PLANNING COMMISSION
REGULAR MEETING AGENDA

Village Hall, 313 Cree Meadows Drive, Ruidoso, NM 88345

Tuesday, April 5, 2022 – 2:00 pm

Viewing: Members of the public that do not wish to attend in person will have the ability to view the meeting through Zoom and/or YouTube.

Zoom meeting website: Zoom:
https://zoom.us/j/92959910806?pwd=RE4vNDZodFVFT0tGS2RWbk5ONU1lut09

Meeting ID: 929 5991 0806
Passcode: 2584343
Telephone:+1 669 900 9128 US

YouTube at https://www.youtube.com/channel/UCil01gVEgmVc1-vZLOxTN0w/featured. The YouTube channel can be streamed using this address from most smartphones, tablets, or computers.

Public Comment: The Commission will take general public comments and comments on the meeting’s specific agenda items in written form via email at: SamanthaMendez@ruidoso-nm.gov or by mail: 313 Cree Meadows Drive, Ruidoso, NM 88345 before April 5th at 10:00 am. These comments will be distributed to all Commissioners for review.

1. CALL TO ORDER, ROLL CALL, AND DECLARATIONS OF CONFLICT OF INTEREST

2. CERTIFICATION OF COMPLIANCE WITH RESOLUTION #2022-01

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES
   a) Regular Meeting March 1, 2022
5. PUBLIC INPUT *(Limited to items not on Public Hearing Agenda and up to 3 minutes per speaker.)* Written public input must be submitted by email to StephanieWarren@Ruidoso-NM.gov by mail to 313 Cree Meadows Drive, Ruidoso, NM 88345 before March 5th at 10:00 AM. *In addition, anyone wishing to speak during the meeting can do so by joining the meeting via Zoom or in Person.*

6. QUASI-JUDICIAL PUBLIC HEARING *(all parties with standing shall have an opportunity for cross-examination.)*

A) **Revocation of Conditional Use Approval Case #CU 2020-0786**- Request revocation of Conditional Use Approval for failure to comply with listed conditions placed for Arturo Olivas to operate an automotive repair shop within a C-2 Community Commercial District located at 718 Carrizo Canyon Rd; Block 3, Lot 1 of the Hutson Subdivision 1st Addition, Ruidoso, New Mexico.

B) **Variance Approval Request Case #PV 2022-23**- Bryan Lewis is requesting approval to encroach 13 feet into the required 20-foot corner side-yard setbacks as designated by the M-1 Low-Density Mobile Home District to construct a 13’x25’ addition on the current home located at 339 Brady Canyon; Lot 13 Block 22 of the Ponderosa Heights Subdivision, Ruidoso, New Mexico.

C) **Annexation Petition Case #PA 2022-41**- The Village of Ruidoso Parks and Recreation Department is petitioning to annex 118 Lake Shore Dr, Alto, New Mexico; Section 33 township 10S range 13E, A parcel of land out of section cont’g 0.2510 acres of land, more or less, the Tree House Cafe into the Village of Ruidoso Boundary Limits.

D) **Variance Approval Request Case #PV 2022-49**- Michael Cheney is requesting approval to encroach 10 feet into the required 20-foot rear-yard setback and 5 feet into the required 10-foot side-yard setbacks as designated by the R-1 Single-Family Residential District to place a manufactured home located at 141 Lower Terrace; Lot 21, Block 3 of the Hamilton Terrace Subdivision, Ruidoso, New Mexico.

E) **Variance Approval Request Case #PV 2022-52**- Terry Kroll is requesting approval to encroach 16.89 feet into the required 20-foot front yard setback as designated by the R-1 Single-Family Residential District to construct a 20’x20’ carport located at 110 Niblic Ct; Lot 8, Block 13 of the Golf Course Estates Subdivision, Ruidoso, New Mexico.
7. PUBLIC HEARING
   A) Ordinance Amendments to Chapter 22, Article II.-Building Codes: Recommendation to amend and revise this section.
      *Action: Approval or Disapproval to Recommend and present changes to Village Council
   
   B) Ordinance Amendments to Chapter 54, Section 54-327-Basis for establishing areas of special flood hazard: Recommendation to amend and revise this section.
      *Action: Approval or Disapproval to Recommend and present changes to Village Council
   
   C) Ordinance Amendments to Chapter 54, Division 5-Signs: Recommendation to amend and revise this section.
      *Action: Approval or Disapproval to Recommend and present changes to Village Council
   
   D) Resolution for Amendments to Chapter 22, Section 22-34-Permit Fees; expiration of permit: Recommendation to amend and revise this section.
      *Action: Approval or Disapproval to Recommend and present changes to Village Council

8. COMMUNITY DEVELOPMENT REPORT

9. COMMISSIONERS COMMENTS

10. ADJOURNMENT
CALL TO ORDER AND ROLL CALL:

The regular meeting was called to order by Chairman Alan Briley at 2:00 PM. Chairman Briley, Commissioners Briley, Byars, Hooker and Tondino were recorded present at Village Hall; Commissioners Williams was recorded present on Zoom; Village staff present were Samantha J. Mendez, Community Development Director, and Stephanie Warren GIS Coordinator/Planner. Commissioners Baugh and Michelena were recorded as absent. There were 4 visitors present.

CERTIFICATION OF COMPLIANCE WITH RESOLUTION 2022-01:

Stephanie Warren certified the notice of the meeting was properly posted in accordance with Resolution 2022-01 and section 54-40 of the Village Municipal Code.

APPROVAL OF AGENDA:

Commissioner Hooker moved to approve the agenda. Commissioner Tondino seconded, and the motion carried with all ayes.

APPROVAL OF MINUTES:

Commissioner Hooker moved to approve the minutes. Commissioner Byars seconded. Mrs. Warren called roll to record votes:

Commissioner Briley: Aye
Commissioner Byars: Aye
Commissioner Hooker: Aye
Commissioner Tondino: Aye
Commissioner Williams- did not vote, was not present for the February meeting.

Motion carried with all ayes.

PUBLIC INPUT: (Limited to items not on Public Hearing Agenda and up to 3 minutes per speaker). None
Quasi-Judicial Public Hearings:

A) **Variance Approval Request Case #PV 2022-7-Robert Salais** is requesting a Variance Approval to encroach 7 feet into the required 20-foot front-yard setback as designated by the M-1 Low-Density Mobile Home District construct a 22'x20' carport located at 210 Guajolote; Lot 5, Block 8, of the Del Norte Addition, Ruidoso, New Mexico 88345.

Director Mendez stated that the applicant is requesting approval to encroach 7 feet into the required 20-foot front-yard setback to construct a carport.

Chairman Briley swore in Mr. & Mrs. Salias. Mr. Salais stated they are requesting to put up the carport, but are unable to meet the required 20-foot setbacks.

Commissioner Tondino asked if there would be further encroachments into the side-yard. Mr. Salais stated it would not. Commissioner Tondino asked what materials would it be made of, Mr. Salais stated it would be metal.

Chairman Briley asked how large the right-of-way was to Director Mendez. Director Mendez stated she did not know the exact measurements, but the property lines do not meet the road.

The Public Hearing opened at 2:09 PM. 1 letter of opposition was dispersed to the Commission.

No public comments were made.

Chairman Briley closed the public hearing at 2:10 PM.

Chairman Briley asked if there were any further questions of the Commission. There were no further questions.

Commissioner Hooker stated based upon the foregoing findings of fact per §54-66, and § 54-140 of the Village Code, I move to grant the requested variance approval for Case #CU-2022-7 with the conditions stated in the case report.”

Commissioner Byars seconded the motion. Mrs. Warren called roll to record votes:

Commissioner Briley: Aye
Commissioner Byars: Aye
Commissioner Hooker: Aye
Commissioner Tondino: Aye
Commissioner Williams- Aye

Motion carried with all ayes.
COMMUNITY DEVELOPMENT REPORT:

Director Mendez stated that there will be a Chapter 54 Re-Write steering committee meeting this Friday.

COMMISSIONER’S COMMENTS:

Commissioner Hooker asked how many building inspectors were in the Planning Department. Director Mendez stated there were 3; Bill Powers who is a Certified Building, Plumbing and Mechanical inspector, Dave Myers who is a Certified Building, Electrical and Plumbing and Mechanical Inspector and Bobby Lopez who is a residential building inspector.

Chairman Briley asked if the re-write of chapter 54 will clear up the codes to not have so many variances being requested. Director Mendez stated it would, it does not follow guidelines very well if lots cannot be built as the code states requiring hearings to break its own rules.

ADJOURNMENT:

Commissioner Briley adjourned the meeting at 2:14 PM.

MINUTES ARE DRAFT UNTIL APPROVED AT THE NEXT REGULAR MEETING

Passed and approved this _____ day of ________________, 2022.

APPROVED: ______________________________

Alan Briley, Chairman

ATTEST: ______________________________

Samantha J. Mendez, Community Development Director
Subject Property: 718 Carrizo Canyon Rd.  
Zoning: C-2 Community Commercial District  
Subdivision: Hutson 1st Addition  
Legal Description: Block 3, Lot 1  
Applicant: Arturo Olivas  
Hearing Date: April 5, 2022, at 2:00 p.m.

Applicable Sections of Village Code:
- Sec. 54-100. - C-2 Community Commercial District.  
- Sec. 54-68. - Conditional use permit approval.

I. REQUEST: Revocation of the Conditional Use approval. The Village of Ruidoso Municipal Code has Standards for the maintenance of private property that are designed to protect the health, safety, and welfare of the residents. The applicant has been found in violation of condition #4 and #5 as applied during the original Conditional Use approval to operate an Automotive Repair Shop within a C-2 Community Commercial District located at 718 Carrizo Canyon Rd.

Previously Placed Conditions of Approval:
1. The Applicant must obtain a Village Business Registration within 30 days.
2. The Applicant shall not operate the business during the hours of 10:00 p.m. and 7:00 a.m. of the following day.
3. The Applicant is required to meet with all local, state and federal requirements pertaining to the containment and disposal of oil and hazardous materials.
4. The Applicant shall not have any excessive accumulation of any outdoor storage of materials or vehicles on the property.
5. Hydraulic hoists, pits and all lubrication, greasing, washing, repair and diagnostic equipment shall be used and enclosed within a building.
6. The applicant shall make no substantial changes in plans without the Planning Commission approval.
7. By accepting approval of this Conditional Use, Applicant agrees to comply in a timely manner with standards and conditions set. Failure to comply may lead to Court enforcement.
II. NOTIFICATION AREA MAP

III. ANALYSIS

Sec. 54-100. - C-2 community commercial district.

(a) Purpose. The purpose of the C-2 community commercial district is to provide for low-intensity retail or service outlets which deal directly with the consumer for whom the goods or services are intended. The uses allowed in this district are to provide goods and services on a community market scale and should be located in areas which are served by arterial street facilities.

(c) Conditional uses. Conditional uses in the C-2 district are:

(2) Automobile service stations.

   a. Automobile service station site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential district by at least 50 feet. Parking areas shall be separated from any residential district by at least 15 feet.

   b. The total site area shall not be less than 12,000 square feet.

   c. Pump islands shall be set back not less than 25 feet from any street right-of-way line, not less than 40 feet from any non-street line, and not less than 75 feet from any residential district boundary.
d. Hydraulic hoists, pits and all lubrication, greasing, washing, repair and diagnostic equipment shall be used and enclosed within a building.

e. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.

f. No automobile service station on a site contiguous to any residential district shall be operated between the hours of 10:00 p.m. and 7:00 a.m. of the following day.

Sec. 54-68. – Conditional use permit approval.

(a) Generally. Certain uses, (as defined in section 54-91(c)), may, under certain circumstances, be acceptable. When such circumstances exist, a conditional use permit may be granted. The permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the permit and periodic review may be required. The permit shall be granted for a particular use and not for a particular person.

(b) Application. The person applying for a conditional use permit shall fill out and submit to the planning administrator the appropriate form, together with the required fee. The request for a conditional use permit shall follow the procedures and applicable requirements of section 54-67 which pertain to site plan review.

(c) Notice of hearing. Notice of any public meeting at which the conditional use will be reviewed shall be accomplished as set forth in section 54-40.

(d) Review and decision by planning commission.

(1) No conditional use permit shall be given for a use which is not listed in this article as a conditional use in the particular district in which it is proposed to be located. The planning commission shall consider the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions, including parking facilities, on adjacent streets and land, the impact upon the natural environment, and the effect of the proposed use upon the comprehensive plan. The planning commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application. In reviewing conditional uses in residential areas, the planning commission shall consider particularly the response of adjoining property owners.

(2) Approval of conditional use permits shall require a two-thirds vote of the members of the planning commission present. If approved, the commission shall be required to make findings supporting its decision. If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval exist. No application for a conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months from the date of the order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission.

(e) Notice of decision; contents of permit. The applicant shall be notified in writing of the action taken by the planning commission. If the application has been granted, the permit shall be issued upon the signature of the chairman of the planning commission and the planning administrator, and any conditions, automatic termination date, or period of review shall be stated on the permit.
(f) Revocation. If the conditions and safeguards set by the planning commission are violated, the conditional use permit, after due process, may be revoked by a majority vote of the planning commission. Appeals may be made in accordance with section 54-62.

IV. PREVIOUSLY APPROVED SITE PLAN
V. Current Violation Pictures Submitted by Code Enforcement

Following Photos taken 02/19/2022. TS
VI. Previous Street Views at time of application
VII. AREA ZONING MAP

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>C-2</td>
<td>Community Commercial District- Residential Home</td>
</tr>
<tr>
<td>East</td>
<td>C-2</td>
<td>Community Commercial District- Vacant Land</td>
</tr>
<tr>
<td>South</td>
<td>C-2</td>
<td>Community Commercial District- Vacant Land</td>
</tr>
<tr>
<td>West</td>
<td>Unincorporated (No Zoning)</td>
<td>Lincoln County- Residential Home</td>
</tr>
</tbody>
</table>
The Planning Commission has the following options:

1. **Revocation** of Conditional Use Request, with reasons stated in the motion, granting the requested conditional use.

2. **Require modifications** to Conditional Use Request, and have it returned for Planning Commission review at the next meeting.

3. **Allow** current Conditional Use Approval to remain.

