fit a certain criteria. Mr. Reid still they still require them adhere to the road and environmental regulations.

Mr. John Caldwell said there was a comment earlier that a claim of exemption was still a subdivision of property. He said that is correct but as it is defined from a statue the Claim of Exemption is not a subdivision. He said it is exempt from it. He said while the County may try to impose the development standards on a claim of exemption the county has not yet adopted an ordinance that imposes development standards. He said hopefully over the next six months the county through its Planning Board and through the County

Commission will have two new subdivision ordinances and an ordinance that strictly covers the developmental standards. He said he anticipates this will apply development standards to those things exempted under a claim of exemption. He said the county does not have separate development standards ordinance at this time.

Mr. Hicks said this is what probably gave the City Planning Board some of its angst in our joint meeting is because they didn't have a codified method of getting it done. He said they are struggling with the same thing in the city. He said they do not want to see every single plat but it is hard to draw the line as to what size and shape and how many lots may eventually become an issue to the city. Mr. Caldwell said you could adopt the draft proposals and have a qualifier in there that states until the county adopts a separate county standards ordinance. He said hopefully they will adopt theirs in the next six months. Mr. Robinson said staff will be bringing Title 16 back to the Board at the next meeting.

Mr. Shaw said he tends to feel like they over regulate themselves. He said it is more costly and takes more time for the developers.

Mr. Hicks said he completely agrees that any time a Board like ours adds regulation that is the net result. He said that is not our charge and he feels like our community wants to be developmentally friendly but our charge is to protect the health, safety and welfare of the public.

5) Adjournment.

With nothing further to discuss the meeting adjourned at 12:38 pm.

W.M. "Tres" Hicks, Chairman

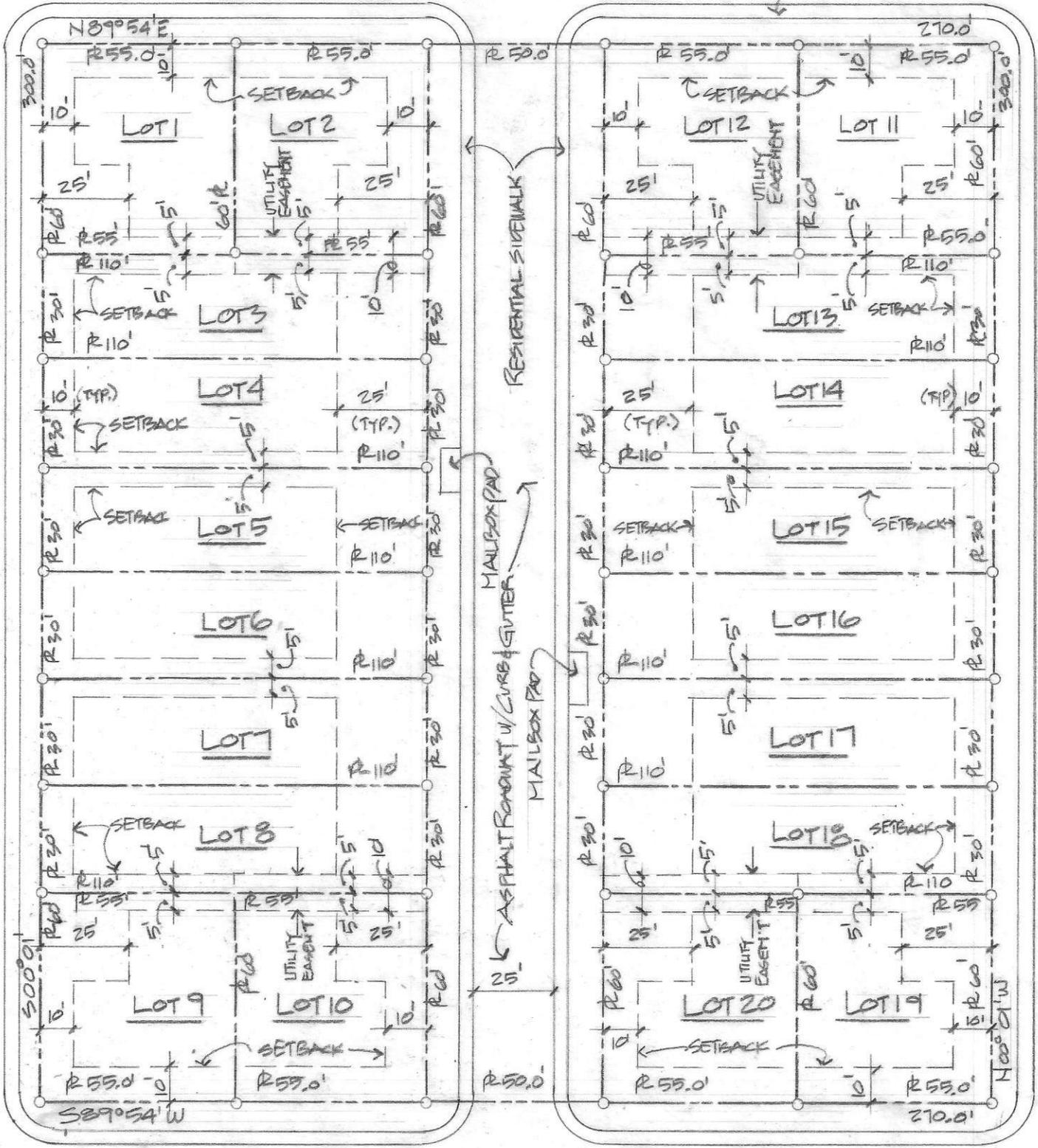
November 15, 2016 Planning Board Regular Meeting Agenda

- 5) **Review Proposed Albertson Block 1 sketch plan located southwest of the intersection of Glorietta and Houston.**

E. GLORIETTA DRIVE

RESIDENTIAL SIDEWALK (TYP.)

MONTGOMERY DRIVE



N. HOUSTON STREET

E. CLEARFORK DRIVE

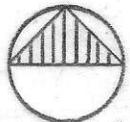
LEGAL DESCRIPTION

BLOCK 1
ALBERTSON SUBDIVISION
HOBBS, NEW MEXICO

SKETCH SITE PLAN

SCALE: 1" = 40'-0"

