

MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
February 19, 2018 AT 6:30 PM
27 E. Frontage Rd Community Center

1) Call to Order-Roll call.

Chairman Stanton called the meeting to order with a roll call at 6:01 P.M.

Commissioners Present: Commissioner Dulaney Barrett (arrived late at 6:03),

Commissioner Cheryl Huppertz, Commissioner James Lee

Commissioners Absent: Commissioner Craig Wood

Staff Present: Tawnya Mortensen, Michelle Schmidt

Public Present and signed in:

Stephanie Herrera

2) Approval of Agenda.

Chairman Stanton asked for a motion to approve the agenda. Commissioner Lee motioned to approve the agenda with Commissioner Huppertz seconding the motion. All voted aye.

Action: The Agenda was approved unanimously.

3) Approval of the Minutes of 2/5/18

Chairman Stanton asked if there were any changes or corrections to the Draft Planning & Zoning Minutes for February 5, 2018. With no changes, Chairman Stanton entertained a motion.

Commissioner Huppertz motioned to approve the minutes from February 5, 2018 with Commissioner Lee seconding the motion. All voted aye.

Action: The Minutes of February 5, 2018 were approved.

4) Action Item to Send to Town Council – Zoning Designation for a Portion of Quadrant #4 North of I40

Chairman Stanton introduced the next item on the agenda and asked staff to present. Tawnya Mortensen began with showing the Commissioners the area on the map that would be zoned. She explained that the two zoning designations that were given for this area would be R2 – Residential 2 acre lots, RE Residential Estates and a few Agricultural lots. She added that she did not have any complaints about the zoning designations that were being given. She also let the Commissioners know that this was the last of the zoning designations unless we find that we missed some. A brief discussion ensued. Chairman Stanton entertained a motion. Commissioner Huppertz motioned to send to Town Council for approval with Commissioner Lee seconding the motion. All voted aye.

Action: The motion to send to Town Council was approved unanimously

5) Discussion – Zoning Ordinance Change on Mining Section

Chairman Stanton introduced the next item and asked staff to present. Tawnya Mortensen started by explaining that this was a rough first draft and staff would have more to add at the next meeting. She added, that the intent was to just get our feet wet on to start looking at what they want to see in this section. She then went through what was being proposed and asked for the Commissioners to think it over about what else they would like to see in there. A brief discussion ensued.

Action: No action was taken on this item.

6) Discussion/Action Item – Road Surfacing Priority List

Chairman Stanton introduced then next item and asked staff to present. Tawnya Mortensen explained the same sheet from the last meeting was once again in their packet and it would be until decisions were made. They can use it as a guide of what to look for when making the choices on the roads. She also went through the bus routes that she had found on the school website. It didn't appear that the bus routes were updated but it gave an idea of where the stops were. Commissioner Barrett also gave his report on what road he felt needed to be top priority for resurfacing. His report said "Madole and Square H are the major connector roads in this subdivision: resident traffic, school buses, USPO deliveries, utility and other service vehicles, Fire and Rescue vehicles, law enforcement vehicles....All heavily use these two roads to access the entire community. The mantle of dust is oppressive and not healthy for persons, plants or critters. Paving Madole and Square H would be of great benefit to the entire health, safety and welfare of the community. They are major connectors." Chairman Stanton asked if anyone in the audience wanted to speak on this topic. Stefanie Herrera approached the podium and introduced herself and stated she lived off of Church Street. She explained that Church Street is soft, powdery and is wash boarded. She added that it is graded two times a week but in the mornings the dust is so bad from all of the traffic that you can't see from the dust and it has become very dangerous. A brief discussion about the traffic on Church and the pedestrians walking as well continued. The Commissioners want to hear from Norton Henninger, Chief Crow and get some traffic counts as well. Tawnya Mortensen said she'd ask them to attend the next meeting.

7) Action Item– 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:

SECTION 12. R-1 CONVENTIONAL 1-ACRE RESIDENTIAL ZONE

A. Intent. The purpose of this Zone District is to provide for the development of residential neighborhoods consisting of Singular Dwellings and certain other uses, which are compatible to the residential character of this district. Density shall be limited to one (1) Dwelling Unit per Lot.