Approval of a conditional use requires a **2/3 majority vote** of those members of the Planning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

**V. STAFF RECOMMENDATION**

The determination of appropriateness for granting or denying a conditional use application rests only with the consistency with applicable statutes, codes and policies and with the Commission’s analysis of the impacts to the surrounding properties and the community at-large.

Upon review of the application and existing conditions, staff finds that the proposed request for the revocation of conditional use appears to be consistent with the Village Code and hereby recommends the revocation.

**Suggested Motion:**
“Based upon the foregoing findings of fact per §54-68 and § 54-100 of the Village Code, I move to **REVOKE** the conditional use permit for Case #CU-2020-0786.”

Prepared & Submitted by:

Samantha J. Mendez
Community Development Director

By signing below, the Owner/Applicant agrees to comply with all the conditions adopted by the Planning and Zoning Commission ("the Commission") at its hearing on this application. The Owner/Applicant further agrees that it will make no changes to the plans as presented to the Commission without prior approval from village staff or the Commission. Failure to comply with the application as approved by the Commission may result in Court action or revocation of approval.

__________________________  ____________________
Owner/Applicant                   Date
Planning Commission
Village Hall – 313 Cree Meadows Drive, Ruidoso, New Mexico 88345

Case Report – Variance Request #PV-2022-23

Subject Property: 339 Brady Canyon  
Legal Description: Unit III Block 22 Lot 13
Zoning: M-1 Low-Density Mobile Home District  
Applicant: Bryan Lewis
Subdivision: Ponderosa Heights  
Hearing Date: April 5, 2022

Applicable Sections of Village Code:
➢ Sec. 54-97. – M-1 Low-Density Mobile Home District
➢ Sec. 54-140. – Setback and height encroachments, limitation, and exceptions.
➢ Sec. 54-66. – Variances.

I. REQUEST: The applicant is requesting approval of a variance to encroach 13 feet into the required 20-foot corner side-yard setback as designated by the M-1 Low-Density Mobile Home District to construct a 13’x25’ addition on to the existing home located at 339 Brady Canyon; Lot 5, Block 8, of the Del Norte Addition, Ruidoso, New Mexico 88345.

II. NOTIFICATION AREA MAP
III. SITE DATA

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>M-1</td>
<td>Low-Density Mobile Home District</td>
</tr>
<tr>
<td>East</td>
<td>M-1</td>
<td>Low-Density Mobile Home District</td>
</tr>
<tr>
<td>South</td>
<td>M-1</td>
<td>Low-Density Mobile Home District</td>
</tr>
<tr>
<td>West</td>
<td>M-1</td>
<td>Low-Density Mobile Home District</td>
</tr>
</tbody>
</table>
IV. AREA ZONING MAP

Zoning Districts
- AR-1 Agricultural Residential
- C-1 Neighborhood Commercial District
- C-2 Community Commercial District
- C-3 Midtown Commercial District
- C-4 Heavy Commercial District
- I-1 Industrial District
- M-1 Low-Density Mobile Home District
- M-2 Medium-Density Mobile Home District
- PUD Planned Unit Development District
- M-PUD Mixed Use Planned Unit Development District
- R-1 Single-Family Residential District
- R-2 Two-Family Residential District
- R-3 Multiple-Family Residential District
- R-4 High-Density Residential District
V. Current Structure Street View

Street View from Brady Canyon

Street View from Maple Dr
VI. ANALYSIS  
Sec. 54-97. – M-1 Low-Density Mobile Home District.

(a) Purpose; maximum density. The purpose of the M-1 low-density mobile home district is to promote affordable housing and to make economical use of the land by allowing the development of mobile home subdivisions at gross residential densities of not more than five units per acre.

(b) Principal permitted uses. Principal permitted uses in the M-1 district are:
(1) Mobile homes.
(2) Single-family dwellings.
(g) Setbacks, yards and heights. Setback, yard and height requirements for the M-1 district are as follows:

(1) Minimum setbacks from property lines. Minimum setbacks from property lines are as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Front (feet)</th>
<th>Interior Side (feet)</th>
<th>Corner Side (feet)</th>
<th>Rear (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile home</td>
<td>20</td>
<td>10</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Single-family dwelling</td>
<td>20</td>
<td>10</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Schools and civic, cultural and religious institutions</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Structures accessory to mobile homes and single-family dwellings</td>
<td>20</td>
<td>10</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Structures for all other principal, conditional or other uses</td>
<td>20</td>
<td>10</td>
<td>20</td>
<td>20</td>
</tr>
</tbody>
</table>

(h) Encroachments into yards.

(1) Open steps and decks. Open steps and decks shall be permitted to extend into the front, rear and side yard setback a distance of not more than ten feet in the case of front yards and not closer than ten feet to the property line in the case of side yards.

(2) Covered patios, decks, porches or carports. Covered patios, decks, porches or carports shall not be permitted encroachments in any setbacks, except as provided under section 54-140.

(3) Roof projections into required side yards. A house or garage roof may not be constructed closer than two feet to a side property line.

Sec. 54-140. Setback and height encroachments, limitations and exceptions.

(1) Permitted encroachments in any yards. The following are permitted in any yards: posts, off street open parking spaces, sills, pilasters, lintels, cornices, eaves, gutters, awnings, open terraces, service station pump islands, open canopies, steps, flagpoles, ornamental features, open fire escapes, sidewalks and fences, except as otherwise provided in this article; also, yard lights and nameplate signs in residential districts, trees, shrubs, plants, floodlights or other sources of light illumination, and authorized lights or light standards for illuminating parking areas, loading areas or yards for safety and security reasons, provided the direct source of light is not visible from the public right-of-way or adjacent residential property.

(2) Permitted encroachments in side and rear yards. Balconies eight feet above grade may extend into the yards to within five feet of a lot line, provided the balconies do not extend over nonresidential driveways. Detached outdoor picnic shelters, open arbors and trellises may extend to within five feet of a side or rear lot line, except that no such structures shall exceed 500 square feet. Recreational equipment, picnic tables and apparatus needed for the operation of active and passive solar energy systems are permitted encroachments.

(3) Permitted encroachments in rear yards. The following are permitted in rear yards: laundry drying equipment; patios; covered porches; breezeways and detached outdoor living rooms may extend 20 feet into the rear yard but not closer than ten feet to the rear lot line.
(4) Exemptions from height limitations. Height limitations shall not apply to church spires, belfries, cupolas and domes, monuments, chimneys and smokestacks, flagpoles, public and private utility facilities, transmission towers of commercial and private radio broadcasting stations, television antennas, parapet walls extending no more than four feet above the limiting height of the building (except as otherwise provided in this article), and solar energy collectors and equipment used for the mounting or operation of such collectors.

(5) Exemption from building setback requirements for buildings with party walls. Subject to regulations in section 22-31 and as required by other applicable sections of this article or this Code, buildings may be excluded from side and rear setback requirements provided party walls are used and if the adjacent buildings are constructed as an integral unit.

(6) Covered decks, porches and breezeways in front yards. Covered decks, porches and breezeways in R-1, R-2, M-1 and M-2 districts may extend into the front yard, but not closer than 15 feet to the front property line, provided that they are not enclosed

Sec. 54-66. Variances

(a) Generally. The planning commission may vary or adjust the strict application of the requirements of this article in the case of an irregular, narrow, shallow or steep lot or other physical condition applying to a lot or building where strict application of this article would result in practical difficulty or unnecessary hardship that would deprive the owner of reasonable use of the property involved.

Granting of variances shall be done in accord with the requirements and procedures established in this article. Variances may only be granted for hardships related to the physical characteristics of land and should normally be limited to regulations pertaining to height or width of structures or the size of yard and open spaces where a departure from the literal interpretation of this article will not be contrary to the public interest or establish a precedent that would undermine the purpose and intent of this article as described in. Use variances shall not be permitted. No variance or adjustment in the strict application of any provisions of an ordinance may be granted unless:

(1) Special circumstances or conditions, fully described in the planning commission's findings, are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of this article. Nonconforming lot size shall be considered a special circumstance in accordance with subsection 54-143(j);

(2) For reasons fully set forth in the planning commission's findings, the circumstances or conditions are such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of the land or building, the granting of the variance is necessary for the reasonable use thereof and the variance as granted is the minimum adjustment that will accomplish this purpose; and

(3) The granting of the variance is in harmony with the purpose and intent of this article and will not be harmful to the neighborhood or otherwise detrimental to the public welfare.

Sec. 54-66 (d) Review and decision by planning commission.
In considering applications for variance, the planning commission shall consider the effect of the proposed variance upon the health, safety and welfare of the community, traffic conditions, light and air, danger of fire, risk to the public safety, and the safety and the effect on values of property in the surrounding area. The planning commission shall hear oral or written statements from the applicant, the public, village staff or its own members. If the planning commission determines by motion that the special conditions applying to the structure or land in question are peculiar to such property or the immediately surrounding area and do not apply generally to other land or structures in the district in which the land is located, that granting the proposed variance will not in any way impair health, safety or welfare or in any other respect be contrary to the intent of this article and the village comprehensive plan, and that the granting of such variance will not merely serve as a convenience to the applicant, but is necessary to alleviate demonstrable hardship or difficulty, the planning commission may grant such variance and impose conditions and safeguards therein.

A variance shall not be approved except upon the affirmative vote of two-thirds of all the members of the planning commission present. The planning commission shall be required to make findings supporting its decision based on subsections (a) through (d) of this section.

The Planning Commission has the following options:

1. **Approval** of the Variances request, with reasons stated in the motion, granting the requested use.

2. **Require modifications** to the Variance request, and have it returned for Planning Commission review at the next meeting.

3. **Deny** the request of Variance Request with reasons and conditions.

Approval of a variance requires a **2/3 majority vote** of those members of the Planning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

**V. STAFF RECOMMENDATION**

The determination of appropriateness for granting or denying a variance application rests only with the consistency with applicable statutes, codes, and policies and with the Commission’s analysis of the impacts to the surrounding properties and the community at-large.
Upon review of the application and existing conditions, staff finds that the proposed request for condition use appears to be consistent with the Village Code and hereby recommends the following conditions.

1. Applicant must complete and return necessary Variance Agreement prior to any construction including an improvement survey that notates the variance that was approved on the face of the plat. Failure to complete and record variance agreement within six (6) months from approval will void the approval of Case #PV 2022-23. Plat must be recorded in the office of the Lincoln County Clerk.
2. Applicant must obtain necessary permits to begin construction within six (6) months of Planning Commission approval and construction must comply with the Village Code and applicable state standards and be completed within one (1) year of the issuance of the building permit.
3. Granting of the variance relief does not confer any authorization for additional variances nor the improvement upon the portion of the dwelling granted relief to encroach within this application. All additional improvements within encroachments would require future variance relief from the Planning Commission.
4. Applicant shall make no substantial changes in plans without Planning Commission approval.
5. By accepting approval of this Variance Agreement, Applicant agrees to comply in a timely manner with standards and conditions set. Failure to comply may lead to Court enforcement.

**Suggested Motion:**

“Based upon the foregoing findings of fact per §54-97, §54-66 and § 54-140 of the Village Code, I move to GRANT the requested variance for Case #PV-2022-23 with the conditions stated in the case report.”

Prepared & Submitted by:

*Samantha J. Mendez*
Community Development Director

By signing below, the Owner/Applicant agrees to comply with all the conditions adopted by the Planning and Zoning Commission ("the Commission") at its hearing on this application. The Owner/Applicant further agrees that it will make no changes to the plans as presented to the Commission without prior approval from village staff or the Commission. Failure to comply with the application as approved by the Commission may result in Court action or revocation of approval.

_________________________________________
Owner/ Applicant  Date
Subject Property: 118 Lake Shore
Zoning: C-PUD District
Subdivision: Ponderosa Heights

Legal Description: Sec 33 T10S R13E known as Tree House Café
Applicant: Village of Ruidoso Parks & Rec
Hearing Date: April 5, 2022

Applicable Sections of Village Code:
➢ Sec. 54-70. –Annexations

REQUEST: The Village of Ruidoso Parks and Recreation Department is requesting approval of a petition of annexation for Village owned property located at 118 Lake Shore Drive, Alto, NM: Section 33 Township 10S Range 13E, a parcel of land out of section contiguous 0.2510 acres of land more or less, the Tree House Café into the Village of Ruidoso Municipal Boundary Limits.

I. NOTIFICATION AREA MAP
II. SITE DATA

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>N/A</td>
<td>Out of Village Limits</td>
</tr>
<tr>
<td>East</td>
<td>N/A</td>
<td>Out of Village Limits</td>
</tr>
<tr>
<td>South</td>
<td>M-PUD</td>
<td>Alto Lake-Village Owned</td>
</tr>
<tr>
<td>West</td>
<td>N/A</td>
<td>Out of Village Limits</td>
</tr>
</tbody>
</table>

Legend
- VOR.DBO.VOR_Boundary
- VOR.DBO.Roads
- VOR.DBO.Parcels

Map showing various zoning districts and land uses.
III. Current Structure Street View

Street View from Brady Canyon

Aerial View from Google Maps
IV. ANALYSIS

Sec. 54-70. Annexations.

(a) Policy. All annexation to the village shall be in accord with the annexation statement of policy 85-2 adopted by the village council on October 29, 1985.

(1) Generally, the annexation of land shall not impose an economic burden on the village or result in a indirect subsidy of services by the village. Evidence shall be provided by the petitioner that existing infrastructure, including but not limited to streets, sewer and water lines, public facilities including fire stations and parks, and operating services such as fire, police and garbage collection, can accommodate potential development within the area to be annexed.

(2) Annexation agreements shall be entered into between the village and the petitioner requesting annexation to cover extension of streets, utilities, facilities and operation services for the area proposed for annexation, and provision by petitioner of all improvements within the annexation area required to serve such area, including streets, water and sewer and public facilities and provision by petitioner of water rights or arrangement for payment by petitioner of water rights to be used.

(b) Initial zoning. The petitioner simultaneously shall also submit an initial zoning request. Annexation and initial zoning shall be a joint and concurrent action and shall have final approval of the village council after recommendation by the planning commission. All newly annexed areas shall be considered to be in the R-1 district until otherwise classified.