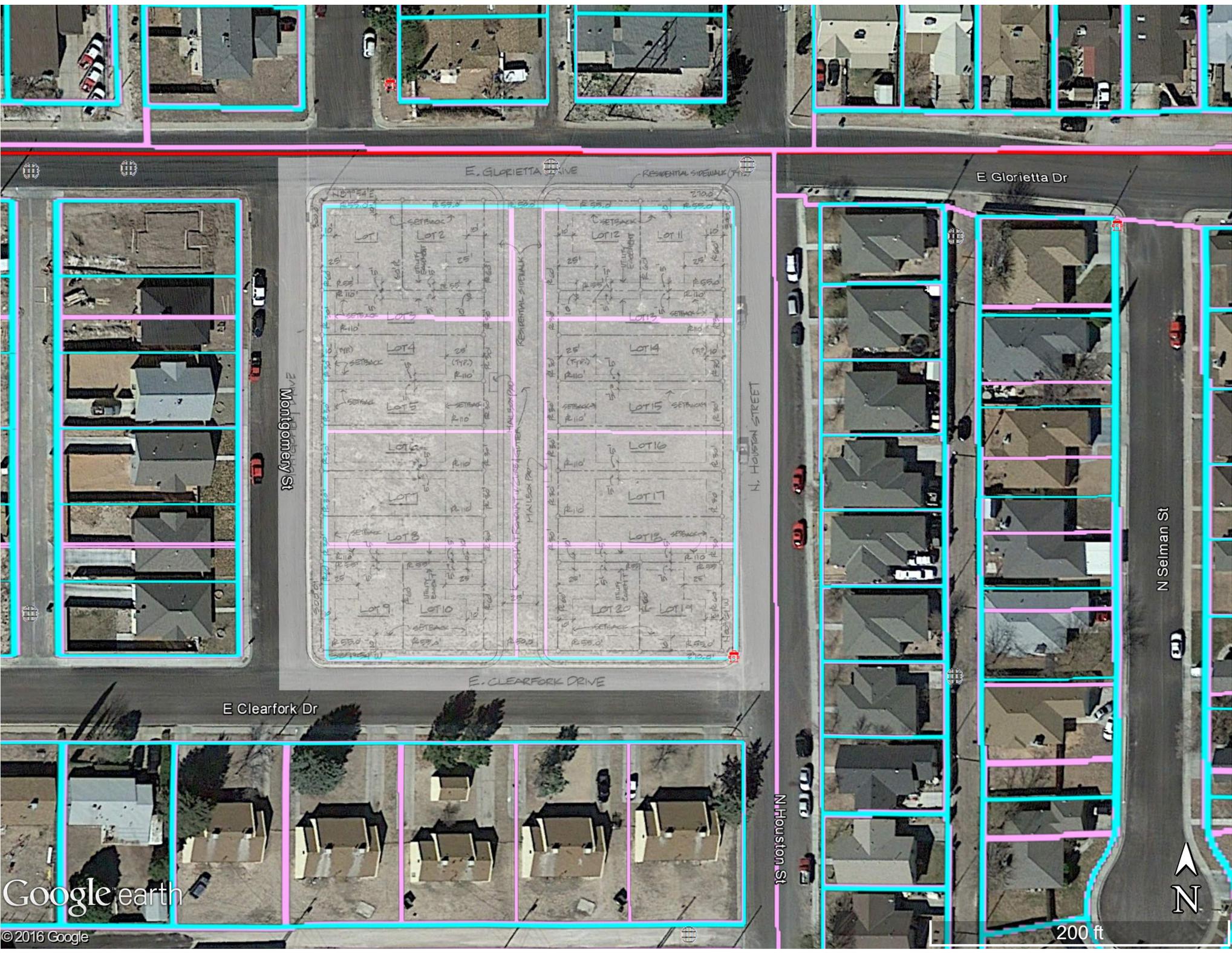
(10.14.2016)



NORTH

LEGEND

- R PROPERTY LINE
- Typ. TYPICAL



E. GLORIETTA DRIVE

RESIDENTIAL SIDEWALK

E Glorietta Dr

MONTGOMERY ST

N HOUSTON STREET

N Selman St

E. CLEARFORK DRIVE

E Clearfork Dr

N Houston St

Google earth

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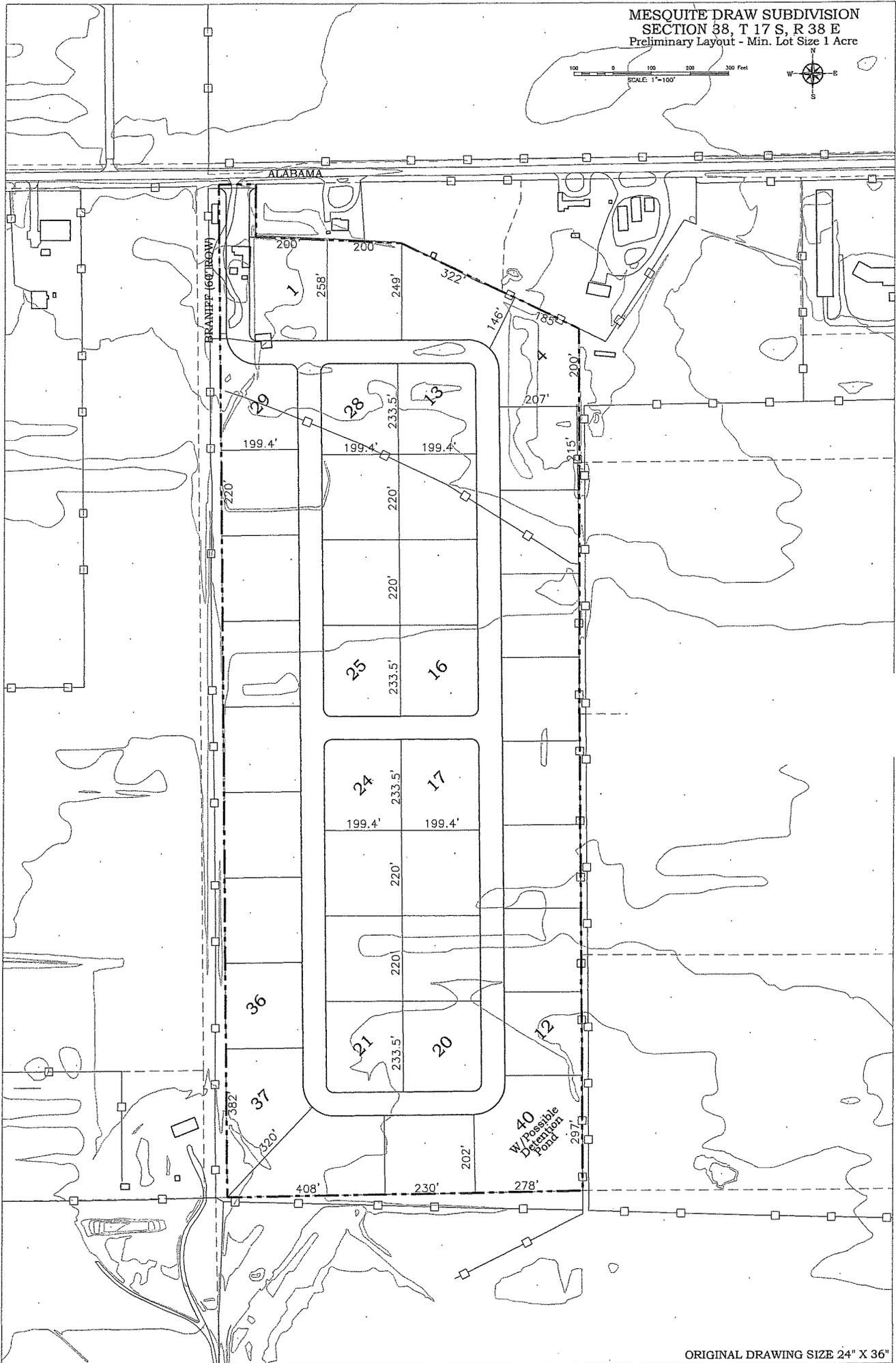
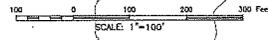
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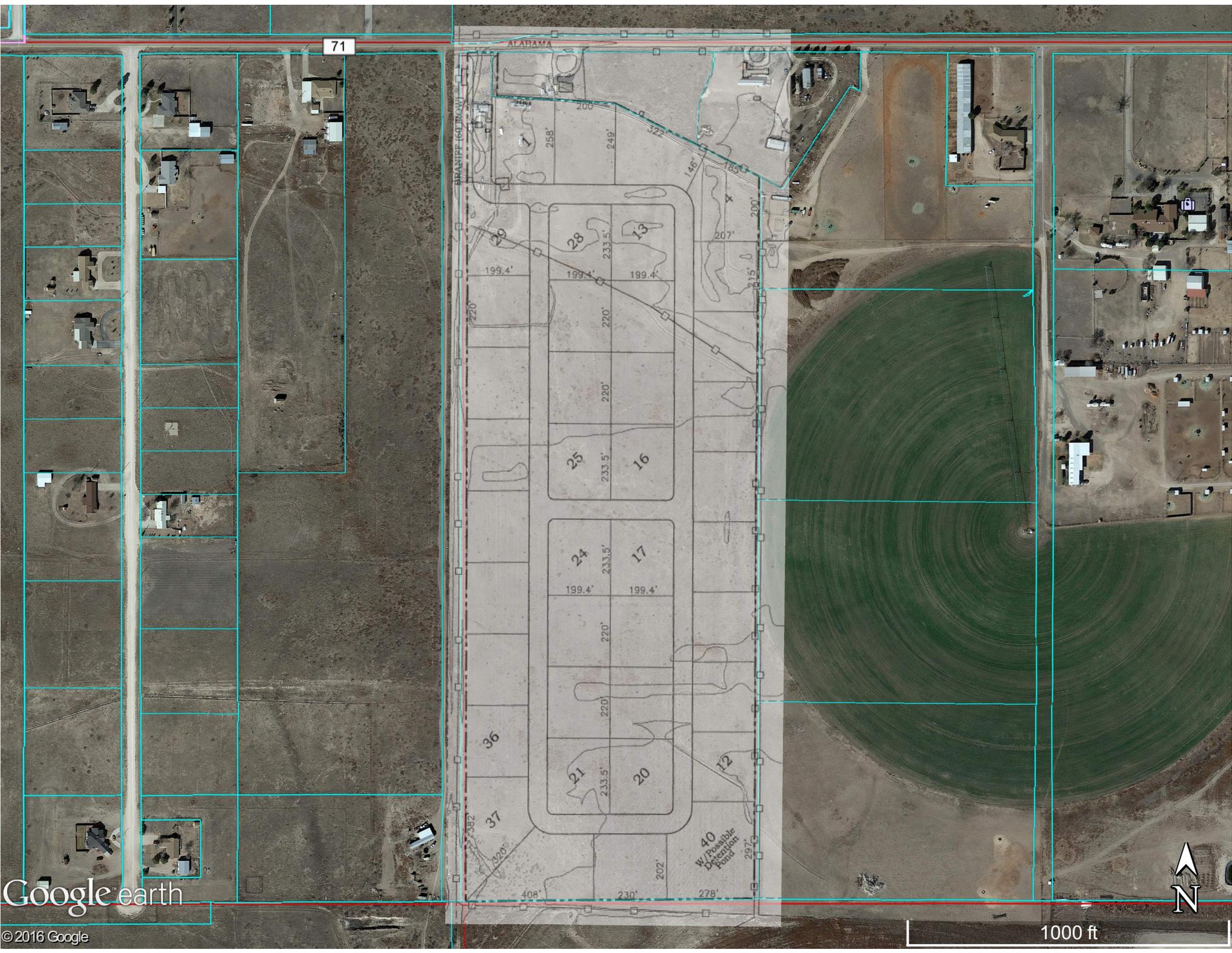


