



CITY OF CARLSBAD

*Planning, Engineering,
and Regulation Department*

114 S. Halagueno (PO Box 1569)

Carlsbad, NM 88221

Phone (575) 885-1185, Fax (575) 628-8379

APPLICATION FOR SUBDIVISION APPROVAL

(SEE MUNICIPAL CODE CHAPTER 47 – SUBDIVISION REGULATIONS FOR PLAT REQUIREMENTS)

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Special Property Use, etc.) from the City of Carlsbad (Planning, Engineering, and Regulation Office).
2. With the exception of Summary Reviews, **Applicant must submit a completed Application to the “Planning, Engineering, and Regulation” Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** (As per Section 3-20-8 NMSA 1978 and Chapter 47 Code of Ordinances, Summary Reviews may be submitted at any time.) The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. If desired, a letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11”x17”. One original plat and three copies are required. **However, if the applicant wishes to support his or her application with larger size documents, an original on and fifteen (15) copies need to be provided. (For Summary Review—an original and three (3) copies are required.)** Separate arrangements for copying these large documents may be possible, but will incur additional costs. Plats must be signed in permanent black ink.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of four months from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

APPLICATION FOR SUBDIVISION APPROVAL

(SEE MUNICIPAL CODE CHAPTER 47 - SUBDIVISION REGULATIONS FOR PLAT REQUIREMENTS)

Application Date: _____

Fee Paid: _____

- Application Type and fee: Sketch Plat (no fee)
 Preliminary Plat (1-7 lots: \$150.00 + \$2.00/lot;
8+ lots: \$300.00+\$3.00/lot)
 Final Plat (no fee)
 Summary Review* (\$50.00)

Receipt Date Stamp

_____ NAME OF PROPERTY OWNER		
_____ ADDRESS		
_____ CITY	_____ STATE	_____ ZIP
_____ PHONE	_____ EMAIL	

_____ NAME OF DEVELOPER (IF DIFFERENT FROM OWNER)		
_____ ADDRESS		
_____ CITY	_____ STATE	_____ ZIP
_____ PHONE	_____ EMAIL	

Location of the property being subdivided: _____

Is the property:

- Within the City of Carlsbad Zoning District:
 R-R R-1 R-2 C-1 C-2 I PUD
- Outside the City Limits but within the City's Planning and Platting Jurisdiction (5-Mile Radius)

Existing Use of the Property: _____

Proposed Use of the Property: _____

The Carlsbad Code of Ordinances Chapter 47 - Subdivision Regulations and Section 3-20-1 et. seq. NMSA 1978, regulate the subdivision of land. As the property owner, I understand that all required information must be provided in accordance with these regulations and that the construction of certain public improvements may be required as a condition of plat approval. If these improvements are not already in place and accepted by the City, the applicant must attach a financial guarantee, subject to approval by the City, that these improvements will be completed within 1 (one) calendar year after the date of this application or request a variance by the City Council of the applicable subdivision regulation(s). The justification required for this variance is summarized on the reverse side of this page and must be reviewed by the Planning and Zoning Commission prior to submittal to the City Council.

SIGNATURE OF PROPERTY OWNER

**DOCUMENTATION TO BE SEALED BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER,
AS APPLICABLE, AND SUBMITTED WITH THIS APPLICATION:**

- A plat of the property to be subdivided prepared in conformance with Chapter 47 of the Carlsbad Code of Ordinances and applicable New Mexico Surveying Law.
- A scaled drawing locating all existing structures, water and sewer service lines, and other utilities on or serving the property with accurate dimensions from all existing structures to all property lines. The drawing is not required if the property is vacant or otherwise undeveloped.
- Construction plans defining and illustrating the design and construction requirements for all public improvements required by Chapter 47 of the Carlsbad Code of Ordinances and subject to approval and acceptance by the City (not required for summary review).
- If applicable, detailed Estimates of Construction Costs for the proposed infrastructure improvements suitable for the preparation of the performance bond typically submitted as the financial guarantee that the infrastructure will be completed (not required for summary review).

****LIMITATION ON THE USE OF SUMMARY REVIEW PROCESS
(AS PER SECTION 3-20-8 NMSA 1978 AND CHAPTER 47 CODE OF ORDINANCES)***

Subdivisions submitted for review under this process shall comply with applicable subdivision regulations and are limited to:

1. Subdivisions of not more than two parcels of land;
2. Re-subdivisions, where the combination or recombination of portions of previously planted lots does not increase the total number of lots;
3. Subdivision of two or more parcels of land in areas zoned for industrial use.
4. One per parcel of land per year as calculated from approval date.

***VARIANCES
(AS PER CHAPTER 47 SEC. 47-7 CODE OF ORDINANCES)***

Whenever, in the opinion of the board of appeals, the strict application of the requirements contained in this chapter would result in extreme practical difficulties or undue misuse of property, the board may modify such requirements as are necessary so that the subdivider is allowed to develop his/her property in a reasonable manner providing that the public interests of the community and its citizens are protected and the general intent and spirit of these regulations are preserved. The board shall grant such a variance or modification only upon determination that:

1. The variance will not be detrimental to the public health, safety and general welfare of the community; and
2. The variance will not adversely affect the reasonable development of adjacent property; and
3. The variance is justified because of topographic or other special conditions unique to the property involved in contradistinction to mere inconvenience or financial disadvantage; and
4. The variance is consistent with the objectives of this chapter and will not have the effect of nullifying the intent or purpose of this chapter or the comprehensive plan; and
5. The variance has been shown to be in the best interest of the general public and not only of interest to the developer, land owner or other interested party; and
6. The hardship must not be pecuniary and must be a direct result of the land location, topography or other characteristic; and
7. Where a variance is requested from the required provision of sidewalks, and ADA compliant, alternative route to the nearest bus stop or school is required. If an alternative route cannot be provided, a variance shall not be approved.