(c) Annexation petition. Initial submission of an annexation petition and plat must be accompanied by applicable fees and will include the following information:

(1) A petition which shows the following:

a. Date.

b. Description of the property (certified by a New Mexico professional land surveyor).

c. Acknowledgement of property owners.

d. Name of property owners.

e. Address of property owners.

f. Signature of property owners, duly notarized.
(2) Annexation plat at a scale of one-inch equals 100 feet which contains:

   a. Annexation name.

   b. Acreage of the site to the nearest one-tenth acre.

   c. Location map (inscribed on plat).

   d. Certification block for the mayor and village clerk.

   e. Certification and recording block for the county clerk.

   f. Certification block for the New Mexico professional land surveyor with seal and date.

   g. Survey, scale and north arrow.

   h. Plat boundary lines (bearings in degrees, minutes and seconds with distances in feet in hundredths).

   i. Adjacent land conditions (within 150 feet).

   j. Public rights-of-way existing on the site: Name, width and curve data.

   k. Public rights-of-way abutting the site: Name, width and curve data.

(3) Statement regarding the adequacy of infrastructure, public facilities and operational services to serve the area proposed for annexation.

(4) Copy of the proposed annexation agreement.

(5) Application for initial zoning, including fee.

(6) Site plan for proposed development, if any.

(7) Site plan for existing development.

(8) Statement regarding water rights.

(d) Review procedure.

   (1) The flow chart included in this subsection details the village annexation process. In reviewing annexation petitions, the planning department looks at the proposed annexation in conjunction with the comprehensive plan and major
transportation plan to determine the initial zoning classification and determine the need for dedication of public right-of-way.

(2) The infrastructure division looks at streets and utilities and the physical relationship of property proposed for annexation to determine the feasibility of serving the subject land. Other departments review the proposed annexation for general input on their particular service. Legal counsel will review the application and annexation agreement to determine compliance with applicable state statutes.

(3) The annexation petition shall also be distributed to the village public schools and all private utilities for review and comment.

ANNEXATION PROCESS

Petition signed by property owners is presented to planning administrator.

Plat of survey and legal description signed by New Mexico professional land surveyor.

Annexation and initial zoning request reviewed by village staff (three weeks).

Notice of public hearing published 15 days prior to planning commission meeting.

Annexation and initial zoning are presented at planning commission public hearing for recommendation to village council.

Upon the commission's recommendation, both annexation and initial zoning ordinances are placed on the village council agenda (ordinances advertised 15 days).

If annexation is denied by council, process ends. Petitioner may appeal to district court.

If annexation is approved by council, annexation plat signed and filed with county clerk. Two filed copies returned to village. If zoning is denied, staff and property owners negotiate alternate zoning request. If initial zoning is approved, district is designated.

Annexation is deemed final and complete 30 days after filing.

Length of time for process: Three to six months.

Fees to be paid: Annexation fees plus initial zoning fees as listed in the fee schedule in appendix A to this Code.

(Code 1985, § 10-2-11)
The Planning Commission has the following options:

1. **Recommendation of Approval** of the Annexation Petition, with reasons stated in the motion, granting the requested use to the Village Council.

2. **Require modifications** to the Variance request, and have it returned for Planning Commission review at the next meeting.

3. **Recommendation of Denial** the request of Variance Request with reasons and conditions to the Village Council.

Approval of the recommendation requires a **2/3 majority vote** of those members of the Planning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

**V. STAFF RECOMMENDATION**

The determination of appropriateness for granting or denying a variance application rests only with the consistency with applicable statutes, codes, and policies and with the Commission’s analysis of the impacts to the surrounding properties and the community at-large.

**Suggested Motion:**

“Based upon the foregoing findings of fact per §54-70 of the Village Code, I move to **Recommend Approval** of the petitioned annexation for Case #ANNEXATION-2022-41 to the Village Council for adoption.”

Prepared & Submitted by:

**Samantha, J. Mendez**
Community Development Director

By signing below, the Owner/Applicant agrees to comply with all the conditions adopted by the Planning and Zoning Commission ("the Commission") at its hearing on this application. The Owner/Applicant further agrees that it will make no changes to the plans as presented to the Commission without prior approval from village staff or the Commission. Failure to comply with the application as approved by the Commission may result in Court action or revocation of approval.

______________________________
Owner/Applicant                        Date
VILLAGE OF RUIDOSO
ORDINANCE 2022-XX

AN ORDINANCE CONSENTING TO THE ANNEXATION OF CONTIGUOUS TERRITORY TO THE VILLAGE OF RUIDOSO, NEW MEXICO

WHEREAS, the Village of Ruidoso are owners of territory contiguous to the VILLAGE OF RUIDOSO, NEW MEXICO and have signed a petition requesting annexation and have provided an annexation plat therefore; and

WHEREAS, the Village of Ruidoso Planning Commission conducted a public hearing for the Petition for Annexation, referenced as Case #AP-2022-41, during its April 5, 2022 regular meeting and formally recommended to the Village Council of Ruidoso that it consent to the Petition and apply an initial zoning designation of R-1 Single-Family Residential District; and

WHEREAS, the Village Council of Ruidoso conducted a duly advertised public hearing to consider this Ordinance at its April 12, 2022 regular meeting making findings that the Petition for Annexation was in accord with the Annexation Statement of Policy #85-2 as referenced within Section 54-70 of the Village Municipal Code of Ordinances and that furthermore, the Petition was consistent with the goals of the current Village of Ruidoso Comprehensive Plan; and

WHEREAS, it is in the best interest of the Village of Ruidoso, New Mexico that the Governing Body of the Village of Ruidoso, New Mexico express its consent to the annexation of such contiguous territory.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY of the Village of Ruidoso, New Mexico that:

1. Pursuant to the provisions of NMSA 1978 Section 3717, the following described territory, contiguous to the Village of Ruidoso, New Mexico is hereby annexed to the Village of Ruidoso, New Mexico:

   Section 33 Township 10S Range 13E, A parcel of land out of section CONT’G 0.2510 acres of land, more or less, the Tree house Café.

2. The property shown in “Exhibit A” of Ordinance 2022-xx shall receive an initial zoning designation of M-PUD Mixed Planned Use Development District.

3. A copy of the plat showing the external boundaries of the property hereby annexed is attached hereto as Exhibit “A” and is incorporated herein by reference for all purposes.

4. The Village of Ruidoso Official Zoning Map shall be hereby amended to incorporate the boundaries contained within the Annexation Plat in Exhibit “A” and reference the initial zoning designation as assigned in Section 2 herein.

5. A copy of this Ordinance, together with a copy of the Annexation Plat, Annexation Agreement, and vicinity map shall be filed in the office of the Clerk of Lincoln County, New Mexico, with the
Secretary of Finance and Administration of the State of New Mexico, and with the Secretary of Taxation and Revenue of the State of New Mexico.

6. Effective date. The provisions of this Ordinance shall become effective five (5) days upon the publishing of its adoption, provided that, as per Section 54-70(d) of the Village Municipal Code of Ordinances, the annexation shall be deemed final and complete 30 days after filing unless contested in accordance with the procedures specified by applicable State statutes regarding referendum petitions contesting annexation ordinances.

PASSED, APPROVED, and ADOPTED by the GOVERNING BODY of the VILLAGE of RUIDOSO this _____ day of ________________, 2022.

VILLAGE OF RUIDOSO

By: __________________________
Lynn D. Crawford, Mayor

(SEAL)

ATTEST:

__________________________
Ronald Sena, Village Clerk
Planning Commission
Village Hall – 313 Cree Meadows Drive, Ruidoso, New Mexico 88345

Case Report – Variance Request #PV-2022-52

Subject Property: 110 Niblic Ct  
Zoning: R-1 Single-Family Residential District  
Subdivision: Golf Course Estates

Legal Description: Lot 8 Block 13
Applicant: Terry Kroll
Hearing Date: April 5, 2022

Applicable Sections of Village Code:
➢ Sec. 54-92. – R-1 Single Family Residential District
➢ Sec. 54-140. – Setback and height encroachments, limitation, and exceptions.
➢ Sec. 54-66. – Variances.

I. REQUEST: The applicant is requesting approval of a variance to encroach 16.89 feet into the required 20-foot front-yard setback as designated by the R-1 Single-Family Residential District to construct a 20’x20’ carport located at 110 Niblic Ct.; Lot 8 Block 13, of the Golf Course Estates Subdivision, Ruidoso, New Mexico 88345.

II. NOTIFICATION AREA MAP
III. SITE DATA

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-1</td>
<td>Single-Family Residential District</td>
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<tr>
<td>East</td>
<td>R-2</td>
<td>Two-Family Residential District</td>
</tr>
<tr>
<td>South</td>
<td>R-2</td>
<td>Two-Family Residential District</td>
</tr>
<tr>
<td>West</td>
<td>R-1</td>
<td>Single-Family Residential District</td>
</tr>
</tbody>
</table>

A PLOT PLAN OF
LOT 8, BLOCK 13,
GOLF COURSE ESTATES,
RUIDOSO, NEW MEXICO.

NOTES:
1) SURVEY IS BASED ON CORNERS FOUND IN PLACE AND
PREVIOUS SURVEY WORK BY RUIDOSO LAND
SURVEYING, INC.:
2) SHAPES SHOWN ARE FROM FIELD MEASUREMENTS.
3) ANGLES SHOWN ARE FROM FIELD MEASUREMENTS.
4) ANGLES SHOWN ARE FROM THE SURVEY.
5) PLAT OF RECORD MAY BE FOUND IN CABINET "C", SLIDE
NO. 237-236, OF THE RECORDS OF LINCOLN COUNTY.
6) 60" = RECORD DISTANCE
7) "S" = PLASTIC SURVEY "XAP"
IV. AREA ZONING MAP
V. Current Structure Street View

Street View
VI. ANALYSIS
Sec. 54-92. – R-1 Single Family Residential district.

(a) Purpose; maximum density. The purpose of the R-1 single-family residential district is to provide for the development, at a low density, of single-family detached dwellings and directly related complementary uses. The district is intended to be strictly residential in character with a minimum of disturbance due to traffic or overcrowding.

(b) Principal permitted uses. Principal permitted uses in the R-1 district are:
   (1) Single-family dwellings.
   (2) Public parks.

(e) Development requirements.

   (1) Development requirements for the R-1 district are as follows:
      a. Subject to subsection aa. below, minimum lot area: 10,000 square feet. See section 54-66 for lots less than 10,000 square feet.
         1. Resubdivision. Resubdivision of previously subdivided or platted land shall be as provided herein. The provisions of this subsection shall apply to any land, regardless of size, identified as a lot, tract or similar term and described by lot or tract number or letter, block number or letter, street address or similar means.
            a. Reserved.
b. The planning commission and village council shall consider the size of adjoining lots, the effects of the resubdivision on those adjoining lots, the availability of village utilities and the capacity to provide utility service to the newly created lots, and other pertinent factors in determining the actual sizes of the lots to be allowed. Adjoining lots shall include those lots separated from the subject lots by a street or alley.

c. The provisions herein shall not apply to:

d. Tracts of land described only by metes and bounds;

e. Those cases where all of the land in a previously platted subdivision is owned by a single person and an application for replat of the entire subdivision is submitted pursuant to subsection 54-284(d)(1).

f. Nothing herein shall be construed to prevent the replatting of smaller lots into larger lots or otherwise replatting contiguous or adjacent lots where there is no increase in the number of lots after the replat as otherwise provided by this Code.

b. Minimum lot width: 75 feet.

c. Minimum lot depth: 100 feet.

d. Minimum front setback: 20 feet.

e. Minimum side setback: 10 feet.

f. Minimum corner side setback: 20 feet. Street side(s)

g. Minimum rear setback: 20 feet.

Exceptions:

1. Accessory structures may have a 10 foot rear setback.

2. Corner lots minimum set back: 10 feet

h. Maximum height: 35 feet.

i. Schools and civic, cultural and religious institutions, including their accessory structures, shall have setbacks of 50 feet on all sides.

Sec. 54-140. Setback and height encroachments, limitations and exceptions.

(1) Permitted encroachments in any yards. The following are permitted in any yards: posts, off street open parking spaces, sills, pilasters, lintels, cornices, eaves, gutters, awnings, open terraces, service station pump islands, open canopies, steps, flagpoles, ornamental features, open fire escapes, sidewalks and fences, except as otherwise provided in this article; also, yard lights and nameplate signs in residential districts, trees, shrubs, plants, floodlights or other sources of light illumination, and authorized lights or light standards for illuminating parking areas, loading areas or yards for safety and security reasons, provided the direct source of light is not visible from the public right-of-way or adjacent residential property.

(2) Permitted encroachments in side and rear yards. Balconies eight feet above grade may extend into the yards to within five feet of a lot line, provided the balconies do not extend over nonresidential driveways. Detached outdoor picnic shelters, open arbors and trellises may extend to within five feet of a side or rear lot line, except that no such structures shall exceed 500 square feet. Recreational equipment, picnic tables and apparatus needed for the operation of active and passive solar energy systems are permitted encroachments.

(3) Permitted encroachments in rear yards. The following are permitted in rear yards: laundry drying equipment; patios; covered porches; breezeways and detached outdoor living rooms may extend 20 feet into the rear yard but not closer than ten feet to the rear lot line.
(4) Exemptions from height limitations. Height limitations shall not apply to church spires, belfries, cupolas and domes, monuments, chimneys and smokestacks, flagpoles, public and private utility facilities, transmission towers of commercial and private radio broadcasting stations, television antennas, parapet walls extending no more than four feet above the limiting height of the building (except as otherwise provided in this article), and solar energy collectors and equipment used for the mounting or operation of such collectors.

(5) Exemption from building setback requirements for buildings with party walls. Subject to regulations in section 22-31 and as required by other applicable sections of this article or this Code, buildings may be excluded from side and rear setback requirements provided party walls are used and if the adjacent buildings are constructed as an integral unit.

(6) Covered decks, porches and breezeways in front yards. Covered decks, porches and breezeways in R-1, R-2, M-1 and M-2 districts may extend into the front yard, but not closer than 15 feet to the front property line, provided that they are not enclosed.

**Sec. 54-66. Variances**

(a) *Generally.* The planning commission may vary or adjust the strict application of the requirements of this article in the case of an irregular, narrow, shallow or steep lot or other physical condition applying to a lot or building where strict application of this article would result in practical difficulty or unnecessary hardship that would deprive the owner of reasonable use of the property involved.