November 15, 2016 Planning Board Regular Meeting Agenda

- 6) Review Proposed Mesquite Draw Subdivision sketch plan located southeast of the intersection of Alabama and Braniff Drive an undeveloped ½ section line road.**

MESQUITE DRAW SUBDIVISION
SECTION 38, T 17 S, R 38 E
Preliminary Layout - Min. Lot Size 1 Acre





71

ALABAMA

MANHATTAN (60' ROW)

36

28

25

24

21

37

20

40
w/ possible
Detention
Pond

Google earth

© 2016 Google

1000 ft



November 15, 2016 Planning Board Regular Meeting Agenda

- 7) Public Hearing to Review and Consider a Request to Grant a Special Use Permit and Amend the Planning District Map to Allow an RV Park (RVP), on a proposed 1 +/- acre parcel to be created on Goings Road north of Pilot.**



PLANNING DIVISION

200 E. Broadway St.
Hobbs, NM 88240
575- 397-9227 fax

City of Hobbs, New Mexico

November 1, 2016

RE: REQUEST TO AMEND THE PLANNING DISTRICT MAP -- SPECIAL USE PERMIT PROPOSED ALLOWING A RV PARK TO BE LOCATED NORTH OF PILOT.

Dear Property Owner:

The City of Hobbs has received a request to amend the Planning District Map and issue a special use permit to allow a proposed RV Park on a proposed 1.2 +/- acre parcel located north of Pilot (see attached map). As a property owner you are being notified of the developer's intent to construct a RV Park on the aforementioned proposed parcel. The City Planning Board will be reviewing this issue on November 15, 2016, on the first floor of the City Annex Building at 200 E. Broadway, at 10:00 a.m., in the City of Hobbs Commission Chambers. This notice is being sent to you as an adjacent property owner per Ordinance # 980, requiring notification of district map amendments and special use permits.

If you have questions, or written comments, please notify the City Planning Division at the above address, or call the office at (575)391-4111 if you have questions or comments.

Sincerely,

THE CITY OF HOBBS, NEW MEXICO

A handwritten signature in blue ink that reads "Kevin Robinson".

Kevin Robinson – Planning Department

Tract 1A2

5



Proposed Subject Property.

TRACT 1B
7.25 Ac

2

4 Tract 1C

5

Tract C

3

TRACT B
2.96 Ac

1

1

Tract 1E

SOUTH GOINGS ROAD

Parcel Name

- 1 ASSEMBLIES OF FAITH INC
- 2 PILOT TRAVEL CENTERS LLC #557
- 3 GREENLEE BENNY
- 4 DAGGER DRAW LLC
- 5 JONES KRESS

Mailing Address

- 3524 W CARLSBAD HWY
- PO BOX 54650
- 3524 W CARLSBAD
- PO BOX 84
- 3729 W SANGER

City, State, Zip

- HOBBS NM 88240
- LEXINGTON KY 40555
- HOBBS NM 88240
- CARLSBAD NM 88221
- HOBBS NM 88240

November 15, 2016 Planning Board Regular Meeting Agenda

- 8) Review and Consider Parking Variance Request located southwest of the intersection of W. Marland Boulevard and S. Texaco Road as submitted by Dollar General. The City of Hobbs Municipal Code requires 1 space per 200 net square feet of lease space; Dollar General is proposing 30 parking spaces instead of the required 36 spaces.**



G R E S H A M
S M I T H A N D
P A R T N E R S

October 19, 2016

Mr. Kevin Robinson
Planning Director
City of Hobbs
200 E. Broadway
Hobbs, NM 88240

**Subject: Parking Variance Request
 Proposed Retail Store
 Parcel #'s 400152090001 & 4000129340001
 W. Marland Blvd. west of S. Texaco Road
 GS&P Project No. 40788.93**

Dear Mr. Robinson:

This letter is in reference to the requested parking variance for the above project. The proposed development consists of a 9,100 square foot retail store. The store is comprised of approximately 7,220 square feet of sales area and 1,880 square feet of storage area. The City of Hobbs requires 1 space per 200 square feet of gross floor area, or 46 spaces. The proposed site plan provides 30 parking spaces or 1 per 303 square feet of gross floor area or 1 per 240 square feet of sales area.

The amount of traffic generated by the Dollar General development can best be determined by comparison with similar sites. The Institute of Transportation Engineers (ITE) has compiled data from thousands of studies for various land uses, independent variables, and study periods and published the results in *Trip Generation Manual, 9th Edition*. The proposed development is most similar to ITE Land Use 814: Variety Store. Table 1 illustrates the amount of traffic to be generated by the proposed development based on the data presented in ITE.

TABLE 1

Land Use	ITE Code	Units	ADT	AM Peak Hr		PM Peak Hr	
				Enter	Exit	Enter	Exit
Variety Store	814	9,100 SF	585	17	17	24	24



Mr. Kevin Robinson
October 19, 2016
Page 2

Based on data collected from over 13,000 Dollar General Stores nationwide, the retailer requires 30 spaces to serve a store of this size. Their data suggests the proposed store can expect to generate somewhere in the range of 140 to 280 vehicles per day. On average they expect 10 vehicles per hour with an afternoon peak of 24 vehicles between 5:00 p.m. and 6:00 p.m.

