



VILLAGE OF RUIDOSO

Village Hall
313 Cree Meadows Drive



PLANNING COMMISSION SPECIAL MEETING AGENDA Tuesday, April 19, 2016 at 2:00 p.m.

1. **CALL TO ORDER & ROLL CALL**
2. **CERTIFICATION OF COMPLIANCE WITH RESOLUTION 2016-01**
3. **APPROVAL OF AGENDA**
4. **ORGANIZATIONAL ITEMS**
 - A. **Election of Chair** – for term April - March 2017
 - B. **Election of Vice Chair** – for term April - March 2017
 - C. **Comprehensive Plan Drafting Task Force** – Selection of Commissioners
 - D. **Consideration of future Ad-hoc Task Forces** – *Discussion*
5. **STAFF REPORTS**
 - A. **Introduction of New Building Inspector:** Mr. G. David Myers – *Introduction*
 - B. **Preview of Upcoming May Agenda Items** – *Information*
6. **REGULAR ITEMS**
 - A. **Project #PSD-2016-0200** – Paved Parking Plan – *Review*
Public Parking Lot at 600 Wingfield Drive | Block A, Lot 10 Navajo Subdivision
Intersection of Wingfield Drive, Grindstone Canyon Drive and Texas Street.
Zoning District: C-2 “Community Commercial”
Owner/Applicant: Village of Ruidoso/ Public Works Department
 - B. **Short-Term Rental Overlay Ordinance Proposed Revisions** – *Update*
 - C. **Comprehensive Plan Update** – *Information and Discussion*
 - I. Goals & Vision
 - II. Department Priorities
 - III. Public Engagement Forum
7. **ADJOURNMENT** – *Next Meeting: May 3, 2016 at 2:00 p.m.*

Posted: April 14, 2016

Time: 6:00 pm

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Planning Administrator or Village Clerk at least one week prior to the meeting or as soon as possible. Public documents, including the draft agenda and minutes, can be provided in various accessible formats. Please contact the Planning Administrator or Village Clerk if a summary or other accessible format is needed.

**VILLAGE OF RUIDOSO
PLANNING COMMISSION**

RESOLUTION 2016-03

A RESOLUTION ADOPTING OFFICIAL COMMISSION RULES OF PROCEDURE

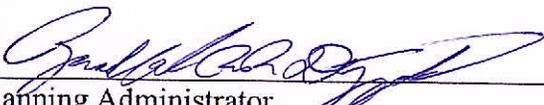
PREAMBLE

- A. **WHEREAS**, The Village of Ruidoso Planning Commission is established and empowered in accordance with §54-61 of the Village Code; and
- B. **WHEREAS**, in accordance with §54-61(d) of the Village Code, the Commission may adopt such other rules and regulations governing its organization and procedures as it may deem necessary so long as they are not inconsistent with this article and the laws of the state; and
- C. **WHEREAS**, the duties of the Commission have become increasingly complex and in the interest of predictability and due process, it wishes to create its first set of rules of procedure; and
- D. **WHEREAS**, the Commission has determined that it would be in the best interest of the Village, applicants and citizens to establish rules governing its organization, duties of members, order of business and records and procedures for conducting public hearings; and
- E. **WHEREAS**, the Commission discussed creating rules of procedure during its February 16, 2016 meeting and formally introduced a draft at its March 1, 2016 regular meeting.

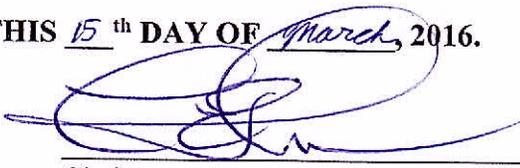
NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION:

That the attached "Official Commission Rules of Procedure" is hereby adopted and entered into force immediately governing the conduct and proceedings of the Commission.

PASSED, RESOLVED, AND ADOPTED ON THIS 15th DAY OF March, 2016.



Planning Administrator



Chairperson



Commission Secretary



Village of Ruidoso Planning Commission

OFFICIAL COMMISSION RULES OF PROCEDURE

Article 1 - Authority and Organization

1.1 Planning Commission Established

- A. The Village of Ruidoso Planning Commission is established and empowered in accordance with §54-61 of the Village Code.

1.2 Authority to Establish Rules

- A. In accordance with §54-61(d) of the Village Code:

"The commission may adopt such other rules and regulations governing its organization and procedures as it may deem necessary so long as they are not inconsistent with this article and the laws of the state. The commission shall keep a record of its resolutions, transactions, findings, policies and determinations, and this record shall be a public record."

