

Lea County Planning & Zoning Board Regular Meeting

Tuesday, May 13, 2025 10:00A.M.

Lea County Courthouse - First Floor Meeting Chambers - 100 North Main Avenue, Lovington, N.M.

Notice of this Meeting has been given to the Public in Compliance with Section 10-15-1 NMSA 1978

If you are an individual with disability who is in need of a reader, amplifier, qualified sign language interpreter, translator, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Lea County Manager's office located in the Lea County Courthouse in Lovington, New Mexico, at (575) 396-8602, at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Lea County Manager's Office at the Lea County Courthouse if a summary or other type of accessible format is needed.

MINUTES

CALL TO ORDER - ROLL CALL

Vice-chair Daniel Johncox called the meeting to order at 10:00A.M. Board members present were Ben Donahue, Blake Ovard, Dickie Wall, Michael Arnold, Beth Meyers and Daniel Johncox.

Member Brad Hawkins was absent.

Also present were County Manager Corey Needham, Lea County Planner John Portulano, Consultant. Chuck McMahon and Lea County PIO/Records Custodian Monica M. Russell.

Engineers David Roybal and Evan Pointer were present, as well as citizens Dale Ray Barnett, Cristy Parent, Jimmy Dendy, Sarah Vickers, Nancy Bartlett, Irma Minjarez, Johnny Vega

ITEM 1: BOARD

a. Election of Lea County Planning and Zoning Board Chair

Mr. Wall nominated Ben Donahue for LCPZB chair. There were no other nominations. Mr. Donahue was elected LCPZB chair unanimously.

b. Election of Lea County Planning and Zoning Board Vice-Chair

Mr. Arnold nominated Blake Ovard for LCPZC vice-chair. There were no other nominations. Mr. Ovard was elected LCPZB vice-chair unanimously.

c. Consideration of Approval of the February 11, 2025, Minutes

Mr. Ovard moved to approve the minutes of the February 11, 2025, meeting. The motion was seconded by Mr. Wall and approved unanimously.

d. Board Member Comments

Mr. Ovard welcomed the citizens in attendance.

e. Public Comments (Non-agenda Items)

*Chair: Ben Donahue (Hobbs Extraterritorial); Vice-chair: Blake Ovard (Lovington Extraterritorial)
Beth Meyers (District 1); Michael Arnold (District 2); Brad Hawkins (District 3); Dickie Wall (District 4); Daniel Johncox (District 5)*

There were no public comments.

ITEM 2: PUBLIC HEARINGS

a. Consideration of Approving a Block Length Variance for the Proposed Olivas Subdivision Located in Sections 25 and 26, Township 17 South, Range 37 East, N.M.P.M., North of Alabama Street, and East of State Highway 18 (N. Lovington Highway).

Chair Donahue swore in Mr. Portulano, who presented the following findings to the board:

1. The applicant requests a Block Length Variance for the proposed Olivas Subdivision, which involves shifting a subdivision line 65.35' +/-.
2. The surrounding land is open range and mostly non-residential and there are no county or state-maintained roadways in or near the subdivision, except for Pawnee Street and NM Highway 18 (N Lovington Highway).
3. The applicant has complied with all county requirements for the Block Length Variance, and public notice/notification has been given to property owners in the area.
4. The staff recommendation is based on findings that the application is consistent with the requirements of the Lea County Subdivision Regulations, and that there is no substantial or unreasonable hardship to the subdivider due to soil, exceptional topography, or other surface and sub-surface conditions.
5. The only hardship will be building roads that will deviate from the natural traffic flow.

The developer requested a variance for the following reasons:

- The client requests a variance to the 1320' block length road development requirement.
- The developer intends to dedicate a 30' roadway on each side of the north-south standard J-1/J-2/K-1/K-2 tract lines.
- Previously recorded claim of exemption plats (Book 2236, Page 552 and Book 2236, Page 554) placed the boundary farther east from the 1320' block length due to restricting topographical features better suited for cost-effective roadway development.
- The placement of the roadway also helps with traffic flow.
- Future projection of the proposed roadway south intersects with Kansas Street rather than intersecting Lovington Highway a few feet farther north than the existing Kansas Street-Lovington Highway intersection.
- Placing the roadway at the 1320' block length would create two intersections less than 200 feet apart near the present-day Kansas Street-Lovington Highway intersection and deter efficient traffic flow.

