

CITY OF HOBBS

RESOLUTION NO. 5048

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

A. 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.

Minimum Development Standard No. 1 - Buffering and Screening and Building Lighting Requirements For Commercial and Industrial Buildings and Residential Housing Projects. May 2008

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 reduce the negative visual impact from on-site service areas and equipment to public streets and adjacent uses.

C. Screening Requirements and Options.

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

2. **Minimum Standards.** Minimum standards for screening elements include:

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.

b. A combination of screening walls with landscaping, including evergreen shrubs and 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.

c. 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.

3. Screening is encouraged around on-site support uses that are visible from a residential use and/or the public right-of-way. On-site support uses include, but are not limited to: trash receptacles, 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 primary or

secondary vehicular access of customers or employees to the business site. Commercial and industrial deliveries are permitted providing 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. 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.	

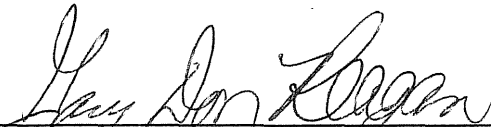
Notes: The distance to the residential structure is measured from the light fixture to the closest wall of the structure. The interval spacing minimum provides standards for how close in proximity the wall pack fixtures can be located. Wide flood type bulbs are recommended.

5. 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.

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

C. 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 5th day of May, 2008.

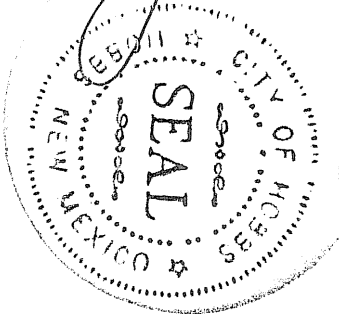


GARY DON REAGAN, Mayor

ATTEST:



JAN FLETCHER, City Clerk





CITY OF HOBBS
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 5, 2008

SUBJECT: RESOLUTION APPROVING BUFFERING AND LIGHTING STANDARDS, AS RECOMMENDED BY THE PLANNING BOARD.

DEPT. OF ORIGIN: Planning Division
DATE SUBMITTED: April 25, 2008
SUBMITTED BY: Joe Dearing, City Planner

Summary: The City Planning Board is recommending new Minimum Development Standards for Site Buffering and Lighting standards to reduce the impact of new development when located adjacent to existing residential neighborhoods.

During the past two years, the Planning Board has reviewed numerous proposals from new commercial and industrial facilities. While some of the proposals have been in remote locations compared to existing development, several commercial developments have located very close to existing residential, and some of these commercial developments have had negative impacts on existing residential neighborhoods. Some of the most notable citizen complaints have been received by the Board from neighborhoods bordering the Lovington Highway commercial corridor, especially those parcels sharing a common rear alley with the new commercial. With the absence of any land use or zoning regulations in Hobbs that would normally control such impacts, the Planning Board has recommended new Minimum Development Standards for Site Buffering and Lighting Controls when new development is proposed to be located adjacent to an existing neighborhood. The Planning Board studied these proposals at several meetings, and after careful deliberations, the attached proposals are recommended.

The proposed policies are intended to be an important tool to preserving and protecting existing residential neighborhoods, which is one of the most important goals of the Comprehensive Plan. The Staff and Planning Board are planning to study other developments and may recommend additional policies for consideration of the City Commission.

Fiscal Impact: _____ Reviewed By: [Signature]
Finance Department

The planning items will probably not have an impact on the City Budget.

Attachments: Resolution; Proposed Buffering and Lighting Policies; Planning Board Minutes.

Legal Review: _____ Approved As To Form: [Signature]
City Attorney

Recommendation:
Approve the resolution to approve the new buffering standards.

Approved For Submittal By:
[Signature]
Department Director
[Signature]
Acting CM
City Manager

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COMMISSION ACTION TAKEN
Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____