1.3 Organization and Specific Meetings

- A. Support staff. The Commission shall be served by a designated Village staff liaison, the Planning Administrator or designee and by a recording secretary as provided herein and other technical staff as may be deemed appropriate and subject to authorization by the Village Council.
- B. Organizational Meeting. An organizational meeting shall be held annually in April for the purpose of electing officers from amongst the commission's membership as provided elsewhere in these Rules. The meeting shall also consider the creation of any task forces and appointment or reappointment of members therein.
- C. Annual Report. By the organizational meeting in April, an Annual Report shall be prepared summarizing all Commission activity and actions from the previous calendar year and establishing objectives, priorities and any potential funding requests for the year. This report shall be considered by a motion to accept the report and submit it to the Village Council for its review.
- D. Open Meetings Resolution and Meetings Schedule. Each December, the Commission shall adopt Resolutions relating to the Open Meetings Act and Meeting Schedule and Submission Deadline as provided elsewhere in these Rules.

Article 2 – General Policies

2.1 Meeting Policies

- A. Meetings of the Planning Commission shall be held in compliance with the Open Meetings Act, 10-15-1 et seq. NMSA 1978 in addition to §54-61 of the Village Code and at least once per month.
- B. Notice of all meetings shall be in accordance with the Commission Open Meetings Resolution.
- C. Meetings shall be held according to the Commission’s adopted annual Open Meetings Act Resolution and Meetings & Submission Schedule, to be adopted concurrently each December.
- D. All binding actions of the Commission shall be taken at regular meetings, special meetings or emergency meetings. Workshops may be held for the purpose of examining issues, but no official action may be taken. Workshops may further be scheduled to precede or follow any regular or special meeting, providing that the workshop and meeting are discrete and conducted as such separately.
- E. The Commission may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the Chair specifies the date, time, and place for continuation. Notice for the reconvened meeting shall be immediately posted in Village Hall. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.

2.2 Attendance

- A. Members of the Planning Commission are expected to attend all scheduled meetings and shall make every effort to attend all special meetings and workshops. Advanced notice of an expected absence shall be provided to either the staff liaison or Chair.
- B. Failure of a member to attend meetings in accordance with §54-61(c) of the Village Code shall be addressed as proscribed therein. In accordance with §2-83, members absent for three meetings in a calendar year “shall be deemed by the mayor to have resigned from the board”.

2.3 Duties of Officers

- A. The officers shall be a Chairperson and Vice-Chairperson as established by §54-61(d) of the Village Code as follows:

Officers; meetings and rules of procedure. The planning commission shall elect a chairman from the members of the commission and shall create and fill such other of its offices as it may determine. The chairman shall be eligible for reelection. The commission shall hold at least one regular meeting each month at such time and place as may be fixed by the commission. Special meetings of the commission may be fixed by the commission. Special meetings of the commission may be called by the chairman, or by any five members of the commission. A majority of four members of the commission shall

constitute a quorum for the transaction of business. The commission may adopt such other rules and regulations governing its organization and procedures as it may deem necessary so long as they are not inconsistent with this article and the laws of the state. The commission shall keep a record of its resolutions, transactions, findings, policies and determinations, and this record shall be a public record.

- B. The Chair shall possess the powers and perform the following duties:
1. Preserve the order and decorum and have general direction of the meeting room.
 2. Identify, for the minutes, the voting members for the meeting.
 3. Announce the business before the body in order in which it is to be acted upon.
 4. Recognize the speakers entitled to the floor.
 5. Call for public input on agenda items setting a time limit to each speaker.
 6. Decide all points of order, subject to appeal, unless he prefers to submit the question to the decision of the Planning Commission.
 7. Put to vote all questions which are regularly moved or otherwise arise in the course of the proceedings.
 - a. The Chair shall be a voting member at the meeting.
 - b. When the Chair asks for a motion two times with no response, the Chair shall offer the motion.
 8. Approve the meetings and/or workshop Agenda prepared by Village staff.
 9. As specifically provided within the Subdivision Code in Chapter 54, Article III and the Zoning Code in Chapter 54, Article II, the Chair shall be the authorized approver and signatory on required plans, plats, permits and/or correspondence serving on behalf of the Commission as a whole. The Chair and/or Planning Administrator may prepare and sign official correspondence and recommendations as directed by the majority of the Commission.
- C. In the absence of the Chair, or upon the request of the Chair, the Vice-Chair shall preside and shall assume all the powers and authority of the Chairman. In the absence of the Chair and the Vice-Chair, the member with the greatest seniority on the Planning Commission on the Planning Commission shall preside.
- D. Elections.
1. Elections of officers shall be held annually by roll call vote during the aforementioned Organizational Meeting.