B. Permissive Uses. No Building, structure, or land shall be used or occupied except as indicated and for the purposes permitted in this Zone District. Any of the following Permissive Uses are allowed in this Zone District:

1. One (1) Dwelling Unit per Lot.
2. Accessory Buildings, structures, or uses, subject to the provisions of this Ordinance.
3. Home Occupation, subject to the provisions of this Ordinance.
4. Family daycare home, provided the activity is licensed by the State as a family daycare home.
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.**
6. Public Utility Structure, provided its location is based on an appropriate Master Plan that has been approved by the Town governing body.
7. Public parks and recreation areas.
8. Secondary Quarters that serve as an attached apartment 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.~~

C. 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~~ **Mobile** Homes, provided however, that the use of any ~~Manufactured~~ **Mobile** 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.

D. Prohibited Uses. SEE PROHIBITED USES: SECTION 9.C - 1, 2 & 3

E. District Standards. The following regulations apply to all land uses in this Zone District:

1. Minimum Lot size shall be one (1) acre. Any Nonconforming Lot which existed prior to the effective date of this Section, may continue as a Nonconforming Use in accordance with this Ordinance unless the Council finds at any time that the use is an imminent danger to the public health, safety, and welfare.
2. Setbacks shall be maintained as follows:
 - a. Front Setback shall be no less than thirty (30) feet;
 - b. Side Setback shall be no less than ten (10) feet, except in cases of corner Lots, where the secondary street Side Setback shall be no less than twenty (20) feet;
 - c. Rear Setback shall be no less than ten (10) feet.
3. Off-street parking must be provided in accordance with the requirements set forth herein.
4. Maximum Building Height shall be 40 (forty) feet.
5. All housing shall be on a Permanent Foundation which shall be inspected and approved by the State of New Mexico.

SECTION 13. R-2 CONVENTIONAL 2-ACRE RESIDENTIAL ZONE

A. Intent. The purpose of this Zone District is to provide for the development of residential neighborhoods consisting of Singular Dwellings and certain other uses, which are compatible to the residential character of this district. Density shall be limited to one (1) Dwelling Unit per lot.

B. Permissive Uses. **SEE SECTION 12. R-1 CONVENTIONAL 1-ACRE RESIDENTIAL ZONE**

Permissive Uses. No Building, structure, or land shall be used or occupied except as indicated and for the purposes permitted in this Zone District. Any of the following Permissive Uses are allowed in this Zone District:

1. One (1) Dwelling Unit per lot.
2. Accessory Buildings, structures, or uses, subject to the provisions of this Ordinance.
3. Home Occupation, subject to the provisions of this Ordinance.
4. Family daycare home, provided the activity is licensed by the State as a family daycare home.
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.
6. Public Utility Structure, provided its location is based on an appropriate Master Plan that has been approved by the Town governing body.
7. Public parks and recreation areas.

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 apartment 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.**

C. 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 may require a separate septic system.

D. Prohibited Uses SEE PROHIBITED USES: SECTION 9.C - 1, 2 & 3

E. District Standards. The following regulations apply to all land uses in this Zone District:

1. Minimum lot size shall be no less than two (2) acres, exclusive of roadway easements. Any Nonconforming Lot which existed prior to the effective date of this Section, may continue as a Nonconforming Use in accordance with this Ordinance unless the Council finds at any time that the use is an imminent danger to the public health, safety, and welfare.
2. Setbacks shall be maintained as follows:
 - a. Front Setback shall be no less than thirty (30) feet;
 - b. Side Setback shall be no less than ten (10) feet, except in cases of corner lots, where the secondary street Side Setback shall be no less than twenty (20) feet;
 - c. Rear Setback shall be no less than ten (10) feet.
3. Off-street parking must be provided in accordance with the requirements set forth herein.
4. Maximum Building Height shall be 40 (forty) feet.
6. All housing shall be on a Permanent Foundation which shall be inspected and approved by the State of New Mexico.

SECTION 16. R-5 RESIDENTIAL MIXED-USE ZONE

A. Intent. The purpose of this Zone District is to provide for a residential neighborhood consisting of Singular Dwellings that are site-built and ~~Manufactured~~ **Mobile** Homes, which are compatible to the residential character of this district. Density shall be limited to one (1) Dwelling Unit per Lot, with a minimum Lot size of no less than one (1) acre.