Stores typically have three to four employees working per shift, creating a maximum need for parking during the peak hour of 28 spaces.

With the current global focus on sustainable design and low impact development, particularly storm water runoff increase from impervious surfaces and heat effect from asphalt paving, this seems to be an excessive increase in the carbon footprint of the project in order to provide parking spaces that will sit empty, even during peak business hours. Based on the above information, we respectfully request an approval to reduce the number of required parking spaces from 46 to 30.

Please contact me at (615) 770-8204 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Joe Johnston".

Joe Johnston
Senior Associate
Land Planning and Design Services

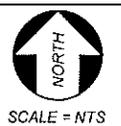
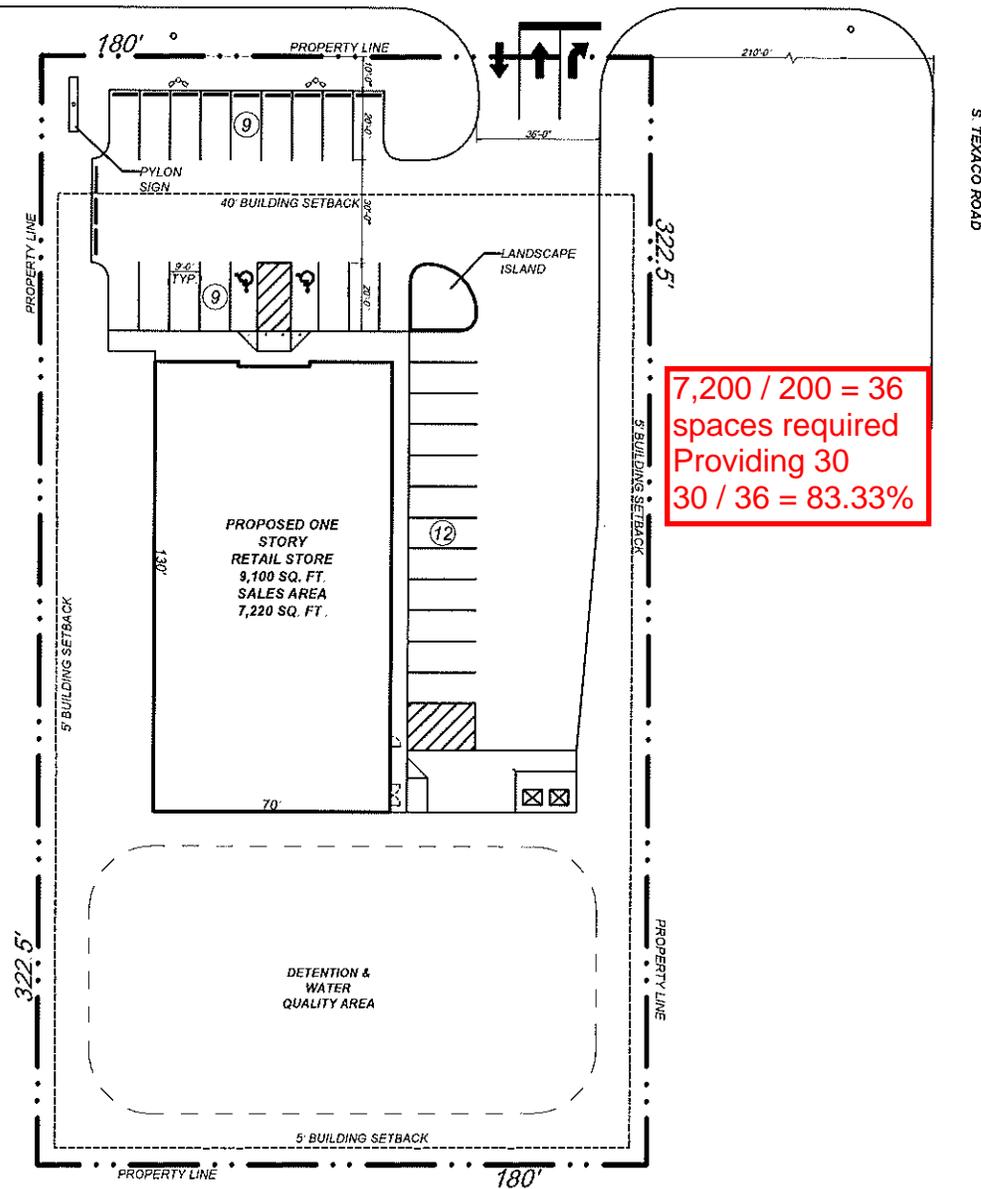
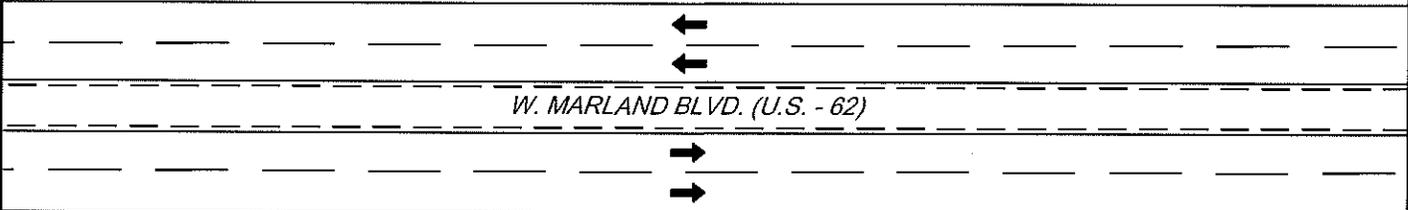
Copy: Jeremy Holt - GBT

PRELIMINARY SITE PLAN

HOBBS, NEW MEXICO (MARLAND)
W. Marland Blvd. (U.S. - 62)

PARCEL #: 40015209001
40013934001

PROTOTYPE:	A	DEVELOPER		DESIGNER		DATE
BLDG/SALES SF:	9,100/ 7,220	COMPANY:	GBT Realty Corp.	COMPANY:	GBT Realty Corp.	10-19-16
ACREAGE:	1.33	NAME:	Austin Rogers	NAME:	Greg Glaser	
PARKING REQUIRED	46	PHONE #:	(615) 370-0670	PHONE #:	(615) 370-0670	
PARKING PROVIDED	30					





S Texaco Rd

Untitled Placemark

62

W Marland Blvd

November 15, 2016 Planning Board Regular Meeting Agenda

9) Review and Consider proposed amendment of Municipal Code Title 16 (Subdivision Regulations).

1 Title 16 - SUBDIVISIONS

2 Chapter 16.04 - GENERAL PROVISIONS AND ADMINISTRATION

3

4 16.04.010 - Definitions.

5 For the purposes of this title, the following words and phrases shall have the meanings respectively
6 ascribed to them by this section:

7 A. Streets and Alleys. The term "street" means a way for vehicular traffic, whether designated as a
8 street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place or otherwise.

9 1. "Major and Minor Arterial streets and highways" are those which are used primarily for
10 large volumes of traffic. For development purposes, arterial streets are generally located
11 along section lines.

12 2. "Major Collector streets" are those which carry moderately high volumes of traffic and, for
13 development purposes, are generally located along half section lines.

14 3. "Minor Collector streets" are those which carry moderate volumes of traffic from major
15 collectors or arterials. For development purposes, these streets are generally located
16 halfway between collector or arterial streets.

17 4. "Minor Residential streets" are those which are used primarily for access to abutting
18 properties. This category carries low traffic volumes and includes residential or industrial
19 streets.

20 5. "Marginal access streets" are minor streets which are parallel to and adjacent to arterial
21 streets and highways and which provide access to abutting properties and protection from
22 through traffic.

23 6. "Cul-de-sac" is a local street with only one (1) outlet and having an appropriate vehicle
24 turnaround terminal for the safe and convenient reversal of traffic flows.