2. The terms for both Chair and Vice-Chair shall be for one year with officers being eligible for a maximum of two full-terms consecutively.
3. Members filling a vacancy of an officer shall do so for the remainder unexpired term and face re-election at the next Organizational Meeting.

2.4 Duties of Commission Members -

A. Any member of the commission has the power to put forth motions, discuss business and vote on said motions. Each member will vote "Yes" or "No" on any given issue.

B. Recusal.

1. In the event that a conflict of interest should arise or ex parte communication has transpired and the member needs to recuse themselves from voting, the member shall state the reason for the record prior to the case being heard. The member shall leave the dais or seating area of the Commission during the duration of the case for which the member has declared a conflict of interest and may be permitted to return upon the conclusion or postponement of the case.
2. Should the member have a question as to whether their circumstance would warrant recusal from a case, the member shall submit their question to the remaining members of the Commission for a vote. The outcome of the vote shall be binding upon the member.
3. No member shall abstain or recuse themselves from voting on a motion in which a conflict of interest has not been declared by the member.

C. Conflict of Interest. A conflict of interest shall be declared by the member if any of the following circumstances are present:

1. The member has a direct financial or fiduciary interest in either the property or the outcome of a case;
2. The member is employed by, has a business interest in or sits on a board of directors of the Applicant, Agent, Property Owner or Party of Standing testifying on the case;
3. The member is a direct relative of the Applicant, Agent or Property Owner whether by blood or through marriage; or
4. The member lives within the 200 feet statutory notification area of a given case or has received the mailed notice.

2.5 Adopted Rules

- A. These Rules of Procedure shall take precedence in all matters addressed. Any matter not covered by these rules shall be governed by the decision of the Chair, applying Robert's Rules of Procedure, Newly Revised Edition and in accordance with the Commission's annually adopted Open Meetings Resolution.
- B. Violation of Rules: Violation of these rules does not invalidate action of the Planning Commission.
- C. Amendments to Adopted Rules.
 - 1. The process for amending rules shall require an introduction of the proposed amendment by any member of the Commission or by the Village staff liaison.
 - 2. An amendment shall first be introduced and discussed by the Commission during a workshop and/or meeting.
 - 3. After receiving input from the Commission, the proposed amendment shall be put to form in a Commission resolution for consideration at a subsequent meeting. The resolution may be adopted by the affirmative roll call vote of at least 5 members. Amendments shall then become effective immediately.

Article 3 – Procedures

3.1 Minutes

- A. The Office of the Village Clerk shall be responsible with providing the recording secretary and preparing the minutes of all Commission meetings.
- B. Minutes shall include at a minimum the date, time, and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions.
- C. In accordance with the Open Meetings Act, a draft of meeting minutes shall be prepared within ten (10) days from the meeting. Draft minutes shall remain unofficial until approved by a majority of members attending that meeting.
- D. Unless a reading of the minutes is requested by a member, the minutes of the previous meetings may be corrected and approved without reading.
- E. Previously approved minutes may be corrected when a typographical, grammatical, spelling or factual error is noticed. Such corrections may only be initiated and voted upon at the next regular meeting from which the minutes were originally approved.

3.2 Order of Business

The order of business of the Planning Commission shall generally be conducted in the following order; provided, however that the Chair may, during a meeting, rearrange items on the agenda to conduct the business more efficiently:

- a. Call to order
- b. Roll Call/Declaration of Conflicts of Interest
- c. Certification of Compliance with Open Meetings Resolution
- d. Approval of Agenda
- e. Approval of Minutes
- f. Public Input (*on items not appearing under Public Hearing business*)
- g. Public Hearing or Action Items
- h. New Business
- i. Old/Continuing Business
- j. Planning Administrator's (or staff liaison) Report
- k. Commissioners' Comments
- l. Adjournment

3.3 Cancellation of a meeting.

- A. If, by the agenda deadline, no items are received for the agenda, the staff liaison to the Commission will notify the members and post a notice of cancellation for the meeting.

