

MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
January 22, 2018 AT 6:00 PM
27 E. Frontage Rd Community Center

1) Call to Order-Roll call.

Commissioner Barrett called the meeting to order with a roll call at 6:02 P.M.

Commissioners Present: Commissioner Dulaney Barrett, Commissioner Cheryl Huppertz, Commissioner Craig Wood, Chairman Stanton arrived late at 6:04

Commissioners Absent: Commissioner James Lee

Staff Present: Tawnya Mortensen, Michelle Schmidt

Public Present and signed in:

Rey Fulwiler

Janelle Turner

Mary Lou Thompson

2) Approve Agenda.

Chairman Stanton asked for a motion to approve the agenda. Commissioner Huppertz asked if we could move Public Comment up since we have so many in attendance and we don't want to make them wait. After looking at the signup sheet it was decided to move two items up. Commissioner Huppertz motioned to move Item 7 Zoning Ordinance Changes for R1, R2 and R5 and Item 8 Public Comment right after Item 5 – Findings of Fact. Commissioner Wood seconded the motion. All voted aye.

Action: The Agenda was approved unanimously.

3) Approve the Minutes of 1/8/18

Chairman Stanton asked if there were any changes or corrections to the Draft Planning & Zoning Minutes for January 8, 2018. With no changes, Chairman Stanton entertained a motion.

Commissioner Barrett motioned to approve the minutes from January 8, 2018 with Commissioner Huppertz seconding the motion. All voted aye.

Action: The Minutes of January 8, 2018 were approved.

4) Action Item to send to Town Council – Zoning Designation for a portion of Quadrant #4, North of I-40

Chairman Stanton introduced the next item and asked staff to present. Tawnya Mortensen started by showing all in attendance what area was being zoned and the reasoning behind the decision. The area in discussion would be zoned R2 Residential 2-acre lots. Tawnya Mortensen added that the next meeting will wrap up Quadrant 4 Zoning Designation. Chairman Stanton asked if there were any questions for staff. Ray Fulwiler asked if he could ask a question. He approached the podium and introduced himself and asked if the roads in the area that was being zoned would be maintained by the Town. Tawnya Mortensen said no that the town wouldn't be maintaining the roads if they weren't already maintained by the county. She explained that the roads in this area were private and if the residents of the area wanted to have the Town maintain them, then they would have to go through the

petition process. Chairman Stanton entertained a motion. Commissioner Barrett motioned to send the zoning designations on to Town Council with Commissioner Wood seconding the motion. All voted aye.

Action: The motion send to Town Council was approved.

- 5) Findings of Fact Conclusions of Law: Application for Michael J. Sillings for a Subdivision at Tract C-2, Lands of Michael J. Sillings, T10N R7E SEC 20 NMPM, Santa Fe County, Edgewood, New Mexico (138 Dinkle Rd)

Chairman Stanton introduced the next item on the agenda and asked the Commissioners to read through the Findings and make sure it's accurate. The Commissioners read through the Findings and Chairman Stanton entertained a motion. Commissioner Huppertz motioned to approve the Findings of Fact Conclusions of Law for the Application of Michael J. Sillings for a Subdivision at Tract C-2, Lands of Michael J. Sillings, T10N R7E SEC20 NMPM, Santa Fe County, Edgewood, New Mexico (138 Dinkle Rd). Commissioner Wood seconded the motion. Chairman Stanton conducted a roll call vote starting with Commissioner Wood voting aye, Commissioner Barrett voting aye and Commissioner Huppertz voting aye.

Action: The Findings of Fact Conclusions of Law was approved unanimously.

- 6) Discussion– Zoning Ordinance changes for R-1, R-2 & R-5.

Chairman Stanton introduced the next item and asked staff to present. Tawnya Mortensen went through the changes she had added. The changes were the following: Under R-1 Conventional 1-acre Residential Zone 5. Storage of a Recreational Vehicle provided it is not used as additional living quarters and is not permanently connected to utilities; Recreational Vehicles shall not be stored within the tract Setback of a Lot for a time period exceeding ~~twenty-four (24) hours~~ **fourteen (14) days unless approved by the Town of Edgewood Planning & Zoning Department.** 8. Secondary Quarters that serve **as an attached apartment or “casita” no more than 850 sq. ft., and is used exclusively for living and sleeping purposes and will be able to share the primary dwellings septic system.** ~~a single detached extension of the primary Dwelling Unit, and are used exclusively for living and sleeping purposes.~~ Ms. Mortensen asked if there were any questions under this section. Chairman Stanton wanted to add that the secondary quarters could be detached just to give people options. He felt that the details of placement and access could be addressed at Development Review. He doesn't want to limit the options that people have. Commissioner Wood agrees that detached can become a problem with easement issues. He added that if we leave the attached option then if someone wanted to have a detached secondary quarter then they could apply for a Variance. Tawnya Mortensen then said to go to the R-2 Section to see the proposed changes. The proposed changes were as follows: 8. ~~Secondary Quarters that serve as a single detached extension of the primary Dwelling Unit, and are used exclusively for living and sleeping purposes.~~ **Secondary Quarters that serve as an attached or detached apartment or “casita” no more than 850 sq. ft., and is used exclusively for living and sleeping purposes and will be able to share the primary dwellings septic system.**

Conditional Uses. SEE SECTION 12. R-1 CONVENTIONAL 1-ACRE RESIDENTIAL ZONE

Conditional Uses. The following uses may be allowed in this Zone District only upon the granting of a permit in accordance with this Ordinance:

1. Boarding, Rooming, and Lodging Houses.
2. Church or other religious Building used as a place of worship.

3. Schools, whether public or private, with incidental facilities, provided that the Town governing body has approved a development plan for the site.
4. Manufactured Homes, provided however, that the use of any Manufactured Home as a secondary or Accessory dwelling to the site built primary dwelling shall be limited to a period not to exceed one (1) year unless an extension of time is granted upon renewal of the permit.
5. **Secondary quarters larger than 850 sq. ft (detached) that is used exclusively for living and sleeping purposes and requires a separate septic system.**

Commissioner Wood felt that fixes the issue that we have with R1. Chairman Stanton agreed and wanted the same language added in Conditional Use under R1. He added that under R1 we can leave it as no larger than 850 sq. ft. Commissioner Huppertz wanted to add that we shouldn't limit a size under R2. Tawnya responded that is the reasoning behind listing anything larger than 850 sq. ft. under Conditional Use so that it can come before the Commissioners to look it as a group for any issues that may arise. Tawnya added that Santa Fe County Fire will be attending the meetings to answer any access questions that may come up. Chairman Stanton asked Tawnya to make the changes that were discussed and they'll look at it again in February. Chairman Stanton asked Janelle Turner to come forward with her comments. Janelle Turner approached the podium, stated her name and address. She explained that years ago they had to build a mother in law quarters for her mother in law and had Mike Lenz from CID designed it. The septic tank they had was adequate. She added that the leach fields will be ok but you may need to add a bigger septic tank. She also stated that her neighbors did the same thing but they had to add a second septic tank. She said she's in favor of allowing mother in law quarters but as far as R1 (1 acre lots) is concerned she'd like to see any detached living quarters be Conditional Use. She'd also like to see the same for R2 (2 acre) lot. She would also like the Commissioner's to consider "unintended consequences" as well. The secondary quarters will become rental properties after some time and it will change the character of the neighborhoods. But attached quarters will do away with that issue. She ended with added that it would be better to encourage R3 development like Bee Hive Homes rather than allowing detached quarters. Chairman Stanton asked Mrs. Turner how large her mother in law quarters were. She answered with under 1000 square feet. Mary Lou Thompson came up to the podium next and stated that she also added a mother in law quarters to her home and had to get another septic system. They actually added an additional master suite for resale purposes. Her concern is lots that are smaller than 1 acre. The lots are too small for a secondary dwelling and it will turn into rentals and will change the character of the neighborhood. She would also like us to look at definitions and make sure they are accurate as far as using words that are plural where it would allow more than a secondary quarter. Commissioner Huppertz asked Mrs. Thompson if their covenants state that the lots need to remain two acres. Mrs. Thompson didn't think that the covenants stipulate that. Commissioner Huppertz added that she's concerned about adding onto a mobile home. Tawnya explained that there is a certain way to add on to a mobile home and CID and Manufactured Housing Division would have to be contacted before anything could be approved. Mary Lou Thompson wanted to add that we need to watch out for the people who use this as a way to get two rentals on a property. Chairman Stanton thinks that the Conditional Use will help address that but we need to be careful of addressing the "one off" instead of looking at the bigger picture. Rey Fulwiler came up to the podium again. Mr. Fulwiler lives in an area that is zoned R1 but lots are 2 acres. He wants us to define what a casita is and added that he is opposed to detached

secondary quarters. A brief discussion ensued about mobile homes versus manufactured homes and requiring specific foundation design. Tawnya Mortensen said she'd get in touch with the town attorney to see what we would be allowed as far as stipulating certain types of foundations to blend in with a stick built house neighborhood. She also stated that she would work on the language for R5 and work on definitions as well for the next meeting.

7) Action Item: Blasting Ordinance

Chairman Stanton introduced the next item and asked staff if this was ready. Tawnya Mortensen said that all changes that were discussed at the last meeting have been added and are in yellow. Chairman Stanton asked the Commissioners to look it over and he would entertain a motion. Commissioner Barrett motioned to approve and send to Town Council with Commissioner Wood seconding the motion. All voted aye.

Action: Blasting Ordinance was approved unanimously.

8) Matters from the Chair & Commission Members – Chairman Stanton asked if any Commissioners had any matters. Commissioner Huppertz asked if we had added Construction Blasting to the Blasting Ordinance. Michelle Schmidt said she had forgotten but would write a section and we'd send an amendment after the ordinance was passed through Town Council. No one else had anything. Tawnya Mortensen added that she and Michelle may be a bit late on February 5 since they will be coming from their Floodplain school that ends at 5pm. All agreed to change the time of the meeting to 6:30 on that night.

9) Matters from the Staff – None

10) Calendar Update & Future Agenda Items –

The next meeting will be February 5, 2018 at 6:30 pm. At this meeting, the P&Z Commission will hear the final Zoning Designations, Action or Discussion on Zoning Changes, Discussion on Mining Ordinance and Discussion/Action on the road adoption of Vista San Pedro.

Commissioner Wood let everyone know that he will not be at the February 19th meeting.

11) Adjourn - Chairman Stanton entertained a motion to adjourn. Commissioner Barrett motioned to adjourn with Commissioner Wood seconding the motion. All vote aye. The motion to adjourn at 7:20 was approved.

Lorenzo Stanton, Chairman

ATTEST:

Dulaney Barrett, Commissioner Secretary