25 7. "Alleys" are minor ways which are used primarily for vehicular service access to the back
26 or the side of properties otherwise abutting on a street

27 8. Pavement widths shall be as prescribed within the City of Hobbs Major Thoroughfare Plan.

28 B. "Subdivide" or "subdivision" for the purpose of approval by a Municipal Planning Authority
29 means:

30 1. For the area of land within the corporate boundaries of the municipality, or within the
31 extraterritorial planning and platting jurisdiction, the division of land into two (2) or more
32 parts by platting or by metes and bounds description into tracts for the purposes set forth in
33 subsection C of this section.

34 2. For the area of land within the municipal extraterritorial subdivision and platting jurisdiction,
35 the division of land into two (2) or more parts by platting or by metes and bounds
36 description into tracts of less than five (5) acres in any one (1) calendar year for the
37 purposes set forth in subsection C of this section, **providing the same is fully compliant with**
38 **County Subdivision Regulations.**

39 C. The division of land pursuant to subsection (B)(1) of this section shall be for the purpose of:

40 1. Sale;

41 2. Laying out a municipality or any part thereof;

42 3. Adding to a municipality;

1 4. Laying out of lots; or

2 5. Resubdivision.

3 (Ord. 842 § 2, 1998: prior code § 25-1)

4 16.04.020 - Variances and modifications.

5 A. Hardships. Where the Planning Board finds that extraordinary hardships may result from strict
6 compliance with this title, it may vary the regulations contained in this title, so that substantial justice
7 may be done and the public interest secured; provided that such variation will not have the effect of
8 nullifying the intent and purpose of such regulations.

9 B. Large Scale Developments. The standards and requirements of this title may be modified by the
10 Planning Board in the case of a plan and program for a new town, complete community or
11 neighborhood unit which, in the judgment of the Planning Board, provide adequate public spaces
12 and improvements for the circulation, recreation, light, air and service needs of the tract when fully
13 developed and populated, and which also provide such covenants or other legal provisions as will
14 assure conformity to and achievement of the plan.

15 C. Conditions in Granting. In granting variances and modifications, the Planning Board may require
16 such conditions as will, in its judgment, assure substantially the objectives of the standards or
17 requirements so varied or modified.

18 (Prior code § 25-2)

19 Chapter 16.08 - PLATS AND PLATTING PROCEDURE

20

21 16.08.010 - Application fee.

22 Upon submittal of any plat as set forth in this chapter for consideration, the applicant shall pay to the
23 City a fee in the sum of fifty dollars (\$50.00), for a subdivision eligible for summary process approval, or
24 one hundred dollars (\$100.00) for a subdivision ineligible for summary process approval. No action shall
25 be taken on such application unless such fee is paid.

26 (Prior code § 25-3)

27 16.08.020 – Sketch Plan Preliminary Review.

28 A. For the purpose of expedience and reducing subdivision design and development costs, a subdivider
29 may submit a Sketch Plan for Preliminary Review in accordance with the requirements provided
30 herein. The Sketch Plan Review is intended to provide general advice to the subdivider about the
31 procedures and data requirements for subdivision review and approval.

32 B. No fee shall be required for the Sketch Plan Preliminary Review.

33 C. Neither the subdivider nor the municipality shall be bound by any statements or determinations made
34 during the Sketch Plan Preliminary Review.

35 D. A sketch plan submitted for preliminary review by the subdivider shall show the proposed layout of
36 streets and lots, with estimated dimensions and other relevant site information. The location of the
37 proposed subdivision must be adequately described on a general map of the area.

38

1 16.08.030 - Preliminary plat—Generally

- 2 A. The subdivider shall submit to the Planning Board a preliminary plat, together with stamped
3 construction plans and other supplementary material as specified in Section 16.08.030.
- 4 B. Four (4) copies of the preliminary plat, stamped construction plans and supplementary material shall
5 be submitted to the Planning Department along with the preliminary application fee. The Planning
6 Department and City Engineer shall review such submittal for compliance hereto.
- 7 C. Following negotiations with the subdivider on changes deemed advisable and the kind and extent of
8 improvements to be made by him or her, the City Engineer shall, within fifteen (15) days, act thereon
9 as submitted or modified. If approved, the City Engineer shall express his approval as conditional
10 approval and state the conditions of such approval, if any, or if disapproved, shall express his
11 disapproval and his or her reasons therefor, to the Planning Board.
- 12 D. The action of the City Engineer shall be noted on two (2) copies of the preliminary plat, referenced
13 and attached to any conditions determined. One (1) copy shall be returned to the subdivider and the
14 other retained by the City Engineer.
- 15 E. Conditional approval of a preliminary plat shall not constitute approval of the final plat (subdivision
16 plat). Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary
17 plat as a guide to the preparation of the final plat.

18 (Prior code § 25-4)

19 16.08.040 - Preliminary plat—Form and contents—Supplementary material.

20 The preliminary plat and accompanying supplementary material shall meet the following
21 requirements:

- 22 A. General Subdivision Information. General subdivision information shall describe or outline the
23 existing conditions of the site and the proposed development, as necessary to supplement the
24 drawings required in this section. This information shall include data on existing covenants, land
25 characteristics and available community facilities and utilities and information describing the
26 subdivision proposal, such as number of residential lots, typical lot width and depth, business
27 area, playgrounds, park areas and other public areas, proposed protective covenants and
28 proposed utilities and street improvements. Municipal franchisee utility service providers shall
29 be notified of the proposed subdivision and such notice submitted to the City on a form
30 acceptable by the City Engineer.
- 31 B. Location Map. A location map shall show the relationship of the proposed subdivision to existing
32 community facilities which serve or influence such subdivision. Such map shall include
33 development name and location; main traffic arteries; public transportation lines; shopping
34 centers, elementary and high schools, parks and playgrounds and other community features,
35 such as railroad stations, hospitals and churches; title scale; north arrow; and date. Proper
36 certification shall be made upon the plat by a reputable, registered civil engineer or land
37 surveyor, ascertaining that the plan represents a survey made by him and that all necessary
38 monuments are accurately and correctly shown upon the plan. The engineer shall place such
39 monuments as required by the City or by the City Engineer, and they shall be set at all corners
40 and angle points of curve and at such intermediate points as shall be required by the City.
- 41 C. Topographic Data. Topographic data required as a basis for the preliminary plat, pursuant to
42 subsection D of this section, shall include existing conditions as follows, except when otherwise
43 specified by the Planning Board:
- 44 1. Boundary lines: bearings and distances;
- 45 2. Easements: location, width and purpose;