3.4 Hearing Procedures

- A. Hearings shall be conducted in the manner described herein.
- B. Once a determination has been made in a hearing, the issue or application shall not be brought to Planning Commission again for action for a period of one calendar year, unless remanded to the Commission by the Village Council.
- C. Ex parte Communication.
 1. Commissioners shall not engage in ex-parte communication about any filed or prospective application requiring quasi-judicial proceedings with any person or organization interested in such application. For purposes of these rules, an ex parte communication shall be defined as a substantive communication, outside the public hearing process, between a Commissioner and any member of the public.
 2. Communications with the staff of the Planning Department or the Village Attorney shall not be considered ex-parte communications. Communication with staff outside of an open meeting regarding the substance of a case shall be by email. This communication shall be made part of the public record. Any material received by a Commissioner from any person or organization shall be forwarded to the staff of the Planning Department for distribution to the Commission. Copies of all such materials shall be submitted to the Planning Department.

3. Attendance at meetings, seminars, open houses or other similar functions in which a pending or prospective application is discussed incidentally or in general terms for information purposes only, without any communications being directed to or by the Commissioner, shall not constitute an ex parte communication. However, such an incident shall be disclosed by the Commissioner at the public hearing on said application.
4. A Commissioner who has engaged in ex parte communication shall recuse himself or herself from hearing the application. Commissioners shall disclose any instance of an attempted ex parte communication; however, any such attempt should not, in and of itself, be grounds for recusal.
5. Commissioners shall not conduct independent fact-finding investigations of any property that is the subject of a quasi-judicial proceeding before the Planning Commission. However, a cursory site visit by an individual Commissioner to generally familiarize that Commissioner with the location and environs of such a property, that does not include an independent fact finding investigation, is permitted. Furthermore, a publicized and organized visit involving the entire Commission, the public, and any other parties shall be permitted if scheduled in advance of the hearing date with notice provided in accordance with the Village's adopted Open Meetings Act Resolution.

D. Types of Hearings and General Provisions

1. The Commission conducts two types of hearings: quasi-judicial proceedings and non-quasi-judicial proceedings. Only complete and officially-submitted applications shall be considered and the Commission shall not give advice on how it might rule in future cases or might have ruled in past cases. After a staff report is distributed to the Planning Commission, withdrawal of an application requires Commission approval.
 - a. Quasi-judicial proceedings are those in which the Commission must provide particularized procedural due process rights to both the applicant and those members of the public with standing. Commission hearings on applications initiated by the owner of a particular property, or by such owner's agent (including, but not limited to, zone changes, site development plans for subdivision, site development plans for building permits or amendments to sector development plans) are most often conducted as quasi-judicial proceedings. Other types of applications may also require quasi-judicial proceedings, as determined on a case-by-case basis.
 - b. Non-quasi-judicial proceedings do not require the same procedural protections as are provided during a quasi-judicial proceeding. Hearings on applications for a recommendation from the Commission to the Village Council regarding proposed amendments to Village-wide Codes

and Ordinances are most often conducted as non-quasi-judicial proceedings. Other types of applications may also not require quasi-judicial proceedings, as determined on a case-by-case basis.

2. Any party may appear on their own behalf or may be represented by an agent. In the absence of any personal appearance on behalf of an applicant, the Commission may proceed with such matter.

3. Any changes to the meeting agenda, barring emergencies or unusual circumstances, shall be announced at the beginning of each meeting and should be posted for the public.

a. The agenda, as amended, shall be approved at the beginning of each meeting and shall be a part of the record of the meeting. There shall be no consent agenda.

b. Applications shall be considered in the order in which they appear on the approved agenda. An approved agenda may be changed at any time by the Commission, for good cause shown, upon motion passed by majority vote.

4. The Chair shall require that all people wishing to address the Commission be sworn in giving their names and the community in which they live prior to the discussion of any new item on the agenda. The Chair may ask whether they wish to speak as a proponent, opponent, or otherwise. Any person who fails to be sworn in shall not be permitted to speak until sworn in.

a. The Chair may set the order of speakers so that testimony is heard in the most logical grouping, e.g. proponents, opponents, adjacent owners, vested interests, etc.

b. The Chair has authority, subject to a Commissioner's right to appeal to the Commission as a whole, to limit repetitive, irrelevant or inappropriate testimony, evidence and cross examination presented at a public hearing, as well as limit a Commissioner's comments, questions, or arguments that are repetitive, irrelevant, or otherwise inappropriate. Commissioners and speakers shall confine their remarks to the question under discussion or debate.

c. The Chair will introduce the item, open the public hearing, request the pertinent staff member to present the application and call upon the applicant to describe the matter under consideration.