Granting of variances shall be done in accord with the requirements and procedures established in this article. Variances may only be granted for hardships related to the physical characteristics of land and should normally be limited to regulations pertaining to height or width of structures or the size of yard and open spaces where a departure from the literal interpretation of this article will not be contrary to the public interest or establish a precedent that would undermine the purpose and intent of this article as described in. Use variances shall not be permitted. No variance or adjustment in the strict application of any provisions of an ordinance may be granted unless:

(1) Special circumstances or conditions, fully described in the planning commission's findings, are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of this article. Nonconforming lot size shall be considered a special circumstance in accordance with subsection 54-143(j);

(2) For reasons fully set forth in the planning commission's findings, the circumstances or conditions are such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of the land or building, the granting of the variance is necessary for the reasonable use thereof and the variance as granted is the minimum adjustment that will accomplish this purpose; and

(3) The granting of the variance is in harmony with the purpose and intent of this article and will not be harmful to the neighborhood or otherwise detrimental to the public welfare.
Sec. 54-66 (d) *Review and decision by planning commission.*

In considering applications for variance, the planning commission shall consider the effect of the proposed variance upon the health, safety and welfare of the community, traffic conditions, light and air, danger of fire, risk to the public safety, and the safety and the effect on values of property in the surrounding area. The planning commission shall hear oral or written statements from the applicant, the public, village staff or its own members. If the planning commission determines by motion that the special conditions applying to the structure or land in question are peculiar to such property or the immediately surrounding area and do not apply generally to other land or structures in the district in which the land is located, that granting the proposed variance will not in any way impair health, safety or welfare or in any other respect be contrary to the intent of this article and the village comprehensive plan, and that the granting of such variance will not merely serve as a convenience to the applicant, but is necessary to alleviate demonstrable hardship or difficulty, the planning commission may grant such variance and impose conditions and safeguards therein.

A variance shall not be approved except upon the affirmative vote of two-thirds of all the members of the planning commission present. The planning commission shall be required to make findings supporting its decision based on subsections (a) through (d) of this section.

**The Planning Commission has the following options:**

1. **Approval** of the Variances request, with reasons stated in the motion, granting the requested use.

2. **Require modifications** to the Variance request, and have it returned for Planning Commission review at the next meeting.

3. **Deny** the request of Variance Request with reasons and conditions.

Approval of a variance requires a **2/3 majority vote** of those members of the Planning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

**V. STAFF RECOMMENDATION**

The determination of appropriateness for granting or denying a variance application rests only with the consistency with applicable statutes, codes, and policies and with the Commission’s analysis of the impacts to the surrounding properties and the community at-large.

Upon review of the application and existing conditions, staff finds that the proposed request for variance appears to not demonstrate any hardships of the land, and the proposed location may impede on sightlines needed by golf carts on the designated golf cart path. There are no other surrounding impediments of setbacks on the properties surrounding the applicant. The justification for variance is unfounded.
If found to be approved by the Planning Commission, staff recommends the following conditions be placed:

1. Applicant must complete and return necessary Variance Agreement prior to any construction including an improvement survey that notates the variance that was approved on the face of the plat. Failure to complete and record variance agreement within six (6) months from approval will void the approval of Case #PV 2022-49. Plat must be recorded in the office of the Lincoln County Clerk.

2. Applicant must obtain necessary permits to begin construction within six (6) months of Planning Commission approval and construction must comply with the Village Code and applicable state standards and be completed within one (1) year of the issuance of the building permit.

3. Carport siding must remain open to ensure pedestrian safety for traffic purposes. The carport cannot be placed constructed of metal. Metal is not conducive to the area of placement.

4. Granting of the variance relief does not confer any authorization for additional variances nor the improvement upon the portion of the dwelling granted relief to encroach within this application. All additional improvements within encroachments would require future variance relief from the Planning Commission.

5. Applicant shall make no substantial changes in plans without Planning Commission approval.

6. By accepting approval of this Variance Agreement, Applicant agrees to comply in a timely manner with standards and conditions set. Failure to comply may lead to Court enforcement.

**Suggested Motion:**
“Based upon the foregoing findings of fact per §54-92, §54-66 and § 54-140 of the Village Code, I move to **GRANT** the requested variance for Case #PV-2022-52 with the conditions stated in the case report.”

Prepared & Submitted by:

*Samantha J. Mendez*
Community Development Director

# # #

By signing below, the Owner/Applicant agrees to comply with all the conditions adopted by the Planning and Zoning Commission ("the Commission") at its hearing on this application. The Owner/Applicant further agrees that it will make no changes to the plans as presented to the Commission without prior approval from village staff or the Commission. Failure to comply with the application as approved by the Commission may result in Court action or revocation of approval.

________________________________________
Owner/Applicant
Case Report – #PV-2022-52

Date

Page 9/9
VILLAGE OF RUIDOSO

ORDINANCE 2022-XX

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCE; CHAPTER 22 - BUILDINGS AND BUILDING REGULATIONS; ARTICLE II. - BUILDING CODES; SECTION 22-31. - BUILDING, ELECTRICAL, PLUMBING, MECHANICAL AND FIRE CODES ADOPTED; AMENDMENTS.

WHEREAS, the Governing Body of the Village of Ruidoso is updating the Building and Building Regulations ordinance within the Village of Ruidoso; and

WHEREAS, the Governing Body of the Village of Ruidoso has determined that these amendments are necessary; and

WHEREAS, the Governing Body of the Village of Ruidoso conducted a duly advertised public hearing to consider this ordinance on May 10, 2022.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Village of Ruidoso that Chapter 22; Section 31 is hereby amended by the addition of new text and modification or deletion of existing text as follows:

**Bold Underline** is text that is proposed for adoption. **Strike-out** is language deleted.

Chapter 22 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. - BUILDING CODES

Sec. 22-31. - Building, electrical, plumbing, and mechanical codes adopted, amendments.

(a) There is hereby adopted by the village for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures, and providing for the issuance of permits and collection of fees there for, and providing penalties for the violation thereof, the 2015 International Residential Code (2015 IRC); the 2015 International Building Code (2015 IBC); the 2017 National Electrical Code (2017 NEC); the 2015 Uniform Plumbing Code (2015 UPC); the 2021 Uniform Plumbing Code (2021 UPC); the 2015 Uniform Mechanical Code (2015 UMC); the 2012 Uniform Mechanical Code (2012 UMC); the 2015 Uniform Solar Energy Code (2015 USEC); the 2012 Uniform Solar Energy Code (2012 USEC); the 2015 Uniform Swimming Pool, Spa, and Hot Tub Code (2015 USPSHTC); the 2012 Uniform Swimming Pool, Spa, and Hot Tub Code (2012 USPSHTC); the 2017 International Existing Building Code (2017 IEBC); the NMAC 10.25.5 Fire Code; the 2009 International Energy Conservation Code (2009 IECC); the 2018 International Energy Conservation Code (2018 IECC); including but not limited to any amendments to the provisions of the above described codes which are adopted by the State of New Mexico, whether such amendments are adopted as of or subsequent to the effective date of the ordinance codified in this section.

Exception: New Mexico Administrative Code section 14.7.3.9 B. (5) (f) Appendix Q – Tiny Houses

(1) All construction code references from other parts of the Ruidoso Code, which refer to previous versions of construction codes, shall be considered to be referencing this section. In
the event of any conflicts in references or requirements elsewhere in the Ruidoso Code, the codes in this section shall prevail.

(2) Such codes are hereby adopted and incorporated as fully as if set out at length in this chapter, except as to the section of the code relating to building permit fees, which fees shall be in accordance with section 22-34. The 2015 IRC, the 2015 IBC, the 2017 NEC, the 2015 UPC, the 2021 UPC, the 2015 USPHTC, the 2012 USPHTC, the 2012 USEC, the 2015 USEC, the 2015 UMC, the 2021 UMC, the 2009 IECC, the 2018 IECC, the 2015 IEBC, the NMAC 10.25.5 Fire Code; and the building permit fees established by this chapter shall be in force from the date on which this article shall take effect, and the provisions thereof shall be controlling within the limits of the village and the extraterritorial planning and platting jurisdiction of the village as they currently exist or may be modified in the future as provided by law.

(3) The following appendices of the International Fire Code referenced in NMAC 10.25.5 are hereby adopted:
   c. Appendix D, Fire apparatus access roads or as determined by authority having jurisdiction.

(b) The codes adopted by subsection (a) of this section are amended as follows:
   (1) Nonrated roof coverings and special purpose roofs, other than mineral aggregate surface built-up roofs, are prohibited. An existing wood shake or wood shingle roof shall be replaced with a roof in compliance with this provision if the cost of repair exceeds $500.00 or if the area repaired exceeds 20 percent of the area of the roof.
   (2) Water conservation local amendments.
      a. Potable water use fixtures shall comply with subsections 22-31(a) and 86-31(j).
      b. A Ruidoso water conservation form shall be completed and submitted at or before the plumbing inspection final approval.
   (3) Gas piping.
      a. All low-pressure gas piping, up to two psi, shall be tested with a minimum of ten psi using an approved test gauge with maximum of one-tenth pound increments.
      b. All medium and high-pressure gas piping and low, medium and high pressure welded gas pipe (maximum 30 psi) shall be tested with a minimum of 60 psi or one and one-half times the operating pressure, whichever is greater, using an approved test gauge with maximum of one pound increments.
   (4) Room heaters. Unvented fuel-burning room or water heaters shall not be installed in any building, whether new or as a replacement. Unvented fuel-burning room or water heaters shall not be used, maintained, or permitted to exist in a Group I or R occupancy.
   (5) Air admittance valves. Air admittance valves shall be specifically prohibited; except at the exterior when permitted by the building official.
   (6) Fireplaces. New solid-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.
   (7) Accessory structures over 120 square feet require a building permit for residential and commercial use and shall meet the requirements as provided in this article or this Code.
   (8) Site built shower pan(s) and wall(s) may be constructed or rebuilt by MM-98, MM-1, GB-98, GB-2, and approved GS-29 licensed contractors, or homeowners for their primary residence. The
permit issuance for such work shall be issued as a building or plumbing permit, depending on
the applicant.

(9) Grading and drainage.

a. Final grading. No certificate of occupancy or final building approval shall be issued
until final grading has been completed in accordance with the approved plans or site
conditions. Erosion controls such as vegetation, check dams, riprap, etc., shall be
installed prior to final inspection.
b. Drainage. Parcels shall be laid out to provide the required drainage away from all
buildings. Drainage shall be coordinated with the general storm drainage pattern for the
area. Drainage shall be designed and provided to avoid concentration of storm drainage
water from each parcel onto adjacent parcels.
c. Alteration of existing grading and/or drainage conditions on parcels shall require a
building permit.
d. Exemptions.

1. Grading in an isolated, self-contained area less than 500 square feet, provided
there is no danger to the public, and that such grading will not alter the existing
drainage and terminates in an approved manner or location.
2. Excavation under a current permit.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavation for wells or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling sand, rock, gravel,
aggregate, or clay controlled by other regulations, provided such operations do
not affect the lateral support of, or significantly increase stresses in, soil on
adjoining properties.
7. Exploratory excavations performed under the direction of a registered design
professional.
8. Land clearing, grading, filling, sandbagging, diking, ditching, or similar work
during or after periods of extreme weather or other emergency which have
created situations such as flooding or high fire danger that present an
immediate danger to life or property.

(10) Minimal dwelling unit is a single-family dwelling with a minimum of 150 feet \(^2\) and a
maximum of 450 feet \(^2\) and complies with subsection (a) of this section but shall be amended as
follows.

a. Minimum interior clear dimensions include:

1. 150 feet \(^2\) of habitable area on one story minimum (120 feet \(^2\) minimum of
habitable area for the main room).
2. Seven feet minimum interior finished width.
3. A loft of habitable space shall meet the requirements of subsection (a) of this
section.
   i. Minimum loft area and dimensions. Lofts used as a sleeping or living
space shall meet the minimum area of 49 ft\(^2\) and dimension
requirements of Sections R304.2 and R305 of the IRC.
Exemption: May have a ships ladder (per requirements) for access and egress up to one bedroom and bathroom group of 120 feet² or less and has an emergency egress as required by section R310 of the IRC.
4. Two stories maximum above grade plane.
Exemption: May have a basement in compliance with subsection (a) of this section.
b. Must contain cooking facilities (minimum of a permanently installed cooking range or cook top containing one burner) and a kitchen sink (separate from bathroom vanity).
c. Must contain bathing facilities (shower and/or tub, water closet and vanity) water closet and shower and/or tub required to be separated from kitchen by a tight-fitting door. A vanity is required but not required in the same room as water closet and shower and/or tub. Finished interior of shower compartments may be 30 inches by 30 inches minimum (900 inches²) (or a 30-inch circle fit inside of finished area of shower but still has 900 square inches minimum).
d. Minimal dwelling units shall be approved in zoning districts; AR-1, C-1, C-2, M-1, M-2, R-1 and R-2, or as provided elsewhere in this Code.
(11) Structures and buildings constructed using continuous concrete footings/foundations shall have one #4 rebar at the top and bottom of the footing or one #5 rebar near the bottom or two #4 at 1/3 points in footing of "T" type footing and stem wall foundations. Reinforcement shall be installed per subsection (a) of this section. Slabs on ground not poured monolithically with the footings, shall have #3 rebar dowels with standard hooks installed 48 inches on center per figure IRC R403.1.3 or similar as approved by the building official.
(12) Potable rainwater catchment systems shall be designed by an approved registered New Mexico design professional.
(13) Inspections shall be completed in the order as required by the building official. Interior rough electrical and mechanical work and materials or other materials that may be damaged by weather such as drywall, insulation, etc.; shall not be installed prior to the project and/or work area being weather tight.
(14) Commercial projects permitted in C-3 zoning district (chapter 54 of the Ruidoso Code),
a. Accessible restroom requirements are considered to be met by Village of Ruidoso maintained public restrooms.
Exception:
1. Lots in C-2 zoning districts with 500 feet or less travel distance of a Ruidoso maintained public restroom, may apply for a variance under the Ruidoso code per the variance requirements in chapter 54 of the Ruidoso Code.
2. Residual occupancy structures (per International Building Code)
b. Accessible parking and standard parking requirements are considered to be met by Village of Ruidoso maintained public parking.
Exception:
1. Lots in C-2 zoning districts with 500 feet or less travel distance of a Ruidoso maintained public parking lot may apply for a variance under the Ruidoso code per the variance requirements in chapter 54 of the Ruidoso Code.
2. Residential occupancy structures are to comply with section 22-31. (a) and section 54 of this code.
(15) Decks that are not more than 30 inches (762 mm) measured vertically from the deck surface above to grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side(s) of decks shall not be required to meet the lateral load connection requirements of IRC 507.2.4.