- 1 3. Streets on and adjacent to the tract: names and rights-of-way, width and location; type,
2 width and elevation of surfacing; any legally established centerline elevations; walks,
3 curbs, gutters, culverts, etc.
- 4 4. Utilities on and adjacent to the tract: location, size and invert elevation of sanitary, storm
5 and combined sewers; location and size of water mains; location of gas lines, fire hydrants,
6 electric and telephone poles and street lights; if water mains and sewers are not on or
7 adjacent to the tract, indicate the direction and distance to and size of nearest ones,
8 showing invert elevation of sewers;
- 9 5. Ground elevations on the tract, based on a datum plane approved by the City Engineer,
10 along all drainage channels or swales and at selected points not more than one hundred
11 (100) feet apart in all directions; show contours with an interval of not more than one (1)
12 foot if ground slope is regular and such information is sufficient for planning purposes;
- 13 6. Subsurface conditions on the tract, if required by the City Engineer: location results of tests
14 made to ascertain subsurface soil, rock and ground water, unless test pits are dry at a
15 depth of five (5) feet; location and results of soil percolation tests if individual sewage
16 disposal systems are proposed.
- 17 7. Other conditions on the tract: watercourses, marshes, rock outcrop, wooded areas,
18 isolated preservable trees, houses, barns, shacks and other significant features;
- 19 8. Other conditions on adjacent land: approximate direction and gradient of ground slope,
20 including any embankments or retaining wall; character and location of buildings, railroads,
21 power lines, towers and other nearby land uses or adverse influences; owners of adjacent
22 unplatted land; for adjacent platted land, refer to subdivision plat by name, recordation date
23 and number and show approximate percent built up, typical lot size and dwelling type;
- 24 9. Photographs, if required by the Planning Department; camera locations, directions of views
25 and key numbers;
- 26 10. Proposed or existing land use on and adjacent to the tract;
- 27 11. When known, proposed public improvements: highways or other major improvements
28 planned by public authorities for future construction on or near the tract;
- 29 12. Key plan, showing location of the tract;
- 30 13. Title and certificates: present tract designation according to official records in office of
31 appropriate records; title under which proposed subdivision is to be recorded, with names
32 and addresses of owners, notation stating acreage, scale, north arrow, datum,
33 benchmarks, certification of registered civil engineer or surveyor and date of survey.
- 34 D. Scale—Proposals. The preliminary plat (general subdivision plan) shall be at a scale of one
35 hundred (100) feet to one (1) inch or larger. It shall show all existing conditions required in
36 subsection C of this section and shall show all proposals, including the following:
 - 37 1. Streets: names; right-of-way and roadway widths; approximate grades and gradients;
38 similar data for alleys, if any;
 - 39 2. Other rights-of-way or easements: location, widths and purpose;
 - 40 3. Location of utilities, if not shown on other exhibits;
 - 41 4. Lot lines, lot numbers and block numbers;
 - 42 5. Sites to be reserved or dedicated for parks, playgrounds or other public uses;
 - 43 6. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other
44 nonpublic uses, exclusive of single-family dwelling;
 - 45 7. Minimum building setback lines;
 - 46 8. Site data, including number of residential lots, typical lot size and acres in parks, etc.;

- 1 9. Title, scale, north arrow and date.
- 2 E. Other Preliminary Plans. When required by the City Engineer, the preliminary plat shall be
3 accompanied by profiles showing existing ground surface and proposed street grades, including
4 extensions for a reasonable distance beyond the limits of the proposed subdivision; typical
5 cross section of the proposed subdivision; typical cross section of the proposed grading,
6 roadway; and preliminary plan for proposed sanitary and storm sewers, with grades and sizes
7 indicated. All elevations shall be based on a datum plane approved by the City Engineer.
- 8 F. Draft of Protective Covenants. A draft of protective covenants, whereby the subdivider proposes
9 to regulate land use in the subdivision and otherwise protect the proposed development, shall
10 be included if proposed by the developer.
- 11 G. Base flood elevation data shall be generated for subdivision proposals and other proposed
12 development and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is
13 lesser.

14 (Prior code § 25-5)

15 16.08.050 - Final Plat—Generally.

- 16 A. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the
17 subdivider, it may constitute only that portion of the approved preliminary plat which he or she
18 proposes to record and develop at the time; provided, that such portions conform to all requirements
19 of this title.
- 20 B. Application for approval of the final plat shall be submitted in writing to the Planning Department at
21 least ten (10) days prior to the meeting at which it is to be considered. All submittals for final plat
22 approval shall include a Certification of Compliance from the Engineer of Record certifying that all
23 municipal infrastructures are in place and has been installed as per plans and City of Hobbs
24 Standards. Such certification shall be in a form acceptable to the City Engineer.
- 25 C. A set of as-built in printed and electronic format shall be prepared as specified in Section 16.08.050
26 and shall be submitted to the City Engineer concurrently with the application for final plat approval.
- 27 D. The Planning Board shall approve or disapprove the final plat within thirty-five (35) days after final
28 submission thereof and thereafter forward to the City Commission the report of their approval or
29 disapproval.
- 30 E. The City Commission shall, at their next regular meeting and within thirty (30) days, approve or
31 disapprove the final plat.

32 (Prior code § 25-6)

33 16.08.060 - Final plat—Form and contents—Supplementary material.

34 The final plat and accompanying supplementary material shall meet the following requirements:

- 35 A. Generally. The final plat shall be drawn in ink on tracing cloth on sheets eighteen (18) inches
36 wide by twenty-four (24) inches long or twenty-six (26) inches wide by thirty-four (34) inches
37 long and shall be at a scale of one hundred (100) feet to one (1) inch, or larger where
38 necessary; the plat may be on several sheets, accompanied by an index sheet showing the
39 entire subdivision. For larger subdivisions, the final plat may be submitted for approval
40 progressively in continuous sections, satisfactory to the Planning Department. The final plat
41 shall show the following:

- 1 1. Primary control points **located within the section wherein the subdivision occurs**, approved by the City Engineer, or description and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred;
- 2
- 3
- 4 2. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites, with accurate dimensions, bearing or deflection angles and radii, arcs and central angles of all curves;
- 5
- 6
- 7 3. Name and right-of-way width of each street or other right-of-way;
- 8 4. Location, dimensions and purpose of any easements;
- 9 5. Number to identify each lot or site;
- 10 6. Purpose for which sites, other than residential lots, are dedicated or reserved;
- 11 7. Location and description of monuments;
- 12 8. Names of record owners of adjoining unplatted land;
- 13 9. Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
- 14
- 15 10. Certification by surveyor or engineer, certifying to accuracy of surveys and plat;
- 16 11. Certification title, showing that applicant is the land owner.
- 17 12. Statement by owner dedicating streets, rights-of-way and any sites for public use;
- 18 13. Tile, scale, north arrow and date;
- 19 14. Certificates for approval by the Planning Board;
- 20 15. Certificates for approval by the City Commission.
- 21 B. Cross Sections and Profiles of Streets. Cross sections and profiles of streets shall be included, showing grades approved by the City Engineer. The profiles shall be drawn by City standard scales and elevations and shall be based on a datum plane approved by the City Engineer.
- 22
- 23
- 24 C. Certificate Concerning Improvements. A certificate by the City Engineer shall be included, certifying that the subdivider has complied with one (1) of the following alternatives:
- 25
- 26 1. All improvements have been installed in accordance with the requirements of this title and with the action of the City Engineer giving conditional approval of the preliminary plat. The City is in receipt of Certification by the Engineer of Record that all municipal infrastructures are in place and has been installed as per plans and City of Hobbs Standards.
- 27
- 28
- 29
- 30 2. A surety company bond, City of Hobbs Resolution accepting a Development Agreement or other security acceptable to the Planning Board has been filed with the City Clerk, in sufficient amount to assure such completion of all required improvements.
- 31
- 32
- 33 3. Other Data. Such other certificates, affidavits, endorsements or deductions shall be included as may be required by the Planning Department in the enforcement of this title.
- 34

35 (Prior code § 25-7)

36 Chapter 16.12 - ALTERNATE SUMMARY PROCEDURE

37

38 16.12.010 - Eligible subdivisions.

- 39 A. Division of land into two (2) or more parcels by platting or metes and bounds description for specific purposes listed in Section 16.04.010(C) requires subdivision approval by the Municipal Planning
- 40

1 Authority. To expedite the process for proposed subdivisions containing no more than 3 (three) lots
2 excluding areas for dedication, subdivisions or resubdivision of property may be approved by
3 summary procedure for the following:

- 4 1. Subdivisions of not more than three (3) parcels of land; or
- 5 2. Resubdivisions, where the combination or recombination of portions of previously platted lots
6 does not increase the total number of lots.

7 B. The land shall abut on a street or streets of adequate width in a partially platted area and is so
8 situated that no additional streets, alleys, easements for utilities or other public property are required;
9 or if required to conform to other public streets, alleys or other public ways and such additional
10 property is shown on the plat as "Herein Dedicated."

11 (Ord. 843 (part), 1998: prior code § 25-15)

12 16.12.020 - Submittal requirements.