8. The order of considering an application shall be as follows unless the Commission approves a motion to alter the order of presentation:

a. Planning staff presentation

b. Applicant's presentation

c. Testimony by other concerned parties

- d. Applicant's response and cross-examination, if any
- e. Other concerned parties' cross-examination, if any
- f. Staff response
- g. Floor is closed
- h. Chair's summary of the issues (*when appropriate*)
- i. Comments by Commissioners
- j. Motions including findings, and any conditions that may be required

9. Planning Commissioners may ask clarifying questions of any speakers at a public hearing at any time prior to closing of the floor. Persons with standing may cross-examine any person speaking at a hearing, as permitted by these rules. The Chair has the discretion to allow additional comment and response while the floor is open.

10. The Chair is responsible for the management and administration of Commission hearings. Five hours shall be the maximum time allotted for public hearings. It shall be the responsibility of the Chair to monitor the time of a public hearing and seek a motion to continue the hearing to a date and time specified by the Commission. At hearings, time limits on presentations and testimony are generally as follows:

- a. 20 minutes for staff presentation
- b. 25 minutes for the applicant's presentation
- c. 3 minutes for each public speaker
- d. Up to 15 minutes for a recognized organization with standing
- e. 5 minutes applicant's response/rebuttal
- f. 5 minutes staff response

11. Recognized organizations with standing shall appoint one or more spokespersons to express common viewpoints. The Chair shall determine appropriate time limits under such circumstances and may grant additional time to any speaker as is appropriate. Individual speakers may not cede their speaking time to others.

12. Cross examination shall be afforded to anyone with standing who requests the opportunity to question an opposing speaker regarding matters relevant to the application.

- a. Persons with standing are:
 - 1) The applicant; or
 - 2) any person who owns a property interest within 200 feet of the subject-site and recognized organizations whom have provided a copy of their adopted bylaws and a statement demonstrating their pecuniary, health or safety interest in the application which right or interest must be more than merely nominal or remote; or

3) any person who demonstrates a personal or pecuniary interest or property right that may be adversely affected by the Commission's decision, which right or interest must be more than merely nominal or remote.

b. Notice of the right of cross-examination shall be noted at each Commission hearing.

c. Persons with standing desiring to question any other person who has testified during the hearing shall sign a list maintained by Commission staff. The Chair may restate the person's questions and may require that questions be addressed to the Chair. The Chair shall rule as out of order any improper, irrelevant or unnecessarily long questions or answers.

E. Motions and Voting

1. The Commission will vote on motions to approve, defer, continue or deny any matter brought before it. If any such motion fails for lack of a second, such motion dies.
2. A majority vote by the members present and voting of the Commission is required to approve any motion, unless otherwise specified in these Rules.
3. When approving a motion to approve, deny, continue or defer an application, the Commission will adopt findings of fact, based on the record, upon which it has based its decision. The Commission may impose conditions on the approval of an application as may be appropriate under the circumstances.
4. The Commission may continue or defer a matter to another hearing at the request of staff, an applicant or other interested party or when the Commission determines that additional information is necessary or beneficial to render a decision. When the applicant or his agent or a member of the public is present and objects to continuation or deferral to another day, the affirmative vote of a simple majority of the Commissioners present and voting is required to continue or defer the hearing.
5. In the event of a tie vote on any motion, only that motion fails. However, if there are motions to approve, deny, continue or defer an application, and all four types of motions end in a tie vote and/or fail, then the application is denied and no findings shall be adopted.
6. The Chair may vote on any motion, second any motion, and may make any motions, providing that a motion is sought from another member at least twice before initiating.
7. The Commission may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the Chair specifies the date, time and place

for continuation. Notice for the reconvened meeting shall be immediately posted in Village Hall and published as a legal advertisement in a newspaper of general circulation. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.

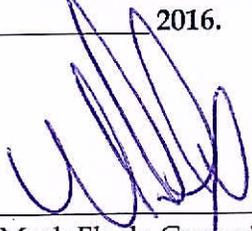
8. The Commission may also act on a motion to enter into an Executive Session for the purpose of consulting with legal counsel or for the purposes of preparing findings and associated motion, providing that said motion and findings be declared upon closing the Executive Session and all actions being taken in open session.

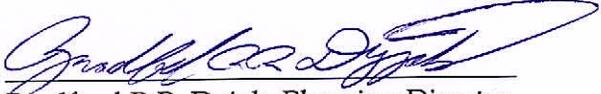
9. The Commission may continue or defer an application to a later date.
 - a. A continuance is usually approved because the Commission needs more time to consider the case before them. The subsequent hearing picks up where it left off. If public testimony has been taken, taking additional testimony is optional, provided that, if the Applicant modifies the application at all, the Commission must give an opportunity for public testimony on the changed portion(s) of the application only. In order to vote at a subsequent hearing, Commissioners who were not present at the original hearing(s) must review the entire oral and written record of previous hearing(s).