Staff recommended approval of the Block Length Variance for the proposed Olivas Subdivision based on the following findings of fact:

1. Pursuant to 7.4.3(E) The County Planning and Zoning Board shall make written finding of fact regarding each of the requirements of the LCSR and shall produce those findings of fact and a recommendation on each request for variance. The record shall be submitted to the Board

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- of County Commissioners for a final decision. The Commission may accept, reject, or modify the recommendation of the Planning and Zoning Board.
2. The property is located within the City of Hobbs Extraterritorial Jurisdiction and is within Lea County.
 3. Notice requirements as provided by the Lea County Subdivision Regulations have been satisfied.
 4. This application is consistent with the requirements of the Lea County Subdivision Regulations.
 5. By recommending approval, there is no substantial or unreasonable hardship to the subdivider because of exceptional topography, soil, or other surface or subsurface conditions.
 6. By recommending approval, reasonable compliance with these Regulations will not result in inhibiting the achievement of the objectives of these Regulations.

Chair Donahue swore in citizen Irma Minjarez. Ms. Minjarez asked if this will affect the private road that connects to the Lovington Highway. Mr. Portulano stated that it will not affect that road.

Mr. Johncox moved to approve the block length variance. The motion was seconded by Mr. Ovard and a roll call vote was taken: Johncox: yes; Arnold: yes; Wall: yes; Donahue: yes; Ovard yes; Meyers: yes. The motion carried unanimously.

b. Consideration of a Summary Review Application Plat for the Divine Subdivision, a Type 3A Subdivision Located in Section 36, Township 15 South, Range 35 East. Geolocated West of the Schenck-Lovington Addition Unit 1 and Avenue F, South of Hooker Street North of State Highway 83 (Avenue D).

Mr. Portulano provided the following findings:

1. The applicant, Mr Johnny Vega, is requesting Approval of a Summary Review application for the Divine Subdivision, a Type 3A Subdivision consisting of five lots on one parcel totaling 32.9 acres, ranging in size from 2.5 to 9.98 acres.
2. The surrounding land is zoned to the north Multifamily R-1, to the south Commercial, to the west Single-Family Residential, and to the east Single-Family/Commercial.
3. The applicant has complied with all county requirements for the Summary Review process, and public notice/notification has been given to property owners in the area. (22 Notification Letters 04/21/2025)
4. All utilities will be underground except for electricity and telephone. Water is sufficient to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses per NMED. There's a means of waste disposal for the subdivision and solid waste disposal per NMED.
5. The subdivider can fulfill the proposals contained in the disclosure statement and conform to the New Mexico Subdivision Act and these said regulations.
6. The Subdivider has a Custom Soil Resource Report generated for Lea County and area-specific.

Mr. Portulano noted Lots 1 and 3 are zoned industrial and Lots 2, 4 and 5 are zoned residential.

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Staff recommended approval of the summary review application for the proposed Divine Subdivision based on the following findings of fact:

1. Pursuant to LCSR Article §6.1.5: The Planning and Zoning Board will be approved or disapproved within 30 days at a public meeting from the date that the summary review plat is deemed complete. The Board of County Commissioners has delegated the County Planning and Zoning Board the authority to approve any subdivision under summary review.
2. The property is located inside of an incorporated municipal planning and plat authority and is within Lea County
3. Pursuant to LCSR Article §6.2.4: Additional Requirements ensure the following:
 - A. An engineer's certificate is needed for Vega Road to become a Lea County maintained roadway.
 - B. The Disclosure Statement was received on April 16, 2025, and complies with the LCSR.
 - C. Any Restrictive Covenants will be filed when the approved subdivision plat is filed.
 - D. Schedule of Compliance is needed for this development because one new road will be built.
 - E. Divine Subdivision is not a phased development, so no phased development plan has been provided.
 - F. Engineer Road Plan is applicable; one new road is planned.
 - G. Applicable for Performance Bond, letter of credit, or other collateral in the development planning is to develop and build a roadway.
 - H. No Financial Statement has been provided.
 - I. Statements have been made and verified regarding the accuracy of information about utilities and their costs for services.
 - J. No contracts conveying any interest (sale or leasing contracts) have been provided.
 - K. No advertising materials have been provided.
 - L. All property taxes through the 2025 Tax year have been paid.
 - M. No other agreements, present or future, are foreseen to be made for development.