13 To be considered, four (4) copies of a summary plat meeting the following conditions shall be
14 submitted to the City Manager's designated representative:

15 The summary plat for both residential and nonresidential developments shall be in conformance with
16 the final plat requirements for standard subdivisions. A certification of approval shall be on the plat for the
17 signature of the City Manager's designated representative, to be attested by the City Clerk.

18 A. For residential subdivisions, the summary plat shall be accompanied by support plans and
19 documentation showing compliance with construction improvement requirements for a standard
20 subdivision, as necessary.

21 B. For a nonresidential subdivision being processed under this procedure, the plat shall include the
22 following items necessary for the City Manager's designated representative to review and
23 approve the following items of consideration: proposed property boundaries, existing adjacent
24 streets or alleys, and existing intersection and driveway locations on streets or roadways
25 adjacent to and across from the tracts. This information will be reviewed along with existing
26 water and sewer locations to serve the site.

27 (Ord. 843 (part), 1998: prior code § 25-16)

28 16.12.030 - Approval procedure.

29 A. The City Manager's designated representative is authorized to approve subdivisions meeting the
30 conditions of this section and conforming to the provisions of this chapter and shall, within ten (10)
31 days of final submittal of all requested information, accept the proposed subdivision or send a written
32 rejection detailing the reason for the rejection. Any municipal infrastructures serving the subdivision
33 shall be completed or adequate surety provided prior to receiving final approval.

34 B. The subdivider or the City Manager's designated representative may choose to have the subdivision
35 reviewed by the Planning Board under the standard procedures if difficulties or unusual
36 circumstances exist.

37 C. Plats approved under this section shall be signed by the City Manager's designated representative
38 and attested by the City Clerk and shall be reported to the Planning Board at its next regularly
39 scheduled meeting and shall be included in the minutes of the meeting indicating such approval as
40 coming under this section.

41 (Ord. 843 (part), 1998: prior code § 25-17)

- 1 16.12.040 - [Required improvements; summary process approval; city building permits, etc.]
- 2 A. For all new subdivisions and re-subdivisions, all improvements will be required to be completed at
3 the summary process approval or at the final plat filing, unless adequate financial security has been
4 approved by the Planning Board and City Commission.
- 5 B. For all City building permits, the permit application must contain plans for the complete construction
6 of all of the required improvements within the abutting right-of-way to the property, including City
7 utilities, paved streets, sidewalks, curbing, and traffic signals if applicable. The City will furnish
8 required street signs. For properties with two (2) or more un-built platted streets abutting the
9 property, the Developer shall build to the length of the longest frontage.
- 10 C. For all City building permits for new residential structures and mobile home placement permits, the
11 lot, tract, parcel or real property containing the location of the new structure shall abut a dedicated
12 public right-of-way with a paved street pursuant to minimum standards as specified by the City
13 Engineer. If the permit location does not abut a paved dedicated street or is both unpaved and not
14 dedicated, the permit applicant must cause the street to be dedicated and paved prior to the building
15 permit being issued, unless adequate financial security has been approved by the Planning Board
16 and City Commission.
- 17 D. If the permit location's nearest property line is two hundred (200) feet or more from the nearest
18 paving, it shall be exempt from the paving requirement, providing a future assessment agreement is
19 executed by the owner of record. In no case shall a permit be granted unless a public dedicated
20 right-of-way exists for access.

21 (Ord. No. 1012, §§ 1, 2, 5-4-2009; Ord. No. 1027, 12-7-2009)

22 **Editor's note**— Ord. No. 1012, § 1, adopted May 4, 2009, repealed former § 16.12.040, which
23 pertained to construction of nonresidential lot improvements. Section 2 of said ordinance enacted
24 provisions designated as a new § 16.12.040 to read as herein set out. See also the Code
25 Comparative Table and Disposition List.

26 Chapter 16.16 - DESIGN STANDARDS AND IMPROVEMENTS

27

28 16.16.010 - Streets.

- 29 A. Arrangement and Character Generally. The arrangement, character, extent, width, grade and
30 location of all streets shall conform to the current City of Hobbs Major Thoroughfare Plan Map,
31 master plan or part thereof, and shall be considered in their relation to existing and planned streets,
32 to topographical conditions and to public convenience and safety, and in their appropriate relation to
33 the proposed uses of the land to be served by such streets.
- 34 B. Arrangement Where same not Shown in City of Hobbs Major Thoroughfare Plan Map. Where such is
35 not shown in the current City of Hobbs Major Thoroughfare Plan Map or part thereof, the
36 arrangement of streets in a subdivision shall either:
- 37 1. Provide for the continuation of appropriate projection of existing streets in surrounding areas; or
38 2. Conform to a plan for the neighborhood approved or adopted by the Planning Board to meet a
39 particular situation, where topographical or other conditions make continuance or conformance
40 to existing streets impracticable.
- 41 C. Minor Residential Streets. Minor streets shall be so laid out that their use by through traffic will be
42 discouraged.

- 1 D. Special Treatment for Subdivisions Containing Major or Minor Collector Streets. Where a subdivision
2 abuts or contains an existing or proposed arterial street, the Planning Board may require marginal
3 access streets, reverse frontage with screen planting or walls contained in a non-access reservation
4 along the rear property line, deep lots with rear service alleys or such other treatment as may be
5 necessary for adequate protection of residential properties and to afford separation of through and
6 local traffic.
- 7 E. Subdivisions Bordering on or Containing Railroad or Limited Access Highway Rights-of-Way. Where
8 a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way,
9 the Planning Board may require a street approximately parallel to and on each side of such right-of-
10 way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in
11 residential districts or for commercial or industrial purposes in appropriate districts. Such distance
12 shall be determined with due regard for the requirements of approach grades and future grade
13 separations.
- 14 F. Reserve Strips. Reserve strips controlling access to streets shall be prohibited, except where their
15 control is definitely placed in the City under conditions approved by the Planning Board.
- 16 G. Street Jogs. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall
17 be avoided.
- 18 H. Tangents. A tangent at least one hundred (100) feet long shall be introduced between reverse
19 curves on arterial and collector streets.
- 20 I. Curves Connecting Street Lines. When connecting street lines deflect from each other at any one (1)
21 point by more than ten (10) degrees, they shall be connected by a curve, with a radius adequate to
22 insure a sight distance of not less than two hundred (200) feet for minor residential and collector
23 streets and of such greater radius as the Planning Board shall determine for special cases.
- 24 J. Angle of Intersection. Streets shall be laid out as to intersect as nearly as possible at right angles,
25 and no street shall intersect any other street at less than sixty (60) degrees.
- 26 K. Right-of-Way Widths. Street right-of-way widths shall be as shown in the City of Hobbs Major
27 Thoroughfare Plan.
- 28 L. Half Streets. Half streets shall be prohibited, except where essential to the reasonable development
29 of the subdivision in conformity with the other requirements of this title. Where the Planning Board
30 finds it will be feasible to require the dedication of the other half when the adjoining property is
31 subdivided wherever a half street is adjacent to a tract to be subdivided, the other half of the street
32 shall be platted within such tract.
- 33 M. Dead-End Streets. Dead-end streets, designed to be so permanently, shall not be longer than five
34 hundred (500) feet and shall be provided at the closed end with a turnaround having an outside
35 roadway diameter of at least eighty (80) feet and a street property line diameter of at least one
36 hundred (100) feet.
- 37 N. Street Grades. No street grade shall be less than 0.1 percent.

38 (Prior code § 25-8)

39 16.16.020 - Alleys.

- 40 A. Required—Exceptions. Alleys shall be provided in all areas; except, that the Planning Board may
41 waive this requirement in residential or commercial areas where other definite and assured provision
42 is made for service access, such as off-street loading, unloading and parking consistent with an
43 adequate provision for the uses proposed.
- 44 B. Width. The width of an alley shall not be less than twenty (20) feet.
- 45 C. Alley Intersections. Alley intersections and sharp changes in alignment shall be avoided, but where
46 necessary, the corner shall be cut off sufficiently to permit safe vehicular movement.