 - b. A deferral is usually approved to allow for additional information to be presented to the Commission, i.e. revisions to site plans, additional justification from the applicant, additional meetings with the public, etc. In order to vote at a subsequent hearing, Commissioners who were not present at the original hearing(s) must review the entire oral and written record of previous hearing(s).

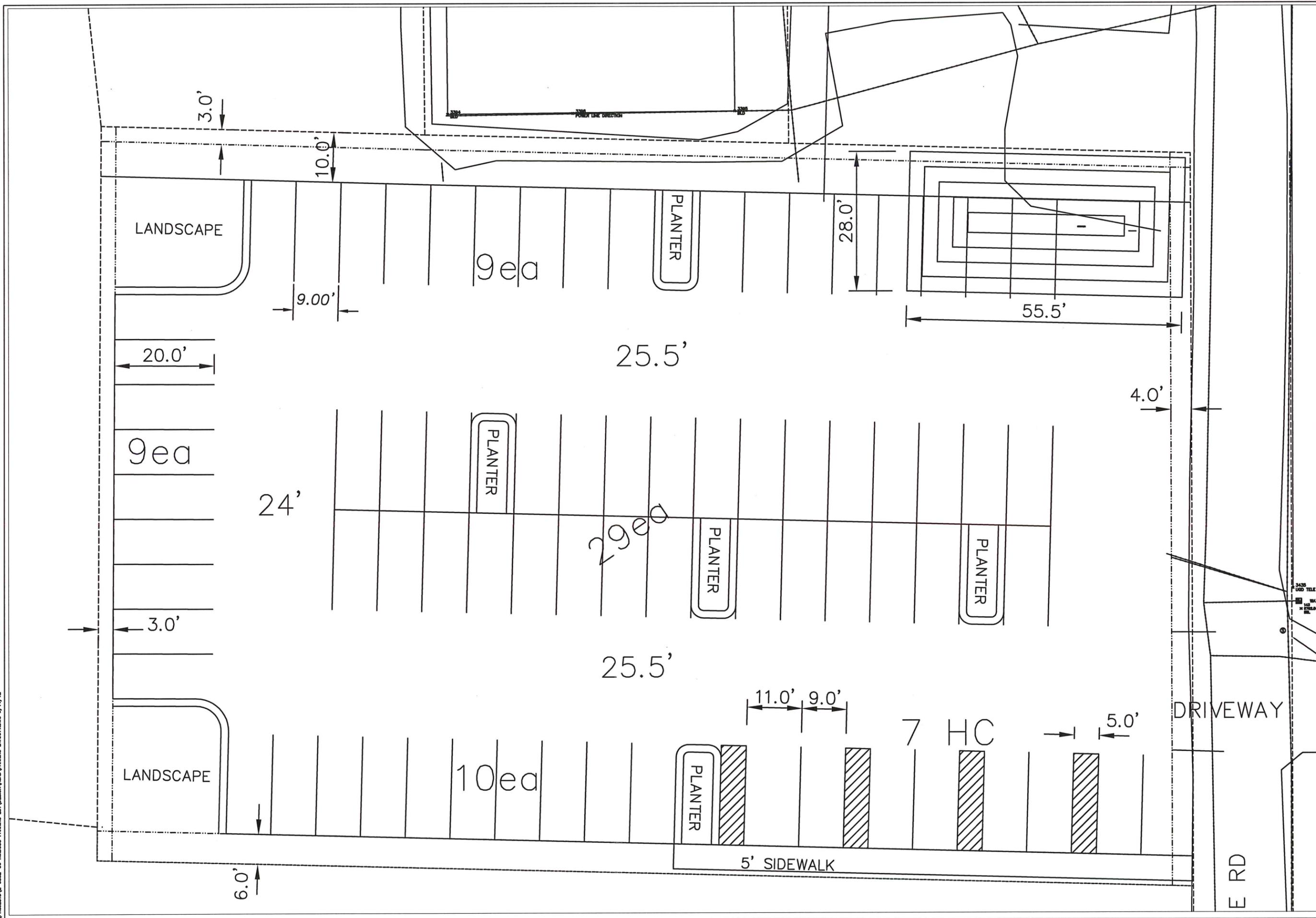
**OFFICIAL RULES OF PROCEDURE ADOPTED BY COMMISSION RESOLUTION
#2016-03 THIS 15th DAY OF March 2016.**