Additional facts:

1. Pursuant to §1.5 Written Decisions: Whenever the board of county commissioners, or its delegate, is required by these regulations to make a decision, the decision shall be in writing and supported by findings of fact and conclusions of law sufficient for meaningful review.
2. Pursuant to §1.4 Jurisdiction: The property is located within an incorporated municipal zoning authority and is within Lovington Lea County Extraterritorial Zone.
3. Notice requirements as provided by the Lea County Subdivision Regulations have been satisfied.
4. This application is consistent with the requirements of the Lea County Subdivision Regulations.
5. By recommending approval, reasonable compliance with these Regulations will not inhibit the achievement of their objectives

Mr. Portulano's summary noted Vega Drive will consist of a 60' right of way and 26' wide chip sealed surface. It will tie into Avenue D with a new driveway connection. All residential lots will be accessible

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from the proposed Vega Drive with paved driveways to be maintained by Lea County following acceptance of the rights-of-way and improvements.

Chair Donahue swore in David Roybal, an engineer who developed the plans for Mr. Vega. Mr. Roybal confirmed that Vega Road will end in a cul-de-sac.

Chair Donahue swore in citizen Delray Burnett. Mr. Burnett asked what types of housing the subdivision will be zoned for.

Chair Donahue swore in citizen Johnny Vega, who stated that he currently plans to develop only the subdivision commercially.

Chair Donahue swore in citizen Cristy Parent. Ms. Parent asked if further development of the subdivision will affect her lot lines. Mr. Donahue stated that it should not affect anything that is legally platted. He also noted that any septic systems places in the subdivision should not affect her water well.

Mr. Portulano stated that he reviewed depths for three wells that were all within 100 feet of the subdivision.

Chair Donahue swore in CountyManager Corey Needham. Mr. Needham asked how drainage from Sadelle Subdivision to the north will be addressed. Mr. Roybal stated that plans include construction of a culvert crossing. Mr. Roybal also noted the disclosure statement states each developer will be responsible for proper drainage facilities.

Mr. Needham noted that the City of Lovington has not yet approved the subdivision and suggested that the board make their approval and signature of the plat contingent upon approval by Lovington.

Mr. Johncox moved to approve the summary review application contingent upon approval by the City of Lovington. The motion was seconded by Mr. Wall and a roll call vote was taken: Donahue: yes; Ovard: yes; Wall: yes; Arnold: yes; Meyers: yes; Johncox: yes. The motion carried unanimously.

c. Consideration of a Summary Review Application Plat of the Chavez Subdivision, a Type 3A Subdivision in Section 11, Township 19 South, Range 38 East, N.M.P.M., Lea County, New Mexico. Geolocated to the east of State Highway 18, (S Eunice Highway), south of Stanolind Road.