- 1 D. Dead-End Alleys shall be avoided where possible but, if unavoidable, shall be provided with
2 adequate turning around facilities at the dead end, as determined by the Planning Board.
- 3 E. If secondary continual vehicular access to the rear of residential lots is desired by a Developer, the
4 secondary access to the lots must be created by a dedicated public rear access alley with a right of
5 way width of no less than twenty four (24) feet and paving width of no less than twenty (20) feet. A
6 private drive is not acceptable to serve as a rear alley to provide secondary continual vehicular
7 access to residential lots unless a homeowner or similar association or organization has been
8 created to permanently own and maintain the private rear access alley. Such an association must be
9 legally created prior to approval of the final plat containing any private alleys in residential
10 subdivisions.

11 (Prior code § 25-9)

12 (Ord. No. 1012, § 3, 5-4-2009)

13 16.16.030 - Easements.

- 14 A. Generally. Easements across lots or centered on rear or side lot lines shall be provided for utilities
15 where necessary and shall be at least ten (10) feet wide.
- 16 B. Stormwater Easements or Drainage Rights-of-Way. Where a subdivision is traversed by a
17 watercourse, drainage way, channel or stream, there shall be provided a stormwater easement or
18 drainage right-of-way conforming substantially with the alignment of such watercourse, or such
19 construction as will be adequate for the purposes, and as approved by the Planning Board.

20 (Prior code § 25-10)

21 16.16.040 - Blocks.

- 22 A. The lengths, widths and shapes of blocks shall be determined with regard to:
- 23 1. Provision of adequate building sites suitable to the special needs of the type of use
24 contemplated;
- 25 2. Requirements as to lot sizes and dimensions;
- 26 3. Needs for convenient access, circulation, control and safety of street traffic;
- 27 4. Limitations and opportunities of topography.
- 28 B. Block lengths shall not exceed eight hundred eighty (880) feet, measured along the property lines.

29 (Prior code § 25-11)

30 16.16.050 - Lots.

- 31 A. Appropriateness for Location and Type of Development and Use. The lot size, width, depth, shape
32 and orientation and the minimum building setback lines shall be appropriate for the location of the
33 subdivision and for the type of development and use contemplated.
- 34 B. Dimensions Generally.
- 35 1. Minimum lot width for each lot containing a detached structure shall be thirty-five (35) feet.
- 36 2. Minimum lot width for each lot containing an attached structure shall be twenty five (25) feet.
37 For attached structures, lot width dimensions less than twenty-five (25) feet may also be
38 approved by the City, pending review and approval of adequate parking, site design and other

- 1 relevant factors by the Planning Board and City Commission. Minimum side yard setback on
2 corner lots shall be ten (10) feet on the side of the lot contiguous to the side street.
- 3 C. Commercial and Industrial Property. Depth and width of property reserved or laid out for commercial
4 and industrial purposes shall be adequate to provide for the off-street service and parking facilities
5 required by the type of use and development contemplated.
- 6 D. Corner Lots for Residential Use. Corner lots for residential use shall have extra width to permit
7 appropriate building setback from and orientation to both streets.
- 8 (E) Access to Existing Public Streets. The subdividing of the land shall be such as to provide, by means
9 of a public street, and each lot shall be provided with a thirty-five (35) feet minimum access to an
10 existing public street. Minimum access width for each lot fronting a cul-de-sac shall be thirty (30) feet
11 minimum measured on the property line to the curb line, and a thirty-five (35) feet minimum width
12 measured at the building setback line. Each "Flag" lot, defined herein as a parcel of land accessible
13 only by an extension of land connecting a public access street to the building site area of the parcel,
14 shall have a minimum continuous access width of thirty-five (35) feet. Access shall mean a
15 contiguous and continuous direct property boundary connecting to the public street.
- 16 F. Double and Reverse Frontage Lots. Double frontage and reverse frontage lots shall be avoided,
17 except where essential to provide separation of residential development from traffic arteries or to
18 overcome specific disadvantages of topography and orientation. A planting screen easement of at
19 least ten (10) feet, across which there shall be no right of access, shall be provided along the line of
20 lots abutting such traffic artery or other disadvantageous use.
- 21 G. Intersections of Side Lot and Street Right-of-Way Lines. Side lot lines at the intersection with street
22 right-of-way lines shall be substantially at right angles or radial to street lines.

23 (Prior code § 25-12)

24 (Ord. No. 1041, §§ 1—3, 3-7-2011)

25 16.16.060 - Street or sidewalk improvements defined.

26 "Street or sidewalk improvements" include any installation of curbs, pavement, sidewalks, drainage,
27 utilities, signs, lights and any other such improvements which meet the approval of the Planning Board
28 and conform to standards and specifications prescribed by the City Commissions.

29 (Prior code § 25-13)

30 16.16.070 - Required improvements.

31 The following improvements shall be required pursuant to this chapter:

- 32 A. Monuments. Monuments of a type and design as approved by the Planning Department shall be
33 placed at all block corners, angle points, points of curves in streets, street intersections and
34 points as shall be required by the Planning Department. Such monuments may be of iron pipe
35 not less than three-quarters ($\frac{3}{4}$) of an inch in diameter and two (2) feet in length, driven securely
36 into solid earth, with the grades of same being at grade with established paving, flush with
37 natural grade of the earth's surface or on existing paving. A four-inch bolt and washer may be
38 used.
- 39 B. Street Improvements. Street improvements shall include substantial permanent street signs at
40 each intersection, such signs to be of a material and design as prescribed by the City
41 Commission.

1 C. Design Details and Construction Standards. Design details and construction standards for utility
2 and street improvements shall conform to standard details and specifications adopted by the
3 City Engineer and approved by the City Commission.

4 (Prior code § 25-14)

5

1 **Alternatives to**

2 **MC 16.04.010 B-2**

3
4
5 B. "Subdivide" or "subdivision" for the purpose of approval by a Municipal Planning Authority
6 means:

7 For the area of land within the corporate boundaries of the municipality, or within the
8 extraterritorial planning and platting jurisdiction, the division of land into two (2) or more
9 parts by platting or by metes and bounds description into tracts for the purposes set forth
10 in subsection C of this section. Those subdivisions within the extraterritorial planning and
11 platting jurisdiction of five (5) acres or more, excluding those subdivisions seeking a Claim
12 of Exemption from the Lea County Subdivision Regulations, do not require Municipal
13 approval.

14
15 B. "Subdivide" or "subdivision" for the purpose of approval by a Municipal Planning Authority
16 means: the division of land into two (2) or more parts by platting or by metes and bounds
17 description into tracts for the purposes set forth in subsection C of this section. Those
18 subdivisions within the extraterritorial planning and platting jurisdiction of five (5) acres or more,
19 excluding those subdivisions seeking a Claim of Exemption from the Lea County Subdivision
20 Regulations, do not require Municipal approval.

21
22 B. "Subdivide" or "subdivision" for the purpose of approval by a Municipal Planning Authority
23 means:

24 1. Within the Municipality or the Extraterritorial Planning and Platting Jurisdiction:

25 a. Any division of land into two (2) or more parts by platting or by metes and
26 bounds description into tracts for the purposes set forth in subsection C of
27 this section.

28
29 2. Within the Extraterritorial Planning and Platting Jurisdiction:

30 a. Any division of land into two (2) or more parts by platting or by metes and
31 bounds description, which are five (5) acres or less, including Claim of
32 Exemptions from the Lea County Subdivision Regulations.

33 b. All Claim of Exemptions from the Lea County Subdivision Regulations,
34 regardless of size.