By: 
Larry Wimbrow, Commission Chair


Mark Flack, Commission Vice-Chair

Attest:

Bradford R.R. Dyjak, Planning Director

Z:\PROJECTS\1-0602-06 RUBENSO PARKING LOT\DESIGN\ACU\PARKING LAYOUT.DWG 9/11/12



NO.	REVISION DESCRIPTION	DATE	BY
1	###		
2	###		
3	###		

GRIDSTONE CANYON RD
PARKING LOT
###



JOB NO: ###
DATE: April 2018
SHEET NO: ###

Agenda Memorandum

To: Village of Ruidoso Planning Commission
From: Bradford Dyjak, Planning Administrator
Date: April 15, 2016
RE: Project #PSD-2016-0200 - Public Parking Lot at 600 Wingfield Drive



BACKGROUND:

Paved Parking Plan Review

- Public Parking Lot at 600 Wingfield Drive | Block A, Lot 10 Navajo Subdivision
- Intersection of Wingfield Drive, Grindstone Canyon Drive and Texas Street.
- Zoning District: C-2 “Community Commercial”
- Owner/Applicant: Village of Ruidoso/ Public Works Department
- Proposing approximately 73 +/- parking spaces with a footprint of approximately 1 acre

APPLICABLE SECTIONS OF MUNICIPAL CODE:

Sec. 54-141(b) Design standards.

11) *Requirements for specific types of development.*

- a. *Commercial and industrial development.* The grade of ingress and egress driveways and parking lot aisles shall not exceed 12 percent. All driveways shall provide and maintain a six-foot section from the edge of the traveled way with approximately a three-inch dip to the center (eight percent grade) from both directions. The dip section shall be paved with asphalt or concrete for the full driveway width. The base shall be a minimum of four inches with either 1½ inches of asphalt or four inches of concrete paving. The state highway and transportation department may require a lesser grade for driveways to N.M. Highway 48 and 70. Commercial and industrial development subject to state highway and transportation department approval shall provide evidence of approval by the department prior to issuance of a village permit. Drainage pipe under driveways, where required, shall be a minimum of 18 inches in size. Parking area grades shall not exceed three percent.

(12) *Surfacing.* All areas intended to be utilized for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. Plans for paving and drainage of driveways and stalls for five or more vehicles shall be submitted to the planning commission for review, and the final drainage plan shall be subject to the written approval of the village engineer.

(13) *Striping.* Except for townhouses and single-, two-, three- and four-family dwellings, all parking stalls shall be marked with painted lines not less than four inches wide. Where possible, hairpin striping shall be used.

(14) *Lighting.* Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining property, abutting residential uses and public rights-of-way and shall be in compliance with this article.

(15) *Signs.* No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking lot. All signs shall conform to division 5 of this article.

(16) Perimeter curb and gutter. Except for townhouses and single-, two-, three- and four-family dwellings, all open off-street parking areas and driveways shall have a perimeter curb and gutter around the entire parking lot built according to standards provided by the planning administrator.

(17) *Vehicles not to protrude over property lines.* All of such parking stalls which abut property lines shall be designed and constructed so that parked vehicles will not protrude over property lines.

(18) *Drainage.* Runoff from new multifamily and commercial development areas after the site is improved shall not exceed the prior runoff from the site when unimproved. On-site delay or interception of additional runoff by vegetation, temporary ponding, percolation pits or other approved methods shall be used to minimize any adverse effect on other properties.

Sec. 54-135(c) Landscaping plan

(3) Landscaping shall also be provided within parking lots in a manner which will serve to visually reduce the expanse of paved areas consistent with subsection 54-141(b)(1)c. and d.

Sec. 54-135(d) Minimum landscaping.

(3) *Planting of trees.*

a. *Perimeter landscaping:* Each commercial or industrial application shall provide for one tree and ten shrubs for every 1,500 square feet of lot area or a portion thereof not utilized for structures or vehicular use areas to be located within the perimeter of the site and around structures. This requirement shall be in addition to landscaping required by subsection b. below. Trees being retained on site to meet the standards of sections 54-133 and 42-80, may be credited towards meeting minimum tree numbers of this section.

b. Replacement trees required to be installed to meet the basal area standards of sections 54-133 and 42-80, shall be of the species listed in the "Village Approved Replacement Tree List".