(16) New commercial construction or additions which are 2,500 square feet or less are exempt from the requirements for geotechnical investigations unless otherwise required by the building official or per IBC requirements on expansive soil or ground-water table elevation.

(17) A damage investigation inspection shall be required when a structure receives damage, other than small cosmetic damage, from fire, snow, water, tree, wind, vehicle or other similar type causes to any trade system within the structure. The investigation shall be permitted and paid prior to inspection. The permittee shall receive a copy of the investigation inspection report after inspection report is processed.

(18) A foundation/footing recertification by a New Mexico approved registered surveyor or engineer shall be required on projects at the time of stem wall/slab/post setting for projects, except additions to existing residential structures or ancillary structures thereto which can be readily verified by the building official and planning administrator as being substantially within required setbacks and outside easement areas, the planning administrator or the building official may waive the survey requirement and allow the inspector to verify the setbacks on approved plot plan using property stakes or other approved markers.

(19) A building permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

Examples:
  a. Natural gas.
  b. Electricity.
  c. Cellular.
  d. Telephone.
  e. Internet.
  f. Sewer.
  g. Water.
  h. Cable.
  i. Television.
  j. Radio.

Exception: Shall meet the requirements of chapters 54 and 86 of the Ruidoso Code.

(Code 1985, § 8-1-1; Ord. No. 2007-04, 4-24-07; Ord. No. 2009-10, 6-9-09; Ord. No. 2010-10, 9-14-10; Ord. No. 2015-08, 9-15-15; Ord. No. 2016-03, § 1, 2-9-16; Ord. No. 2017-07, § 1, 6-13-17)

Passed, Approved and Adopted this ____ day of_______________, 2022.

___________________________________
Lynn D. Crawford, Mayor

(SEAL)
ATTEST: ________________________________

Ronald L. Sena, Village Clerk
VILLAGE OF RUIDOSO

ORDINANCE 2022-xx

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCE;
CHAPTER 54 LAND USE ARTICLE IV-FLOOD HAZARD REGULATIONS SECTION 327 BASIS FOR
ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD:

WHEREAS the Governing Body of the Village of Ruidoso is updating the Land Use ordinance within the Village of Ruidoso; and

WHEREAS additional FEMA resources have become available over time; and

WHEREAS the Village, in assistance to the Floodplain managers, is providing additional tools to assist in the floodplain management process; and

WHEREAS, the Governing Body of the Village of Ruidoso has determined that these amendments are necessary; and

WHEREAS the Governing Body of the Village of Ruidoso conducted a duly advertised public hearing to consider this ordinance on.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Village of Ruidoso that Chapter 54 section 327 is hereby amended by the addition of new text and modification or deletion of existing text as follows:

**Bold Underline is text that is proposed for adoption. Strike-out is language deleted.**

Chapter 54 – LAND USE
ARTICLE IV. – FLOOD HAZARD REGULATIONS
Sec. 54-327- BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Ruidoso," dated November 5, 2014, with accompanying flood insurance rate maps and flood hazard boundary-floodway maps, and any revisions thereto, are hereby adopted by reference and declared to be a part of this article.

These additional resources can be used by the Floodplain Manager for the purpose of issuing a floodplain permit or determining floodplain BFE’s or other required floodplain determination elements.

a) estBFE Viewer
b) inFRM tools (interagency flood risk management)
Passed, Approved and Adopted this ____ day of_______________, 2022.

___________________________________
Lynn D. Crawford, Mayor

SEAL


ATTEST:

___________________________________
Ronald L. Sena, Village Clerk
VILLAGE OF RUIDOSO

ORDINANCE 2022-xx

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCE;
CHAPTER 54 LAND USE, ARTICLE II- ZONING, DIVISION 5 SIGNS TO AMEND AND STRENGTHEN LANGUAGE:

WHEREAS, the Governing Body of the Village of Ruidoso is updating the Sign ordinance within the Village of Ruidoso; and

WHEREAS, the Governing Body of the Village of Ruidoso has determined that these amendments are necessary; and

WHEREAS the Governing Body of the Village of Ruidoso conducted a duly advertised public hearing to consider this ordinance on.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Village of Ruidoso that Division 5-Signs is hereby amended by the addition of new text and modification, or deletion of existing text as follows:

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<th>is text that is proposed for adoption.</th>
<th>Strike-out</th>
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Chapter 54 -LAND USE
ARTICLE II. – ZONING
DIVISION 5- SIGNS

Sec. 54-181. - Purpose of division.

(a) The purpose of this division is to protect and promote the general welfare, health, safety and order within the village through standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public rights-of-way or properties. The regulations set forth in this division are intended to preserve the special qualities inherent in the village that attract tourists and residents alike, and that are the basis of the village's economic stability and growth.

(b) The provisions of this division are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this division, while at the same time ensuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

The purpose of this part is to promote the public health, safety and general welfare through reasonable, consistent, and non-discriminatory sign standards. The sign regulations in this section are not content based, but rather regulate the adverse secondary effects of signs, particularly those that may adversely impact aesthetics and safety. In order to preserve and promote the Village of Ruidoso
as a desirable community in which to live, visit, play, and do business in a pleasing, visually attractive environment, safe for motorists and pedestrians, these regulations are intended to:

A. Promote an attractive “built environment”, successful commercial districts, and a healthy local economy while working to incorporate contemporary products, technology and marketing practices and improve understanding, application, flexibility and enforcement of sign regulations and standards.

B. Highlight the positive contribution signs can make to create a sense of place in the community and ensure that new sign design standards will allow commercial business to function efficiently and effectively.

(Code 1985, § 10-6-1; Ord. No. 97-07, § 1, 7-29-97)

Sec. 54-182. - Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ABANDONED SIGN: Any sign that advertises a business, lessor, owner, product or service or activity that is no longer located on the premises where the sign is displayed or is in disrepair or structurally unsound with potential to cause health, safety and welfare issues.

ANIMATED SIGN: A sign which has any visible moving part, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that moves, changes, flashes, osculates or visibly alters the appearance in a manner that is not permitted by these regulations.

AWNING SIGN: A sign painted on, attached to or supported by a shelter extending from the exterior wall of a building and composed of non-rigid materials except for the supporting framework (an awning).

BANNER: A temporary sign having character, letters, illustrations or ornamentations applied to cloth, paper, fabric or other lightweight non-rigid material, with only such material for a backing, which projects from, hangs from or is affixed to a building, private light pole or a wire. The display surface shall not have blinking or flashing lights, nor be illuminated, animated or constructed of reflective material. Banners include decals, painted imagery, cable-hung banners and wave banners.

BILLBOARD: A sign which directs attention to a business, activity, commodity, service, entertainment or communication which is not conducted, sold or offered at the premises on which the sign is located, or which does not pertain to the premises upon which the sign is located.

BLADE/FLAG/FEATHER SIGNAGE: A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand used for advertisement purposes.

BUILDING LENGTH: The number of linear feet of the exterior wall of the side of the building where the sign is placed.
BUILDING PLAQUE: A plaque designating names of buildings, occupants and/or date of erection and other items such as architect, contractor or others involved in the building creation cut into or attached to the building.

CANOPY: A permanent roof-like shelter either not attached to or requiring support from an adjacent structure.

CANOPY SIGN: A permanent sign attached to a canopy or affixed to the sides of a canopy structure. These signs may be below a projecting structure which extends over the pedestrian walkway.

CHANGEABLE COPY SIGN: A sign or portion of a sign on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system.

CIVIC OR COMMUNITY EVENTS: Any planned gathering on public property consisting of 50 or more people or any sized event which blocks/reserves access to public property/right-of-way.

CONSTRUCTION SIGN: A temporary sign erected on premises under construction, during the period of construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the construction project.

CORPORATE FLAG: Any flags other than national, state or City flags which have copy or logos.

COORDINATED SIGN PLAN (CSP): A coordinated plan or program for all signs, including temporary signs for a business, or businesses located on a development site. The CSP shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles and sign types of all signs to be installed on a site.

DECORATIVE FLAG: Flags with no copy or logos.

DIRECTIONAL SIGN: A permanent sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

DIRECTOR (FREESTANDING): A sign directing users or patrons around a property or center. Examples include but not limited to office building directories, builder/developer directories and commercial center directories.

ELECTION SIGN: A sign designed for the purpose of supporting or opposing a candidate, issued, proposition or other measure at an election or for any other noncommercial expression no related to the advertisement of any product or service or the identification of any business.

ELECTRONIC MESSAGE CENTER (EMS): A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

EXTERNAL USAGE SIGN: Signs for goods or services normally provided outside of the principal structure. Examples include drive-through lanes, automated teller machines, carwash and gas station vacuums.
FREESTANDING SIGN: A sign which is not attached to a building and is permanently affixed in or upon the ground on one or more structural supports. A freestanding sign shall include, but is not limited to, a pole, monument or low-profile type sign.

FLASHING: A pattern of sudden alternation between a fully illuminated message and a message without illumination, or a message where the copy color and the background color alternate or reverse color schemes rapidly.

GAS ISLAND SIGN: Includes signs on the gas pump, pump topper and additional signage on the island.

GOVERNMENTAL SIGN: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulations.

HUMAN SIGN: Signs that are being carried by people and do not block vehicular or pedestrian traffic.

ILLEGAL SIGN: A sign without proper approval or permits as required by this code at the time of sign placement. “Illegal sign” shall also mean a sign placed contrary to the terms or time limits of a permit and a nonconforming sign which has not been brought into compliance with any applicable provisions by this code.

INFLATABLE DISPLAY: A sign consisting of a flexible material envelope of non-porous material inflated or shaped from inserted air or other gas and used to promote special events, grand openings, sales, and business transitions. Inflatable displays include air or gas blown devices that wave, lightly or rapidly, in an irregular manner and portable inflatable billboards. Inflatable displays shall not be permitted to have a sound system inflatable display do not include individual latex balloons under eighteen inches (18") in size.

INTERPRETIVE SIGN: A sign that demonstrates or interprets the natural or historical surroundings of a place (a preserve, a national park, a scenic view or historic place/monument) to its visitors.

MENU BOARD/DRIVE-THROUGH: A sign, permanently mounted, which lists the products or services available at a drive-in or drive-thru facility. The sign is not legible from the right-of-way.

MESSAGE: A complete, static display message on an EMC.

MESSAGE HOLD TIME: The time interval a static message must remain on the display before transitioning to another message.

MODEL HOME SIGN: A sign on or in front of a residential structure that is used as an exhibit, not a private residence or a property that has been used as a private residence, to advertise or market it or other houses.

MONUMENT SIGN: A sign identifying a particular area or development. A subdivision monument can pertain to a residential, office, industrial or commercial subdivision.

MOTOR VEHICLE SIGN: A sign affixed to an operating motor vehicle that is used as a part of the business operation.

MURAL: A picture on an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business located on the premise.
NONCONFORMING SIGN: A sign which was validly placed under laws or ordinances in effect at the time of its placement, but which conflicts with the current provisions of this Zoning Code.

OFFICIAL LEGAL NOTICE: Signs that are erected or issued by any governmental agency, court, public body, person or officer in performance of a public duty or in giving any legal notice, including signs that are required to be posted to give notice of pending action pursuant to the Village of Ruidoso Municipal Code, as amended.

OFF PREMISE SIGN: A sign used for promoting an interest of a business, individual, products, or services available on the premises where the sign is located. This excludes tenant signage within a commercial center or signage established through a CSP and advertising businesses within the CSP area.

ON PREMISE SIGN: A sign used for promoting a business, individual product or service available on the premises where the sign is located or any sign promoting businesses within a coordinated sign plan.

PERMANENT SIGN: A sign permanently affixed or attached to the ground or a structure or which cannot be removed without special handling.

PORTABLE SIGN: A sign that is not permanently anchored or secured to a building and not having supports or braces permanently secured in the ground, including but not limited to “sandwich boards”, A-Frame, inflatables, signs mounted on wheels or stand as to be capable of being moved.

PRIVATE NOTIFICATION SIGN: A sign that regulates actions on private property. Examples include “No Trespassing”, “Beware of Dog”, etc.

PROJECTING SIGN: A sign which projects from and is supported by a wall or parapet of a building with the display surface of the sign in a plane perpendicular to or approximately perpendicular to the wall.

REAL ESTATE SIGN: A nonpermanent sign pertaining to the sale, exchange, lease, rental, or availability of land, buildings, townhome, condominiums and similar units, or apartments. Signs may include building name and address, price and amenities, identity of seller or broker, and similar information.

Sign means any display to the public view of letters, numerals, emblems, logos or any parts or combination thereof, designed to inform, advertise or promote merchandise, services or activities. Sign content shall pertain only to the business, industry or pursuit conducted. Signs are required to be printed on approved sign material excluding vinyl or banner materials. Plywood with or without spray paint is prohibited as sign material.

Signage means the eligible area allowed.

SIGN STRUCTURE: Construction or framework of identifiable elements being of components, entities, factors, members, parts, steps, etc., which gives form and stability and resists stresses and strains.

SIGN AREA: An exterior display surface of a sign including nonstructural trim exclusive of the supporting structure.

TEMPORARY SIGN: Any sign or advertising display located outside of a building, in windows, or on public right-of-way constructed of cloth, wood, canvas, light fabric, paper or other light materials with
or without frames intended to be displayed for a limited time only and are not permanently mounted advertising a special event, campaign, community or civic projects or other special events on a temporary basis.

TRANSITION DURATION: The time interval it takes the display to change from one complete static message to another complete static message.

TRANSITION METHOD: A visual effect applied to a message to transition from one message to the next. Transition methods include:

A) DISSOLVE: A frame effect accomplished by varying the light intensity or pattern, in which the first frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second frame.

