

Lea County Planning & Zoning Board
Regular Meeting
Monday, March 20, 2017 9:30A.M.
Lea County Commission Chamber, Lea County Courthouse,

ITEM 01: Call to Order

Chairman Kallie Windsor called the meeting to order at 9:30A.M.

Members present were Kallie Windsor, Guy Kesner, Kay Hardin, Gary Eidson, Johnnie Hopper and Daniel Johncox. Dickie Wall arrived after the meeting began.

Also present were Lea County Planner Bruce Reid, Lea County Assistant Manager Corey Needham, County Attorney John Caldwell and Lea County Administrative Coordinator Monica Russell.

ITEM 02: Consideration of Approval of the February 14, 2017, Meeting

Mr. Eidson motioned to approved the minutes of the February 14, 2017, meeting. Motion seconded by Mr. Johncox and carried unanimously.

ITEM 03: Discussion of New Lea County Subdivision Regulations

Ms. Windsor asked what "A decision made by the Board of County Commissioners by the District Court..." under Appeal on page 3 meant. Mr. Caldwell stated that any appeal made by the Board of Commissioners under the Subdivision Act can be appealed to District Court.

Ms. Windsor asked about the note "Industrial - to be further defined," in the Subdivision definition. Mr. Caldwell stated that there are thirteen exemptions under the state statute. The county added "industrial" and limited it to cell towers. Two have been added in this version. Mr. Reid wanted to add "The purchase of land by a governmental entity..." and "Industrial." Mr. Caldwell stated that he can't find statutory authority to either allow or deny this.

Mr. Hopper asked if the current document is approvable. Mr. Caldwell replied that it is not as there are references to design and construction standards and committee that haven't been drafted and need to be reviewed by the Planning & Zoning Board. The design and construction standards committee would be appointed by the Board of County Commissioners. The make-up of the committee could potentially include two engineers, but most likely will include only one. The Planning & Zoning board will also eventually need to provide input for and review a construction and design ordinance.

Ms. Windsor asked about a statement on page 17 under Plat Transmittals that reads: "The planning department shall forward a copy of the preliminary plat and supporting documentation to the following state and local agencies." Ms. Windsor asked if this Mr. Reid is currently doing this. Mr. Reid stated that he is. The application and disclosure statements go him. He then forwards those to each agency and that's how they get the reviews back. This is not handled by the developer.

Mr. Eidson suggested having a modified disclosure statement for small splits available to avoid longer forms. Mr. Reid stated that he is looking at using a form that is all-inclusive, but allows developers to skip certain questions or sections that don't apply to their specific situation.

Mr. Reid asked the board how wide they want the vicinity map to be. Mr. Hopper suggested changing it to "vicinity map adequate to locate subdivision" instead of giving a specific diameter.

Ms. Windsor asked if "B. Relevant documents disclosed. The subdivider shall furnish the Board of County Commissioners with a sample copy of sales contracts, leases and any other documents that will be used to convey an interest in the subdivided land," is currently being done. Mr. Reid replied that it isn't, but that it is a state statute.

Mr. Caldwell stated that he and Mr. Reid also researched definitions for lot, parcel and tract but they are used interchangeably.

Mr. Needham asked if page 31, 19.C., which states "Permanent marks. All corners of all parcels and blocks within a subdivision shall be permanently marked with metal stakes in the ground and a reference stake placed beside one corner of each parcel," makes sense for surveyors. Mr. Eidson suggested including the phrase "Permanent marks meeting the minimum technical standards for land surveyors in New Mexico shall be established," so that this entry will change also if the minimum technical standards for surveyors changes. The phrase will now read "Permanent marks. All corners of all parcels and blocks within a subdivision shall be permanently marked as required by the minimum standards for surveys in New Mexico."

Ms. Windsor asked about "signs" on page 33 section E. Mr. Reid stated that his is a state statute. Mr. Johncox stated that some of these things aren't commonly practiced since large subdivisions aren't created on a regular basis locally.

Mr. Eidson asked if the mailing address of the owner at the time of the plat is required to be on the plat as noted in B.2 on page 34. Mr. Reid stated that this is the way the present one reads but he's never seen it done. Mr. Eidson stated that this could make personal information public record. Mr. Needham asked Mr. Eidson if the minimum standards for plat specifications in the plat surveyors minimum

standards are as stringent as these. Mr. Eidson stated that the surveyors minimum standards are more stringent and that the county may not require such strict standards.

Mr. Kesner asked who the Office of the Flood Commission is. Mr. Reid stated that this means the Lea County Environmental Services. Mr. Needham stated that Lorenzo Velasquez and Cassie Corley are FEMA-certified floodplain managers.

Mr. Eidson stated that he would like to see a standard format for owners' affidavits, statements, dedication language that everyone uses for plats. He suggested that the county might come up with this and send it to the surveyors for comments.

Mr. Needham asked about section C on page 37: Existing major arroyos, stream channels, or any type of watercourse, excluding irrigation ditches, with a peak discharge in excess of 100 CFS during the one-hundred-year design storm. He stated that the argument with engineers is the one hundred year six hour or twenty-four hour. Mr. Needham stated that the six hour is more conservative and show a higher intensity lower duration storm. It will be harder for a developer but more conservative from a government perspective. Mr. Needham suggested a hundred year, twenty-four hour design storm. The board agreed.

On page 40, Mr. Kesner asked if all variances are approved by the county commission. He suggested changing the phrase "the Planning and Zoning Board may vary, modify, or waive their requirements," to "may be recommended to the County Commissioner to vary, modify, or waive their requirements."

Mr. Johncox asked how they will deal with roads in subdivisions that don't necessarily need to be built immediately. Mr. Needham suggested using an infrastructure easement in these cases, which will encumber the land, rather than require a dedicated right of way. The second part of this questions is deciding who will pay for the roadway once the time to build arrives.

Mr. Kesner suggested that defined terms be made easily identifiable. Ms. Hardin suggested italicizing defined terms and making a notation of it.

Mr. Caldwell stated that he and Mr. Reid will begin work on design and construction standards and look at setting up a design and construction standards committee for future reviews. They will also come back with a final draft of the subdivision ordinance.

ITEM 04: Consideration of Other Business

No other business was discussed.

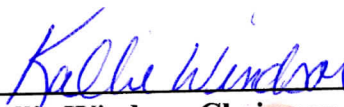
ITEM 05: Set/Confirm Next Meeting(s)

The next meeting was set for April 11, 2017, at 9:30A.M. at the Lea County Commission Chambers.

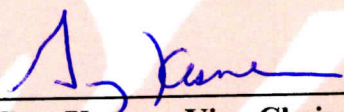
ITEM 06: Adjourn

Mr. Johncox motioned to adjourn. Motion seconded by Ms. Hardin and carried unanimously. Meeting adjourned at 11:10A.M.

Lea County Planning & Zoning Board

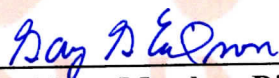


Kallie Windsor, Chairman, Lovington Extraterritorial Zoning Board

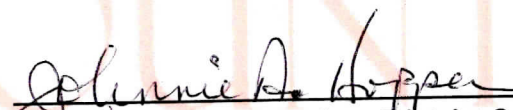


Guy Kesner, Vice-Chairman, Hobbs Extraterritorial Zoning Board

Kay Hardin, Member, District 1



Gary Eidson, Member, District 2



Johnnie Hopper, Member, District 3



Dickie Wall, Member, District 4

Daniel Johncox, Member, District 5