Mr. Portulano presented the following information:

1. The applicants, Jose Chavez-Alvarez and Eric Chavez, are requesting approval for the Proposed Chavez Subdivision, a Type 3A Subdivision. The Chavez Subdivision divides Tract 1 of the Lawson Glenn Land Division into Tract 1A and Tract 1B, consisting of 2 lots on parcels totaling 20.003 acres, sizes 8.003 and 12.000 acres. The surrounding land to the north has Single-Family and Commercial, to the south Commercial, to the west Commercial/Industrial Residential, and to the east undeveloped.
2. The applicant has complied with all county requirements for the Summary Review process,

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and public notice/notification has been given to property owners in the area. (12 Notification Letters 04/21/2025)

3. All utilities will be underground except for electricity and telephone. Water services will be provided to the properties by the City of Hobbs, as the City of Hobbs has a waterline running along Stanolind Road. There's a means of waste disposal for the subdivision and solid waste disposal per NMED.
4. The subdivider can fulfill the proposals contained in the disclosure statement and conform to the New Mexico Subdivision Act and these said regulations.
5. Both lots would be well above the State of New Mexico's septic system size requirements and comply with Lea County Subdivision Regulations, Ordinance #35, May 1997 (LCSR), which requires a minimum average two-acre lot size in all subdivisions.

Mr. Portulano also provided images of the subdivision aerial and overlay, and copies of the plat and deed of ownership.

The staff analysis found the proposed Chavez Subdivision is compliant with all LCSR for a Type 3A Summary Review Subdivision. The legal notice for Summary Review has been met. The data requirements were reviewed by the appropriate agencies. All infrastructure improvements such as drainage, ponding, and roadways will be inspected to insure compliance with County standards. Water is provided by the City of Hobbs and wastewater is provided by septic systems. The final plat is consistent with the LCSR standards of Article 6 Summary Review Process.

Staff recommended approval for the Chavez Subdivision summary review application based on the following findings of fact:

1. Pursuant to LCSR Article §6.1.5: The Planning and Zoning Board will be approved or disapproved within 30 days at a public meeting from the date that the summary review plat is deemed complete. The Board of County Commissioners has delegated the County Planning and Zoning Board the authority to approve any subdivision under summary review.
2. The property is located inside of an incorporated municipal planning and plat authority and is within Lea County
3. Pursuant to LCSR Article §6.2.4: Additional Requirements ensure the following:
 - A. An engineer's certificate are not needed for Stanolind Road nor State Highway 18 (S Eunice Highway), a Lea County maintained roadway and a New Mexico State Department of Transportation maintained roadway.
 - B. The Disclosure Statement was received on April 16, 2025, and complies with the LCSR.
 - C. Any Restrictive Covenants will be filed when the approved subdivision plat is filed.
 - D. Schedule of Compliance is not needed for this development because no new road will be built or scheduled.
 - E. Chavez Subdivision is not a phased development, so no phased development plan has been provided.
 - F. Engineer Road Plan is not applicable, as no new road will be built currently..
 - G. Applicable for Performance Bond, letter of credit, or other collateral in the development planning is to develop and build a roadway.
 - H. No Financial Statement has been provided.

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- I. Statements have been made and verified regarding the accuracy of information about utilities and their service costs.
- J. No contracts conveying interest (sale or leasing contracts) have been provided.
- K. No advertising materials have been provided.
- L. All property taxes through the 2025 Tax year have been paid.
- M. No other agreements, present or future, are foreseen to be made for development.

Mr. Pointer noted that the City of Hobbs has approved this application.

Mr. Johncox moved to approve the summary review application. The motion was seconded by Mr. Arnold and a roll call vote was taken: Donahue: yes; Ovard: yes; Wall: yes; Arnold: yes; Meyers: yes; Johncox: yes. The motion carried unanimously.

d. Consideration of a Summary Review Application Plat of the Quintero Subdivision, a Type 3A Subdivision in the South Half of the South Half (S/2 S/2) of Section 11, Township 19 South, Range 38 East, N.M.P.M., Lea County, New Mexico, located on the East side of State Highway 132 (Dal Paso).