B. Permissive Uses. No Building, structure, or land shall be used or occupied except as indicated and for the purposes permitted in this Zone District. The following Permissive Uses are allowed in this Zone District:

1. Singular Dwellings that are site-built limited to one (1) Dwelling Unit per Lot;
2. Manufactured Homes limited to one (1) Dwelling Unit per Lot.

C. Conditional Uses and District Standards. Conditional Uses and district standards for R-1 and R-4 zones are in effect for the R-5 zone.

A. 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. Mobile ~~Manufactured~~ Homes, provided however, that the use of any Mobile ~~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.

A. District Standards. All Manufactured Homes shall apply for a development review for installation permitting. The following standards apply to this Zone District:

1. Minimum Lot size shall be no less than one (1) acre, exclusive of roadway easements. Any Nonconforming Lot which existed prior to the effective date of this Section, may continue as a Nonconforming Use in accordance with this Ordinance unless the Governing Body finds at any time that the use is an imminent danger to the public health, safety, and welfare.
2. Site preparation and foundations. All foundation pad sites shall be cleared of vegetation, on undisturbed soil or approved fill and be graded such that supporting piers are plumb.
3. No Manufactured Home shall be installed or placed unless such Manufactured Home bears a label or has equivalent documentation certifying that the Manufactured Home was constructed in accordance with the Federal Manufactured Home Construction and Safety Standards Act of 1974, or NFPA 501, ANSI 119.1, or equivalent.
4. The Manufactured Home shall have operable, approved smoke detectors installed as required by all applicable laws, codes, or ordinances.
5. The Manufactured Home shall be equipped with two (2) operational exit doors.
6. All utility service connections shall be installed and maintained in accordance with applicable state codes and shall be securely attached and supported as necessary. Water lines and connections shall be protected from freezing in an approved manner.
7. Setbacks shall be maintained as follows:
 - a. Front Setback shall be no less than thirty (30) feet;
 - b. Side Setback shall be no less than ten (10) feet, except in cases of corner Lots, where the secondary street Side Setback shall be no less than twenty (20) feet;
 - c. Rear Setback shall be no less than ten (10) feet: and
 - d. The total of all Accessory Buildings located on the Lot shall not exceed the Floor Area of the Building which is the principal use on the premises.
 - e. Secondary Quarters will not be permitted in this Zone.
 - f. Maximum Building Height shall be 40 (forty) feet.
 - g. All housing shall be on a Permanent Foundation which shall be inspected and approved by the State of New Mexico.

D. Prohibited Uses. SEE PROHIBITED USES: SECTION 9.C - 1, 2 & 3

Tawnya added that she made all the changes that were discussed at the last meeting and she believes it is ready to be seen by the Town Council. Chairman Stanton asked if there were any questions. Commissioner Huppertz asked if the Commissioners could see a clean copy for next meeting. Tawnya agreed to bring clean copies. Chairman Stanton entertained a motion. Commissioner Huppertz motioned to approve the changes and send to Town Council with Chairman Lee seconding the motion. All voted aye.

Action: The motion to send to Town Council was approved.

- 8) **Public Comment-** Mayor Bassett approached the podium and said he was happy that Commissioner Lee had decided to stay and be the alternate Commissioner.
- 9) **Matters from the Chair & Commission Members** – Chairman Stanton asked if any Commissioners had any matters. No one had anything but Carla Salazar (in the audience) wanted to let everyone know about Rita Loy Simmons retirement party on Friday, February 23 at 11:00 am.
- 10) **Matters from the Staff** – None
- 11) **Calendar Update & Future Agenda Items** –
The next meeting will be March 5, 2018 at 6:00 pm. At this meeting, the P&Z Commission will hear three Zone Changes, Ordinance changes on the Mining Section and possibly discussions with the residents of Square H to change their zoning from R1 to R2.
- 12) **Adjourn** - Chairman Stanton entertained a motion to adjourn. Commissioner Barrett motioned to adjourn with Commissioner Lee seconding the motion. All vote aye. The motion to adjourn at 7:02 was approved.

Lorenzo Stanton, Chairman

ATTEST:

Cheryl Huppertz, Commissioner Secretary