B) FADE: A frame effect accomplished by varying the light intensity, where the first frame gradually reduces intensity to the point of not being legible (i.e. fading to black) and the subsequent frame gradually increases intensity to the point of legibility.

WALL SIGN: A sign mounted on or fastened an exterior wall of a building and projecting not more than fifteen (15) inches.

WINDOW SIGN: A sign or message affixed to a window visible to the public from the right-of-way promoting products or events of the business location.

WORK OF ART: Art which in no way identifies a product, business, or enterprise and which is not displayed in conjunction with the commercial enterprise on the property.

YARD SIGN: A sign displayed in a yard that communicates a non-commercial message.

Code 1985, § 10-6-2; Ord. No. 97-07, § 1, 7-29-97)

Cross reference— Definitions generally, § 1-2.

Sec. 54-183. - Permit required.

All signs being permanent, temporary, banners, blade/flag/feathers and such similar signage erected within the village must be reviewed and approved by the appropriate officer of the village Community Development Department prior to being placed on any building, pole or other structure, except as otherwise provided in this division. Permits shall be issued for all approved signs and shall be maintained on the premises where the sign is displayed, except that permits for off-premises signs shall be maintained on the premises of the permittee. Failure to obtain a sign permit is a violation of this division.

(Code 1985, § 10-6-3; Ord. No. 97-07, § 1, 7-29-97)

Sec. 54-184. - Enforcement officers.
This division shall be enforced by any employee designated by the village manager, the Code Enforcement Officers.

(Code 1985, § 10-6-4; Ord. No. 97-07, § 1, 7-29-97)

Sec. 54-185. - Application for permit.

The application form for a sign permit shall be obtained from the enforcement officer, Community Development Department and shall require the following information:

1. The name and address of the owner of the sign and sign installer.
2. The name of the business and the location of the sign (address).
3. A drawing of the sign, indicating size, materials, texture and finish and illumination to be used.
4. A site plan showing where the sign will be located on the premises, as well as all other signs existing on the premises. Sign plans will not be approved for new signs proposed on property where illegal signs exist.
5. Indication on the site plan of the location of buildings on the site and the dimension and area of building frontages.
6. Written consent of the owner of the building, structure, or land on which the sign is to be erected.
7. Any electrical or building permit shall be required and issued to be submitted by the licensed contractor for such sign prior to the installation or erection of sign.
8. The contractor's name, address, and license number, where applicable.
9. Sign Type.

(Code 1985, § 10-6-5; Ord. No. 97-07, § 1, 7-29-97)

Sec. 54-186. - Responsibilities of the permittee.

(a) It is the responsibility of the permittee to comply with all provisions of this division and sections 54-37 and 54-38, as may be applicable.

(b) It is the responsibility of the permittee to be aware of and obtain any license, permit and/or inspection required under the Construction Industries Licensing Act, NMSA 1978, §§ 60-13-1 to 60-13-59, or the construction industries division rules and regulations of the state. Enforcement of any such rules or regulations shall be by the appropriate state inspectors.

(c) It is the responsibility of the permittee to comply with all provisions of the rules and regulations required by the New Mexico Department of Transportation regarding involving the placement of any sign within the Department of Transportation right-of-way.

(Ord. No. 97-07, § 1(10-6-6), 7-29-97)
Sec. 54-187. - Inspections generally.

The building inspector shall inspect, as he deems necessary, and subject to section 54-186, each sign regulated by this division for the purpose of ascertaining whether such sign is secure or insecure, or in need or repair and for compliance with the requirements of this division. The applicant must call for final inspection on all signs permitted pursuant to this division.

(CODE 1985, § 10-6-7; Ord. No. 97-07, § 1, 7-29-97)

Sec. 54-188. - Appeals.

(a) Any sign permit application which is rejected, for any reason, by the enforcement officer Community Development Department may be appealed to the Planning Commission. The applicant shall submit, in writing, a request to be placed on the planning commission agenda within five working days of the rejection. The appeal will be scheduled for the next Planning Commission meeting, provided the planning commission agenda deadline has not passed, in which event the matter will be scheduled for the next regularly scheduled Planning Commission meeting.

(b) Any denial by the Planning Commission may be appealed to the council by submitting a written request to the Village Clerk within 15 days of the rejection.

(CODE 1985, § 10-6-8; Ord. No. 97-07, § 1, 7-29-97)

Sec. 54-189. - Permit fee; invalid permits; inspection upon completion of construction.

(a) The fee for a sign permit for permanent signage shall be set from time to time and is listed in the fee schedule in appendix A to this Code.

(b) The fee is due at the time the application is approved.

(c) A sign permit shall be issued at the time the fee is paid.

(d) The fee shall be waived where only a change of copy is being made for an existing business.

(e) A sign permit shall become null and void:

(1) If the sign for which the permit was issued has not been completed and erected within a period of six months after the date of the permit.

(2) Thirty days after a business closes or ceases to operate if no new business is established at that location. It shall be the responsibility of the owner of the building to see that any sign is removed which pertains to a business which has closed.

If the owner does not remove signs as provided under section 54-193, the Code Enforcement Officer will follow the procedures outlined in section 54-195 to effect removal.

(f) Subject to the provisions of section 54-187, final inspection is required on completion and installation of all signs to determine that the sign conforms to the permit issued pursuant to the provisions of this division. The sign permit applicant is responsible for obtaining final inspection, and failure to do so will constitute a violation with penalties as prescribed under section 54-38(d).

(CODE 1985, § 10-6-9; Ord. No. 97-07, § 1, 7-29-97)
Sec. 54-190. - General regulations.

(a) Moving of signs; changing copy. Moving an approved sign to a new location or changing copy on an existing sign shall require a new permit, except for signs with movable letters as described in section 54-191(a)(7). The appropriate enforcement officer Community Development Department shall be notified prior to the move or change in order to:

(1) Ascertain that the sign meets the conditions of this division.
(2) Update records.

(b) Permit not required for painting, cleaning, or repair. Maintenance consisting of painting, cleaning or repair of an existing sign does not require a new permit unless a structural or copy change is made.

(c) Maintenance required. Maintenance of signs consisting of painting, cleaning or repair is required to maintain signs in the same condition and appearance as when originally installed.

(d) Erection of signs on or over public property. No sign shall be erected or maintained on or over public property, unless licensed by the council, subject to approved criteria. However, wall signs may project over a front property line when the building wall is less than one foot from the property line, provided that such sign shall not impede or endanger pedestrians or vehicular traffic and shall project no more than one foot from the wall.

(e) Special encroachments. Special encroachments on Highways 48 and 70 may be allowed by the state highway and transportation department, such as decorations and banners advertising special events when erected by governmental authorities. Encroachments may be allowed for a limited time provided they provide minimum 18-foot clearance and do not interfere with traffic control devices and signs.

(Code 1985, § 10-6-10; Ord. No. 97-07, § 1, 7-29-97; Ord. No. 98-12, 5-26-98)

Sec. 54-191. - Regulations for specific signs and uses, size limitations.

(a) Sign types.

(1) Freestanding signs.

a. A freestanding sign shall not exceed 35 feet in height and must have at least eight feet between the base of the sign and the ground and may not restrict view of traffic. Freestanding signs shall not exceed 150 square feet in area except for shopping center signs as provided under subsection (b)(5) of this section, or as approved by the planning commission.

b. An area directly under the freestanding sign shall be landscaped at the base of the sign.

c. The premises around the freestanding sign shall be maintained by the sign owner in a clean, sanitary, and inoffensive condition and shall be free and clear of obnoxious substances, rubbish and weeds.

d. A minimum sight line triangle measured 20 feet along the right-of-way line from the base of the sign and ten feet in depth at a right angle to the right-of-way line 20 feet in distance from the base of the sign shall be maintained.
(2) Projecting signs. The bottom of projecting signs shall be at least eight feet above the ground or sidewalk and shall not project more than four feet from the supporting wall. No projecting sign may rise above the roofline or parapet, and signs may not project into the public right-of-way.

(3) Hanging signs. The minimum height to the bottom of a hanging sign shall not be less than eight feet above the ground or sidewalk, and signs shall be not more than six inches thick. Hanging signs shall be secured, fastened to support beams, and supported by heavy chain or material of like strength.

(4) Wall signs. Maximum projection of a wall-mounted sign shall be six inches, unless the bottom of the sign is at least eight feet above the ground or sidewalk, in which case the maximum projection shall be 12 inches.

(5) Window signs. Permanent signs painted affixed in a window shall be measured by the area enclosed within a sign border, or if no border exists, the area of the minimum imaginary rectangle enclosing the words and symbols and spaces between them. Neon or similar sign devices mounted in a window area shall be measured on the same basis. Window signage visible from public right-of-way will be calculated in the allowable signage for the commercial premises.

(6) Marquees. Maximum projection of marquees shall be eight feet from the supporting wall, and there must be not less than ten feet from the bottom of the marquee to the ground or sidewalk. The marquee may not be erected or maintained on or above the public right-of-way.

(7) Signs with movable letters. The movable letter portion of any one sign shall not exceed 70 percent of the total area of that particular sign, except for electronic message center signs which are allowed full movement of the sign message.

(8) Ground signs. Ground or low-profile signs shall only be permitted when set back a minimum distance of ten feet from the property line. Signs may be installed at or above grade level. Ground signs shall not be installed within the sight line triangle of streets or driveways and shall not restrict view of traffic. Ground level signs shall not exceed 100 square feet in area, except for shopping center signs as provided under subsection (b)(5) of this section or as approved by the planning commission. Ground sign installation shall conform to the provisions of subsections (a)(1)b and c of this section.

(9) Canopy and awning signs. Signs on canopies and awnings shall be measured by the area enclosed by a border or imaginary triangle enclosing the words, symbols, or spaces between them. Awnings may be constructed of canvas, plastic, or similar materials.

(10) Banner signs. A banner sign is a sign printed on lightweight, flexible material such as cloth, canvas, or plastic. Each business shall be allowed a banner four times per calendar year in increments up to fourteen consecutive days, not to exceed a total of 56 days per year. A permit fee set from time to time and listed in the fee schedule in appendix A to this Code will be required per each 14-day period. Banners shall not exceed a total of thirty-two square feet. Banners shall be attached flat against a wall or structure of the business, which is permitted for such banner, or between the supports of a permitted freestanding sign. Banner area does not count against allowable sign area.

(11) Neon signs. Neon signs or similar tube signs are permitted sign types. Sign area shall be measured by the area enclosed within a sign border, or if no border exists, the area of a minimum imaginary rectangle enclosing the words, symbols, and spaces between them.
(12) **Blade/Flag/Feather signage shall be limited to two per business located out of the C-3 Midtown Commercial District.**

(13) **HUMAN SIGN: Signs that are being carried by people and do not block vehicular or pedestrian traffic.**

(b) **Sign sizes; regulations for specific uses.** Seventy percent of the total allowable signage must be permanent signs. The remaining 30 percent may be devoted to signs of a temporary nature if not otherwise prohibited by this division. Sign permits shall be obtained for both permanent and temporary signs.

(1) **Commercial businesses, all categories.** The amount of signage shall be computed using the formula 0.076 times the square footage of the front of the building as designated by the owner or leaseholder. This amount of sign footage may be used as wall mounted, freestanding or a combination of both. The amount of signage for a business conducted on a property which has no permanent business structure or structures of less than 250 square feet shall be allowed one freestanding sign based on the linear feet of lot frontage, as follows:

<table>
<thead>
<tr>
<th>Lot frontage (linear feet)</th>
<th>Sign area (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0—150</td>
<td>32</td>
</tr>
<tr>
<td>150—300</td>
<td>64</td>
</tr>
<tr>
<td>301—600</td>
<td>100</td>
</tr>
</tbody>
</table>

Lots in excess of 600 linear feet shall be allowed two freestanding signs, provided that signs are separated by a minimum distance of 300 linear feet.

(2) **Corner lots.** In addition to signs allowed on the front of buildings, wall-mounted signs only shall be allowed on the side of a building which fronts on a side street. Square footage shall be determined by using the formula of 0.076 times the square footage of the designated side of the building. This sign area may not be transferred to any other area of the premises.

(3) **Churches.** Churches shall apply for approval of their signs and shall be allowed square footage as determined by using the formula of 0.076 times the square footage of the designated front of the building.

(4) **Buildings with multiple tenants.** In cases of more than one business located within one building (but less than four businesses), the owner of the building shall determine the percentage of the total allowable sign size which each business within the building is allowed. The total amount of
square footage of signs erected, for all businesses within the building, shall not exceed the total amount allowed as determined by the formula.

(5) **Shopping centers.**

a. To be designated a center, four or more shops or businesses must be on the premises. Shopping centers may be comprised of one or more tracts or ownerships maintaining a center identity under written agreement.

b. A center is allowed one freestanding sign for the purpose of identification of the center and of the businesses therein.
   1. The size of the freestanding sign shall be computed from the formula of one square foot of sign space per each linear foot of the designated front of the property, with a maximum of 200 square feet allowed.
   2. At least 50 percent of the center sign shall designate the shopping center, and the remaining 50 percent shall or may be used for riders to advertise the individual businesses within the center.

c. A center is also allowed wall-mounted signs using the formula of 0.076 times the square footage of the designated front of each building, as in provided in subsection (b)(1) of this section.

d. Individual businesses within shopping centers in the C-3 business district may have one projecting sign pursuant to subsection (a)(2) of this section, provided that such sign shall not exceed ten square feet and shall not project into the traveled roadway.

e. A temporary freestanding on-site sign may be allowed for a business within a center prior to erection of a center sign. Such temporary sign shall be removed within 30 days following construction of a center sign. Temporary signs must be joint signs with other businesses within the center wherever possible.

(6) **Across-street banners.**

a. The maximum size allowed shall be three (3) feet by thirty (30) feet on street banners advertising a community or civic event as defined in subsections 54-194(11)b and (11)c and at a location approved by the council and the state highway and transportation department district office in the village.

b. There shall be one approved location on Mecham and one approved on Sudderth Drive for across-street banners. The council shall approve the poles used to support such banners.

c. A banner may be displayed up to 14 days prior to an event and must be removed within three days after the event.

d. Applications shall be submitted to the village manager at least 90 days prior to the event. The village manager shall develop policies, and the manager (or designee) shall resolve conflicting requests in a fair and equitable manner.