c. *Parking lot landscaping:* Trees shall be provided for all parking lot areas. A minimum of one tree shall be provided for each ten parking spaces. Trees shall be distributed throughout the lot to maximize shading and eliminate large expanses of unbroken paved parking areas. Not less than six percent of the interior of a parking lot shall be landscaped with trees, shrubs or other durable landscaping materials consistent with the requirements of subsection 54-141(b)(1) addressing terminal and landscape islands.

d. Trees wells to be constructed to protect existing trees on site shall be built so that the outer edge of the well is no closer to the trunk than the drip line of the tree as determined by the village forester. A minimum size tree well of four feet in radius shall be required for all new tree plantings. The tree well shall constructed according to standards set by the village forestry department, and will also incorporate appropriately amended soils to encourage proper growth. Paving shall not be maintained closer than four feet to existing established or newly installed trees.

e. Trees to be installed pursuant to this chapter shall be a minimum size of two inches in diameter as measured at 4½ feet above ground.

f. The primary means of irrigating all required landscaping for shall be thru the use of a drip irrigation system.

g. The use of cisterns to collect rain water shall be incorporated into all new site development applications, but excluding single-family residential units. While cisterns are not required for single family residential units, the use of these features will be for encouraged.

h. Landscape plans shall be based on a modified xeriscape concept consistent with the village's "xeriscape standards". This shall mean that landscape plans shall incorporate drought- tolerant plant species and the use of drip-irrigation systems.

(4) Peripheral landscaping for parking lots. Peripheral landscaping shall be required along any side of all parking lots. A landscaping strip consistent with the provisions of the property's zoning district shall be provided between the parking area and adjoining property. Where a commercial parking area adjoins a residential district, a wall, or other permanent landscaping barrier shall be installed. The height of such landscaping barrier shall be not less than six feet.

RECOMMENDATION & ACTION:

This project preliminary parking pavement plan is presented for the Planning Commission's review, comments and recommendation at its April 19, 2016 special meeting. The Commission's comments would then be addressed as part of a final pavement and drainage plan that would include the following:

- Final Dimensions,
- Drainage outfall,
- Containment/detention locations shown,
- Utilities located and shown,
- Final alignment including tentative Landscaping Plan

The final drainage and pavement plan would then be approved by the Village's contracted engineer in accordance with Section 54-141(b)(12) of the Municipal Code. This project review is considered a regular business item with no public hearing or formal approval required.

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VILLAGE OF RUIDOSO MEMORANDUM

To: Ruidoso Lodger's Tax Committee
From: Bradford Dyjak, Planning Administrator
Date: April 14, 2016
RE: Short-Term Rentals Registration – Proposed Solutions



ISSUE OVERVIEW:

Village staff have examined various measures to administratively streamline the Short-term Rental application and inspection process. Among the chief considerations guiding this examination are:

- to Reduce duplication of effort,
- Reduce staff workload and improve turnaround time
- Simplify process and enhance customer satisfaction.

The existing process requires registration for all rentals within residential units that are rented less than 30 days for either a 1-year or 3-year period. Renewals are processed through the Planning & Building Department, with new registrations require adjacent owner notification and a fire inspection.

SUMMARY:

Further considerations expressed from the public and Lodging industry center on the fairness and enforcement of ordinance compliance. An extension of this concern revolves around the collection of appropriate lodger's taxes, especially on properties listed for rent online. Staff notes that the existing process has already registered over 640 properties and does not lend itself to proactive monitoring or enforcement as additional resources would be necessary. Staff therefore proposes addressing the issue both on an internal, administrative level and through a slight revision to the existing ordinance.

SOLUTIONS FOR CONSIDERATION:

Village staff proposes the following solutions for consideration.

- **Administrative**
 1. Internal relocation of STR processing in Incode from "Building Permits" section to "Business Registration" section to allow for simpler database management.
 2. Consider online credit card payments for renewals.
 3. Education and Outreach for compliance and registration.
 4. Any proactive enforcement will need additional resources.
- **Ordinance Changes**
 1. Change Fire Inspection to annual self-inspect with verification by owner/property manager which includes checklist.
 2. Self-notification of all adjacent property owners.
 3. Consider all application periods for 3-years and eliminate 1-year option.
 4. Consider moving renewal dates to once per year.
 5. Linking the Overlay Ordinance with the Lodgers' Tax Ordinance within the Code.
- **Resources**
 1. Consider Lodger's Tax Committee funding a defined term, contracted position to assist the Village with monitoring, processing and enforcing permits.
 2. Assist with the funding of proposed education and outreach efforts.
 3. Explore system tracking efforts to aid existing staff in ongoing monitoring.

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