Mr. Portulano provided the following information:

1. The applicants, Santana and Juan Quintero, are requesting Summary Review Application approval for the Quintero Subdivision, a Type 3A Subdivision consisting of 5 lots on one parcel totaling 137.82 acres, ranging in size from 2.99 to 120.818 acres. All lot sizes will be well above the state of New Mexico size requirements for septic systems and comply with Lea County Subdivision Regulation, Ordinance #35, May 1997(LCSR) requirements of a minimum average 2-acre lot size in all subdivisions
2. The applicants have complied with all county requirements for the Summary Review process, and public notice/notification has been given to property owners in the area. (19 Notification Letters 04/21/2025)
3. Water services will be provided through individual domestic wells, and individual, on-site septic systems will handle wastewater. The subdivider can fulfill the proposals contained in the disclosure statement and conform to the New Mexico Subdivision Act and these regulations.
4. Access to the subdivision will be supplemented by an 80-foot dedicated Right of Way (ROW) known as West Millen Drive onto Dal Paso Street, also known as NM State Highway 132, with an 80-foot-wide right of way.

Mr. Portulano provided a aerial map, plat and deed of ownership for Chavez Subdivision and the following findings of fact:

1. Pursuant to LCSR Article § 6.1.5: The Planning and Zoning Board will be approved or disapproved within 30 days at a public meeting from the date that the summary review plat is deemed complete. The Board of County Commissioners has delegated the County Planning and Zoning Board the authority to approve any subdivision under summary review.
2. The property is located inside an incorporated municipal planning and plat authority and is within the Lea County-Hobbs Extraterritorial Zone.
3. Pursuant to LCSR Article § 6.2.4: Additional Requirements ensure the following:

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- A. An engineer's certificate is not needed for State Highway 132 (Denver City Highway) a New Mexico State Department of Transportation maintained roadway.
- B. The Disclosure Statement was received on April 16, 2025, and complies with the LCSR.
- C. Any Restrictive Covenants will be filed when the approved subdivision plat is filed.
- D. Schedule of Compliance is not needed for this development because no new road will be built or scheduled.
- E. Quintero Subdivision is not a phased development, so no phased development plan has been provided.
- F. Engineer Road Plan is not applicable, as no new road will be built currently..
- G. Applicable for Performance Bond, letter of credit, or other collateral in the development planning is to develop and build a roadway.
- H. No Financial Statement has been provided.
- I. Statements have been made and verified regarding the accuracy of information about utilities and their service costs.
- J. No contracts conveying interest (sale or leasing contracts) have been provided.
- K. No advertising materials have been provided.
- L. All property taxes through the 2025 Tax year have been paid.
- M. No other agreements, present or future, are foreseen to be made for development

Staff recommended approval of the summary review application for the proposed Quintero Subdivision based on the following findings:

- 1. Pursuant to §1.5 Written Decisions: Whenever the board of county commissioners, or its delegate, is required by these regulations to make a decision, the decision shall be in writing and supported by findings of fact and conclusions of law sufficient for meaningful review.
- 2. Pursuant to §1.4 Jurisdiction: The property is located within the Hobbs-Lea County Extraterritorial Zone.
- 3. This application is consistent with the requirements of the Lea County Subdivision Regulations and Chapter 47, Article 6 NMSA 1978 §70-5-1, the New Mexico Subdivision Act.
- 4. Notice requirements as provided by the Lea County Subdivision Regulations have been satisfied.
- 5. By recommending approval, reasonable compliance with these Regulations will not result in inhibiting the achievement of the objectives of these Regulations

Further findings include the following:

- 1. Pursuant to SR Article 6.1.5 the Planning and Zoning Board is authorized to review and approve or disapprove a Summary Review plat at a public meeting 30 days from the date the summary review plat is deemed complete.
- 2. The property is located within an incorporated municipal zoning authority and is within Lea County.
- 3. Pursuant to § 350-407 Subdivision Data Requirement: Approval of a Subdivision ensures the following:
 - a. Water quantity may be sufficient to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses. This

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subdivision consists of five lots, each being able to apply for domestic well to use up to 1 acre-foot of water per year. NM Statutes Section 47-6-11.2 - Water permit required for final plat approval before approving the final plat for a subdivision containing ten or more parcels, any one of which is two acres or less in size, the board of county commissioners shall require that the subdivider provide proof of a service commitment from a water provider and an opinion from the state engineer that the subdivider can fulfill the requirements of Paragraph (1) of Subsection F of Section 47-6-11 NMSA 1978.