1. (7) **Civic and quasipublic off-premises signs.** Community or civic events advertised at the above locations shall be those which are either sponsored by non-profit organizations, approved for expenditures of lodger's tax funds, or approved by the village council according to the lodgers' tax criteria of chapter 2, article IV, division 3. The village council may authorize additional locations for banner display within the areas approved for community or civic events to facilitate crowd control. Banners provided to sponsor of
Community or civic events may contain a logo or other donor identification of not more than ten percent of the banner area. Only community or civic events being advertised will be allowed to be displayed upon portable A Frame signs.

a. Off-premises name, directional and information signs of service clubs, places of worship, civic organizations and quasi-public uses shall not be more than four square feet in area. Sign height shall not exceed 16 feet.

b. If a need exists for more than one such sign at one location, all such signs must be consolidated and confined within a single frame. Banners advertising community or civic events maintained for a temporary period of not in excess of one month prior to the event and not more than seven days after the close of the event are allowed. Banner shall not exceed 32 square feet and shall be limited to the following locations:

   a. School House Park, tennis court area.
   b. Two Rivers Park, Chamber office.
   c. Free parking lot, Midtown area.

(8) Commercial, off premises directional signs.

a. No off-premises sign shall be nearer than 200 feet to any other off-premises sign. There shall be no more than one off-premises sign per location. Commercial off-premises signs shall not be placed on any residential zoned property.

b. No directional advertising sign of the same commercial enterprise shall be nearer than one mile to any other off-premises sign advertising the same commercial enterprise. The one-mile distance shall be determined from point to point on any single highway, street, or other public thoroughfare. This provision shall not be construed as prohibiting off-premises signs within one mile of each other advertising the same commercial enterprise, where off-premises signs are located on different highways, streets, or public thoroughfares.

c. Off-premises sign areas shall not exceed 32 square feet.

d. Off-premises directional advertisement signs shall pertain only to a business conducted on a site within the village limits or within two miles extraterritorial of the village if approved by the planning commission. The area of any off-site sign, when added to the area of any existing business sign, shall not exceed the allowable sign area for the business being directionally advertised. Off-premises signs are allowed only for businesses without frontage on Highway 48, Mechem Drive, Sudderth Drive or Highway 70. Signage shall not count against allowable sign area of the property where the off-premises sign is located.

e. Off-premises signs may be placed on vacant property but shall be limited as to size based on allowable signage for property with no permanent structure as set forth in subsection (b)(1) of this section but in no event to exceed 32 square feet.

f. Businesses with allowable square footage for off-premises signage shall be limited to two signs per business.

(9) Residential signs:
a. Multifamily premises or mobile home parks with up to 24 dwelling units may have wall signs identifying the development or apartments, provided the signs are mounted flush to the perimeter wall or fence and the total sign area does not exceed 32 square feet. There shall be no more than five words which contain any character equal to or exceeding six inches in height. However, words with characters of less than six inches in height may be used without limit as to number.

b. Multifamily premises or mobile home parks with more than 24 dwelling units may have signs identifying the premises as follows: Multifamily premises may have wall- or fence-mounted signs, provided the signs do not exceed 40 square feet. Mobile home parks may have wall- or fence-mounted signs, provided the signs do not exceed 100 square feet. Multifamily premises or mobile home park wall-mounted signs may have no more than five words which contain characters equal to or exceeding six inches in height. However, there shall be no limit to words containing characters of less than six inches in height, except as limited under subsection (b)(1) of this section.

(10) Service station canopy signs. The area of signs allowable for freestanding canopies over service station service islands or like installations shall be calculated based on 1.5 times the horizontal plane of the canopy structure times 0.076. Not less than 25 percent of the allowable sign area shall be on the canopy facade. The allowable area for canopy signs shall be in addition to allowable sign area for other structures on the premises.

(11) Resort signs. Resorts shall be permitted, as conditional uses, signs in addition to those otherwise identified herein according to the following provisions:

a. Definition.

1. Resort. A resort is a hotel, under one roof or consisting of detached buildings, containing at least 200 guest rooms, together with at least seven of the following additional amenities:

Dining facilities: at least two restaurants which, together or separately, provide full meal service;

Lounge;

Gold course—18-hole championship;

Casino licensed by the State of New Mexico or qualifying as an Indian casino recognized by the State of New Mexico;

Horse or dog race track;

Tennis courts(s);

Swimming pool;

Day spa;

Retail shopping-minimum two separate shops;
Theater: performing arts or film;

Horseback riding;

Outfitting for hunting, fishing, camping, eco-tours and the like.

2. **Location**. A resort is a facility located within the municipal limits of the Village of Ruidoso or the City of Ruidoso Downs, or in the unincorporated areas of Lincoln County within two (2) miles of the village limits of the Village of Ruidoso, or within the Mescalero Apache Reservation within two miles of the Lincoln County line.

3. **Ownership**. All aspects of a resort shall be under unified ownership, except to the extent that condominium units may be separately owned.

   b. **Sign size**. Sign size shall be constrained by the structure upon which it is mounted. The structure on which the sign is mounted shall not exceed 20 feet in height nor 20 feet in width, except upon approval by the planning commission as a conditional use.

   c. **Sign location**. Resort signs may be located both on-premises and off-premises, according to other provisions of this code, provided that the square footage of the off-premise location(s) shall not count against the on-premise size limitations, and provided further that no resort sign shall be located in the C-3 (midtown commercial) district.

   d. **Sign features**. Resort signs may incorporate all features otherwise included in this code, together with industry additions such as LED signs, and the like, provided, that plastic back-lit signs and marquee signs with manually changeable letters are prohibited.

   e. **Sign structure**. All signs shall be ground-mounted or building-mounted. Pole signs are prohibited.

   f. **Landscaping**. The area immediately adjacent to the sign shall be professionally landscaped in a minimum area not less than the total size of one face of the sign structure.


Sec. 54-192. - Illumination.

(a) Light from any source intended to illuminate a sign shall be shaded, shielded or directed in such a way so that the light intensity or brightness shall not adversely affect the safe vision of pedestrians or vehicle operators on public and private streets, driveways or parking areas and shall not adversely affect any surrounding premises. Illumination from any sign shall not interfere with the effectiveness of any official traffic sign, signal or device.

(b) Signs involving the use of revolving lights, beacons, strobe lights or spotlights are specifically prohibited.

(Code 1985, § 10-6-12; Ord. No. 97-07, § 1, 7-29-97)
Sec. 54-193. - Prohibited signs.

The following signs are prohibited:

(1) Signs contributing to confusion of traffic control lighting, unauthorized signs, signals, markings or devices which purport to be or are imitations of official traffic control devices or railroad signs or signals, or signs which hide or interfere with the effectiveness of any official traffic control devices.

(2) Unauthorized signs which attempt to control traffic on the public right-of-way.

(3) Signs with audible devices.

(4) Freestanding signs with overhead wiring to supply electricity. However, off-premises signs are excluded unless underground power lines supply the site.

(5) Banners, except as otherwise allowed by this division, and portable signs of any type, including signs placed in or carried on vehicles.

(6) Canopy signs, if the bottom of the sign is less than eight feet above grade.

(7) Building-mounted signs which extend above the roofline of the building, except on approval by the planning commission. Angle irons or similar supports shall not be visible from public rights-of-way; guy wires or cables may be visible.

(8) Signs with missing letters (including approved signs with movable letters) or signs which are in a state of disrepair.

(9) No sign, except an approved banner, may hang over, or in, any public right-of-way, unless licensed by the council permitted by the Community Development Department, subject to approved criteria.

(10) Billboards or other off-premises signs relating to a business not located within the village limits or within two miles extraterritorial.

(11) Signs of temporary construction shall not be used as permanent exterior signs.

(12) Flag signs with the name of a business, name of products, words or numbers, except as provided in subsections 54-194(10) and (17).

(13) Inflatable signs and tethered balloons.

(14) **Portable signs. Only community or civic events being advertised will be allowed to be displayed upon portable A Frame signs. Portable signs may not be used for any incidental signage.**

(Code 1985, § 10-6-13; Ord. No. 97-07, § 1, 7-29-97)
Sec. 54-194. - Signs not requiring permit.

Provided they conform to all other portions of this division as provided, the following types of signs do not require a permit:

1. Nonilluminated names of buildings, dates of erection, monuments, citations, commemorative tablets and the like are allowed when carved into stone, concrete, metal or any other permanent type construction and made an integral part of an approved structure, or made flush to the ground (but not obstructing view of traffic).

2. Signs required by law or signs of a duly constituted governmental body, traffic signs or directional signs which are approved by the village council, are allowed.

3. Signs placed by a public utility for the safety, welfare or convenience of the public are allowed, such as signs identifying high voltage, public telephones or underground cable.

4. Signs upon a vehicle are allowed, provided that any such vehicle with a sign face of more than two square feet is not conspicuously parked so as to constitute a sign. Nothing in this subsection prevents such a vehicle from being used for bona fide delivery and other vehicular purposes. Motor Vehicle Signs may be placed on motor vehicles provided:
   1. Each sign must be permanently painted or affixed to the vehicle.
   2. No sign shall project more than one foot (1’) above the roof line of the vehicle to which it is attached.
   3. The vehicle upon which the sign is affixed must be used for the normal operation of the business and not primarily used to display signage.
   4. The vehicle must be moved at least once every seventy-two (72) hours.
   5. When not in use, the vehicle must be parked on the premises of the business that it advertises.
   6. The vehicle must be parked in a legal parking space.
   7. The vehicle may not block any other legally permitted signs.
   8. Special event vehicles are exempt from this subsection.

5. Holiday decorations.

6. Special political signs on private property shall be allowed up to a total area of six square feet in area for each premises in a residential zone and up to 32 square feet for each sign in a nonresidential zone. Special political signs may be erected no earlier than 45 days prior to any primary election, general election or municipal election, and they shall be removed within ten days after the election to which the sign pertains or after the termination of a candidacy, whichever occurs first. Signs shall be maintained as specified under subsection 54-190(c).

7. One construction sign shall be allowed for all building contractors, one for all professional firms, and one for all lending institutions on premises under construction. Each sign's area shall not exceed 32 square feet, and not more than a total of three such signs are allowed on the premises. Such sign shall be confined to the site of construction, construction shed or
construction trailer and shall be removed within 14 days of the beginning of the intended use of the project.

(8) [7] Real estate signs are allowed as follows when located on property for sale, rent or lease (not to be confused with the business sign on the real estate office):

a. One temporary real estate sign located on the property it refers to shall be allowed for each street frontage of developed premises or undeveloped lot of less than two acres. Signs shall be removed within 14 days after sale or complete leasing.
   
   1. In residential zones, the signs shall not exceed six square feet in area, including name identification riders. An additional add-on sign area of one-half square foot indicating that the property has been sold or leased is allowed.
   
   2. In nonresidential zones, the signs shall not exceed eight square feet in area on improved lots and 16 square feet in area on unimproved lots.

b. One temporary real estate sign not exceeding 16 square feet in area and located on the property it refers to shall be allowed for each lot of two acres or more. If the lot has multiple frontage, one additional sign not exceeding 16 square feet in area shall be allowed on the property, to be placed facing the additional frontage. Under no circumstances shall more than two sign units be allowed on the lot. Signs shall be removed within 14 days of sale or complete leasing.

c. Temporary real estate directional signs not exceeding four square feet in area, three feet in height, and four in number, showing a directional arrow and placed on private property, may be allowed on approach routes to an open house.

d. Up to two temporary subdivision identification signs located on the vacant residential property shall be allowed for each subdivision or builder's development of ten lots or more. Such signs shall not exceed 32 square feet in area, and sign height shall not exceed 35 feet. Signs shall not be displayed prior to the date of the recording of the plat and shall be removed upon completion of the project.

e. The height of real estate signs shall not exceed five feet when located in a residential zone.

(9) [8] Signs located inside a building or structure for temporary sale notices or play bills, and so located as to be conspicuously visible and readable from outside the building or structure, are allowed.

(10) [9] Signs designating "open" or "closed" are allowed, provided that they are limited to one per business and 15 square feet or less in area. **May not be displayed on portable sign structures.**

(11) Banners advertising community or civic events maintained for a temporary period of not in excess of one month prior to the event and not more than seven days after the close of the event are allowed. Banner shall not exceed 32 square feet and shall be limited to the following locations:

a. School House Park, tennis court area.

b. Two Rivers Park, Chamber office.

c. Free parking lot, Midtown area.
Community or civic events advertised at the above locations shall be those which are either sponsored by non-profit organizations, approved for expenditures of lodger’s tax funds, or approved by the village council according to the lodgers’ tax criteria of chapter 2, article IV, division 3. The village council may authorize additional locations for banner display within the areas approved for community or civic events to facilitate crowd control. Banners provided to sponsor of community or civic events may contain a logo or other donor identification of not more than ten percent of the banner area.

(12) Official national, state or village flags are allowed for any period of time.

(13) Residential name and street address signs are allowed. A resident’s name sign not exceeding three square feet in area per face shall be allowed for each house or townhome. Street address signs shall not exceed three square feet. Premises may have one freestanding sign at any location on the site; provided, however, premises with more than 750 linear feet of public street frontage may have one additional freestanding sign for each 500 feet of additional frontage or fraction thereof. However, no sign shall exceed 16 feet in height or 32 square feet per sign face.

(14) Parking or directional signs in a private parking lot are allowed, not to exceed four square feet.

(15) Business identification on vehicles used for company or business use is allowed where the sign is permanently painted on a vehicle or where the sign is magnetically attached to the side of the vehicle. Advertisement place cards may also be placed on vehicles classified as common carriers.

(16) Incidental signs. A sign, generally informational, that has a purpose secondary to the business on the lot on which it is located, such as entrance, exit, parking, loading, telephone, no smoking, user directions or instructions and other similar directions. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental. **May not be displayed on portable sign structures.**

(17) Flags containing logos or emblems.