- b. The subdivider suggests that the subdivision will use approximately 1 acre-feet per year for the subdivision, but fails to tell the depth of water underneath the subdivision. Subdivider states the red bed (bottom of the aquifer is 205 ft). Domestic wells in the Quintero subdivision should have a pump output of 50 gallons of water per minute.
- c. Water is of an acceptable quality for human consumption and measures are taken to protect the water supply from contamination, per NMED requirements.
- d. There is a means of liquid waste disposal for the subdivision, per NMED requirements.
- e. There is a means of solid waste disposal for the subdivision, per NMED requirements.
- f. There are satisfactory roads to each parcel, including entry and exit for emergency vehicles.
- g. Terrain management protects against flooding, inadequate drainage, and erosion.
- h. There are protections for cultural properties, archaeological sites and unmarked burials that are unlikely to be affected by the subdivision, as required by the Cultural Properties Act, per New Mexico SHPO.
- i. The subdivider can fulfill the proposals contained in the disclosure statement for the subdivision.
- j. The subdivision will conform to the New Mexico Subdivision Act and Lea County Subdivision Regulations, Ordinance #35, May 1997.

Mr. Portulano noted electric service is provided by Xcel, Zia Natural Gas will provide gas, the buyer will provide water service and telephone service is available through tDS Broadband and Kinetic by Windstream. The buyer must make arrangements for septic service and trash pickup service.

Mr. Pointer noted the tract flagpoles to the highway with an easement, which should be cleared for ease of access for emergency vehicles. There are no current plans to build a road. Mr. Pointer also noted that the City of Hobbs Commission and Planning Board have both approved the application.

Mr. Johncox moved to approve the summary review application. The motion was seconded by Mr. Ovard and a roll call vote was taken: Donahue: yes; Ovard: yes; Wall: yes; Arnold: yes; Meyers: yes; Johncox: yes. The motion carried unanimously.

- e. **Consideration of a Summary Review Application Plat for the Olivas Tract J-1 Type 3A Subdivision of the Olivas Division #2, located in the Southeast Quarter (SE 1/4) of Section 26, Township 17 South, Range 37 East. Geolocated south of Pawnee Street, north of Alabama Street, and east of State Highway 18 (Lovington Highway).**

Mr. Portulano provided the following information:

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1. The applicants, Julio and Naomi Olivas, are requesting Summary Review Application approval for the Olivas Subdivision, a Type 3A Subdivision consisting of 5 lots on one parcel totaling 12.873 acres, ranging in size from 1.086 to 8.529 acres. All lot sizes will be well above the state of New Mexico size requirements for septic systems and comply with Lea County Subdivision Regulation, Ordinance #35, May 1997(LCSR) requirements of a minimum average 2-acre lot size in all subdivisions.
2. The applicants have complied with all county requirements for the Summary Review process, and public notice/notification has been given to property owners in the area. (19 Notification Letters 04/21/2025)
3. Water services will be provided through individual domestic wells, and individual, on-site septic systems will handle wastewater. The subdivider can fulfill the proposals contained in the disclosure statement and conform to the New Mexico Subdivision Act and these regulations.
4. Access to the subdivision will be supplemented by a 60-foot dedicated Right of Way (ROW) known as Pawnee Street west onto State Highway 18 (N Lovington Highway). All residential lots will be accessible from paved roadways maintained by Lea County following acceptance of the rights-of-way and improvements.

Mr. Portulano provided an aerial photo of the subdivision, a plat and a deed of ownership and presented the following findings of fact:

1. Pursuant to SR Article § 6.1.5 the Planning and Zoning Board is authorized to review and approve or disapprove a Summary Review plat at a public meeting 30 days from the date the summary review plat is deemed complete.
2. The property is located within an incorporated municipal zoning authority and is within Lea County. The client is currently completing the City of Hobbs requirements for the subdivision.
3. Pursuant to § 350-407 Subdivision Data Requirement: Approval of a Subdivision ensures the following:
 - a. Water quantity may be sufficient to fulfill the maximum annual water requirements of the subdivision. Including water for indoor and outdoor domestic uses. This subdivision consists of five lots, each being able to apply for domestic well to use up to 1 acre-foot of water per year. NM Statutes Section 47-6-11.2. Water permit required for final plat approval before approving the final plat for a subdivision containing ten or more parcels, any one of which is two acres or less in size, the board of county commissioners shall require that the subdivider provide proof of a service commitment from a water provider and an opinion from the state engineer that the subdivider can fulfill the requirements of Paragraph (1) of Subsection F of Section 47-6-11 NMSA 1978.
 - b. The subdivider suggests that the subdivision will use approximately 1 acre-foot per year for the subdivision but fails to tell the depth of water underneath the subdivision. Subdivider states the red bed (bottom of the aquifer is 205 ft). Domestic wells in the Olivas J-1 subdivision should have a pump output of 50 gallons of water per minute.
 - c. Water is of an acceptable quality for human consumption, and measures are taken to protect the water supply from contamination, per NMED requirements.
 - d. There is a means of liquid waste disposal for the subdivision, per NMED requirements.
 - e. There is a means of solid waste disposal for the subdivision, per NMED requirements.

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- f. There are satisfactory roads to each parcel, including entry and exit for emergency vehicles.
- g. Terrain management protects against flooding. Inadequate drainage, and erosion.
- h. There are protections for cultural properties, archaeological sites, and unmarked burials that are unlikely to be affected by the subdivision, as required by the Cultural Properties Act, per New Mexico SHPO.
- i. The subdivider can fulfill the proposals contained in the disclosure statement for the subdivision.
- j. The subdivision will conform to the New Mexico Subdivision Act and Lea County Subdivision Regulations, Ordinance #35, May 1997.

Staff recommended approval of the summary review application for the proposed Quintero Subdivision based on the following findings:

1. Pursuant to §1.5 Written Decisions: Whenever the board of county commissioners, or its delegate, is required by these regulations to make a decision, the decision shall be in writing and supported by findings of fact and conclusions of law sufficient for meaningful review.
2. Pursuant to §1.4 Jurisdiction: The property is located within the Hobbs-Lea County Extraterritorial Zone.
3. This application is consistent with the requirements of the Lea County Subdivision Regulations and Chapter 47, Article 6 NMSA 1978 §70-5-1, the New Mexico Subdivision Act.
4. Notice requirements as provided by the Lea County Subdivision Regulations have been satisfied.
5. By recommending approval, reasonable compliance with these Regulations will not result in inhibiting the achievement of the objectives of these Regulations.

Mr. Pointer noted that the owners are only dividing the north part of the subdivision.

Mr. Dendy asked if Pawnee Road will be fixed as it is in poor shape and more truck traffic will make it worse. Mr. Needham stated that part of the road is on the County's road improvement list (which cycles through every seven years) and was chipsealed two to three years ago. However, a second portion of the road is private and the County doesn't have the right to maintain it due to anti-donation laws.

Board members expressed concern for lots that won't have proper ingress and egress per fire code laws due to lack of an improved road.

Mr. Needham also stated that in 2021, the County compiled a list of about 53 private roads that are used by the public. If the owner chooses to donate a right of way to the County, the County can then spend public funding to improve those rights of way.

Mr. Donahue moved to approval of the subdivision with the recommendation that the next phase includes the north-south road in a master plan. Mr. Johncox seconded the motion and a roll call vote was taken: Donahue: yes; Ovard: no; Wall: no; Arnold: yes; Meyers: no; Johncox: yes. The motion failed.

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ITEM 3: OTHER BUSINESS

Set/Confirm Next Meeting(s) - Second Tuesday of Each Month - 10:00A.M.

- June 10, 2025
- July 8, 2025
- August 12, 2025
- September 9, 2025
- October 14, 2025
- November 11, 2025
- December 9, 2025

The next meeting was confirmed for June 10, 2025.

ITEM 04: ADJOURN

Chair Donahue adjourned the meeting at 12:01P.M.

Draft

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