(18) Signs located within an enclosed sports complex for view by sports event participants and spectators only and under the following conditions:

a. Signs may be banners or signs of permanent materials attached to or placed within 18 inches of fenced, enclosed play areas and directed for viewing from the field of play. Sign shall not be directed toward public right-of-way or adjoining properties. Banner or sign placement is regulated by the facility manager.

b. Area of banner or sign shall not exceed 32 square feet. Banners shall have wind slits to reduce wind resistance.

c. Signs shall be displayed only during sports events and shall be removed immediately thereafter. Permanent signage is not allowed.

d. Type of sign, placement and manner of attachment or installation must be approved by the village park and recreation director when displayed on village property or property under village control.

e. Signage shall not count against allowable sign area for business or pursuit being advertised nor property where signage is located.
f. For purposes of this section the following are designated as sports complexes; and are exempt from the provisions of subsection 54-191(b)(8):

1. White Mountain Recreational Complex.
2. Eagle Creek Ball Fields.
6. Middle School Football Field.

g. Other properties may be designated as a sports complex by the planning and zoning commission subject to conditions a. through f. above.

(Code 1985, § 10-6-14; Ord. No. 97-07, § 1, 7-29-97; Ord. No. 98-19, § 1, 12-8-98; Ord. No. 99-03, 3-9-99; Ord. No. 2000-18, 12-12-00)

Sec. 54-195. - Violations; removal of unlawful signs.

(a) A sign permit shall be issued for all signs regulated by this division and shall be maintained on the premises where the sign is located, except that all off-premises sign permits shall be maintained on the premises of the permittee.

(b) Any sign existing prior to the effective date of this article for which the necessary approval and sign permit was not obtained pursuant to the provisions of any previous code shall continue to be illegal and shall be removed or brought into conformance with this division, and, further, the owner thereof shall continue to be liable for the penalties described in this section.

(c) The code enforcement officer shall give seven days' notice, in writing, by certified mail, to the owner of any sign erected without approval or otherwise in violation of this division, informing the owner that the sign must be brought into conformance with this division or must be removed.

(d) Upon failure to remove the sign or to comply with this notice, the code enforcement officer shall have the sign removed. Any cost of removal incurred by the village shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the manner of taxes, and such charge shall be a lien upon the property and may be filed with the county clerk in the manner that municipal liens are filed.

(e) In addition, any person who violates any provision of this division shall be punished by a fine as provided in section 54-38, except that notice and penalty for violation of subsection 54-191(a)(10) pertaining to banners shall be as provided below:

(1) First violation—warning and order for immediate removal.

(2) Second violation—citation issued; each day constitutes a separate violation with penalty of a minimum of $25.00 per day.

(3) Third and successive violations—citation issued, each day constitutes a separate violation with penalty of a minimum of $50.00 per day plus the loss of allowable days in the current and the successive year.
Nonconforming or illegal signs required to be removed shall be deemed to be amortized after the expiration of the time period specified under section 54-193(b). The amortization period shall equal just compensation for constitutional and statutory purposes.

Signs placed in the public right-of-way in violation of this division may be removed by the Code Enforcement Officer. Such signs shall be disposed of or destroyed if not claimed within 15 days of removal.

Non-conforming signs, a legally established sign in existence at the time of the enactment of this part is considered non-conforming and may remain in existence and function provided the sign is maintained and in good condition. A non-conforming sign may continue so long as it is not enlarged, replaced or abandoned. If a non-conforming sign is removed for any reason, it may not be replaced. If fifty percent (50%) or more of the sign area of a non-conforming sign is destroyed, the non-conforming sign may not be repaired or replaced and shall be removed.

An abandoned sign that is deemed to be in disrepair or structurally unsound with the potential to cause health, safety and welfare concerns must be removed and will lose its non-conforming designation.

Sec. 54-196. - Advertisement on public property.

(a) It shall be unlawful to tack or place any sign, bill, banner, poster or advertisement of any nature in the public right-of-way except as provided under this division.

(b) Political signs pertaining to candidate or ballot initiatives of upcoming election may be located in the public right-of-way for periods specified under subsection 54-194(6). Applications for such sign permits shall be submitted to the village clerk, Community Development Department, and shall be applied for by the running candidate or by the recognized political party officer. The size of the sign is limited as to size under section 54-194(6). Signs shall be maintained as specified under subsection 54-190(c). Signs for the same candidate shall be spaced a minimum of 300 feet apart and shall be no closer than ten feet from signs for another candidate. No political sign shall be place on or adjacent to public parks, buildings, or facilities. Signs placed in any sight line triangle shall not exceed 30 inches in height nor be closer than ten feet from edge of pavement. Signs shall not distract or interfere with traffic control signs. Special political signs on private property shall be allowed up to a total area of six square feet in area for each premises in a residential zone and up to 32 square feet for each sign in a nonresidential zone. Special political signs may be erected no earlier than 45 days prior to any primary election, general election, or municipal election, and they shall be removed within ten days after the election to which the sign pertains or after the termination of a candidacy, whichever occurs first. Signs shall be maintained as specified under subsection 54-190(c).

(c) No such permit shall be issued unless a permit fee is paid and there is deposited with the village clerk the sum as set from time to time and listed in the fee schedule in appendix A to this Code. The deposit sum shall be returned to the applicant if the applicant causes all such signs, posters, or advertisements to be removed within the time prescribed by this division. If such applicant does not cause the removal of such signs, posters, or advertisements within such time, then the deposit shall be forfeited to the village. The permit fee is not refundable.
(d) The provisions of this division shall not apply to notices posted by order of court or notices to the public required by law to be posted in a public place.

(Code 1985, § 6-2-14; Ord. No. 97-07, § 1(10-6-15), 7-29-97; Ord. No. 98-19, § 2, 12-8-98) Secs. 54-197—54-220. - Reserved.

Passed, Approved and Adopted this ___ day of_______________, 2022.

___________________________________
Lynn D. Crawford, Mayor

SEAL

ATTEST:

___________________________________
Ronald L. Sena, Village Clerk
VILLAGE OF RUIDOSO

RESOLUTION 2022-XX

ESTABLISHING FEES FOR BUILDING EVALUATION CHARTS

WHEREAS, Ordinance 2019-04 Section 22-34. - Permit Fees; expiration of permit. Fees adopted for Chapter 22 Buildings and Building Regulations specify that fees shall be set from time to time and shall be set forth in the following schedule; and

WHEREAS, it was the desire of the Governing Body to remove the fees from the Municipal Code of Ordinances Chapter 22 and to review all fees related to Buildings and Building Regulations annually prior to the July 1 of each year by the Department Head and concurrence of the Village Manager; and

WHEREAS, a resolution will be presented to the governing body annually listing fees for Buildings and Building Regulations with a recommendation of the Planning Commission.

NOW THEREFORE, be it resolved by the Governing Body of the Village of Ruidoso, that fees for Building Evaluation Charts are set as shown in attachment A:

Passed, Approved and Adopted this ____ day of_______________, 2022.

___________________________________
Lynn D. Crawford, Mayor

SEAL

ATTEST:

___________________________________
Ronald L. Sena, Village Clerk
2022 VILLAGE OF RUIDOSO BUILDING EVALUATION CHART

Example:
Project square footage x Square Foot Construction Cost = Project evaluation. 3,000 sq. ft. for B type Use, type VB construction; 117.77 construction cost: B Use, Type VB construction
3,000 x 117.77 = $353,310.00; $353,310.00 processed through the Ruidoso Building Fee Chart; $795.00 + 1184.82 = $1929.82 in building permit fees only

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<th>C</th>
<th>E</th>
<th>G</th>
<th>I</th>
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<td>207.66</td>
</tr>
<tr>
<td>4</td>
<td>A-2 Assembly, nightclubs</td>
<td>225.44</td>
<td>218.72</td>
<td>213.34</td>
<td>204.59</td>
<td>192.84</td>
<td>187.53</td>
<td>197.31</td>
<td>174.50</td>
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<tr>
<td>5</td>
<td>A-2 Assembly, restaurants, bars, banquet halls</td>
<td>224.49</td>
<td>217.77</td>
<td>211.44</td>
<td>203.64</td>
<td>190.94</td>
<td>186.58</td>
<td>196.36</td>
<td>172.60</td>
</tr>
<tr>
<td>6</td>
<td>A-3 Assembly, churches</td>
<td>272.55</td>
<td>262.67</td>
<td>256.00</td>
<td>245.50</td>
<td>230.11</td>
<td>222.36</td>
<td>237.37</td>
<td>211.90</td>
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<td>7</td>
<td>A-3 Assembly, general, community halls, libraries, museums</td>
<td>232.53</td>
<td>222.65</td>
<td>215.03</td>
<td>205.48</td>
<td>189.00</td>
<td>182.20</td>
<td>197.34</td>
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<tr>
<td>8</td>
<td>A-4 Assembly, arenas</td>
<td>267.76</td>
<td>257.87</td>
<td>250.25</td>
<td>240.70</td>
<td>223.98</td>
<td>217.18</td>
<td>232.57</td>
<td>205.76</td>
</tr>
<tr>
<td>9</td>
<td>B Business</td>
<td>228.86</td>
<td>220.47</td>
<td>212.33</td>
<td>203.38</td>
<td>185.17</td>
<td>177.99</td>
<td>195.40</td>
<td>163.42</td>
</tr>
<tr>
<td>10</td>
<td>E Educational</td>
<td>244.82</td>
<td>236.44</td>
<td>230.23</td>
<td>220.31</td>
<td>205.64</td>
<td>195.26</td>
<td>212.72</td>
<td>179.75</td>
</tr>
<tr>
<td>11</td>
<td>F-1 Factory and industrial, moderate hazard</td>
<td>137.68</td>
<td>131.21</td>
<td>123.87</td>
<td>119.13</td>
<td>106.87</td>
<td>101.75</td>
<td>114.02</td>
<td>88.05</td>
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<tr>
<td>12</td>
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<td>136.73</td>
<td>130.26</td>
<td>123.87</td>
<td>118.18</td>
<td>106.87</td>
<td>100.80</td>
<td>113.07</td>
<td>88.05</td>
</tr>
<tr>
<td>13</td>
<td>H-1 High Hazard, explosives</td>
<td>128.53</td>
<td>122.05</td>
<td>115.66</td>
<td>109.98</td>
<td>98.93</td>
<td>92.86</td>
<td>104.87</td>
<td>80.12</td>
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<td>H234 High Hazard</td>
<td>128.53</td>
<td>122.05</td>
<td>115.66</td>
<td>109.98</td>
<td>98.93</td>
<td>92.86</td>
<td>104.87</td>
<td>80.12</td>
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<tr>
<td>15</td>
<td>H-5 HPM</td>
<td>228.86</td>
<td>220.47</td>
<td>212.33</td>
<td>203.38</td>
<td>185.17</td>
<td>177.99</td>
<td>195.40</td>
<td>163.42</td>
</tr>
<tr>
<td>16</td>
<td>I-1 Institutional, supervised environment</td>
<td>232.23</td>
<td>224.27</td>
<td>217.60</td>
<td>208.83</td>
<td>192.06</td>
<td>186.75</td>
<td>209.09</td>
<td>172.19</td>
</tr>
<tr>
<td>17</td>
<td>I-2 Institutional, hospitals</td>
<td>381.16</td>
<td>372.78</td>
<td>364.64</td>
<td>355.68</td>
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<td>18</td>
<td>I-2 Institutional, nursing homes</td>
<td>265.19</td>
<td>256.81</td>
<td>248.67</td>
<td>239.71</td>
<td>222.91</td>
<td>0.00</td>
<td>231.73</td>
<td>201.17</td>
</tr>
<tr>
<td>19</td>
<td>I-3 Institutional, restrained</td>
<td>259.73</td>
<td>251.34</td>
<td>243.20</td>
<td>234.25</td>
<td>217.68</td>
<td>209.55</td>
<td>226.27</td>
<td>195.93</td>
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<td>20</td>
<td>I-4 Institutional, day care facilities</td>
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<td>224.27</td>
<td>217.60</td>
<td>208.83</td>
<td>192.06</td>
<td>186.75</td>
<td>209.09</td>
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</tr>
<tr>
<td>21</td>
<td>M Mercantile</td>
<td>168.23</td>
<td>161.44</td>
<td>155.11</td>
<td>147.31</td>
<td>135.35</td>
<td>130.99</td>
<td>140.03</td>
<td>117.01</td>
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<tr>
<td>22</td>
<td>R-1 Residential, hotels</td>
<td>234.59</td>
<td>226.63</td>
<td>219.96</td>
<td>211.18</td>
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<td>188.83</td>
<td>211.45</td>
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<tr>
<td>23</td>
<td>R-2 Residential, multiple family</td>
<td>196.47</td>
<td>188.51</td>
<td>181.84</td>
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<tr>
<td>24</td>
<td>R-3 Residential, one- and two-family</td>
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<td>178.00</td>
<td>173.41</td>
<td>169.13</td>
<td>164.21</td>
<td>158.26</td>
<td>166.26</td>
<td>152.33</td>
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<tr>
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<td>---</td>
</tr>
<tr>
<td>R-4 Residential, care/assisted living facilities</td>
<td>232.23</td>
<td>224.27</td>
<td>217.60</td>
<td>208.83</td>
<td>192.06</td>
<td>186.75</td>
<td>209.09</td>
<td>172.19</td>
<td>167.02</td>
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<tr>
<td>S-1 Storage, moderate hazard</td>
<td>127.58</td>
<td>121.10</td>
<td>113.76</td>
<td>109.03</td>
<td>97.03</td>
<td>91.91</td>
<td>103.92</td>
<td>78.22</td>
<td>72.70</td>
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<tr>
<td>S-2 Storage, low hazard</td>
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<td>120.15</td>
<td>113.76</td>
<td>108.08</td>
<td>97.03</td>
<td>90.96</td>
<td>102.97</td>
<td>78.22</td>
<td>71.75</td>
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<td>U Utility, miscellaneous</td>
<td>99.73</td>
<td>94.09</td>
<td>88.65</td>
<td>84.75</td>
<td>76.42</td>
<td>70.73</td>
<td>81.06</td>
<td>60.24</td>
<td>57.41</td>
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<p>| | | | | | | | | |</p>
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<tr>
<th></th>
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<tbody>
<tr>
<td>Open decks</td>
<td></td>
<td></td>
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<td>16.39</td>
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<td>Basements (unfinished)</td>
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<td>Covered decks</td>
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<td>35.02</td>
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<tr>
<td>Carports/Patio &amp; Deck Covers</td>
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<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>24.97</td>
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</tbody>
</table>
February 2022 Manager’s Report

COMMUNITY DEVELOPMENT

CDBG Implementation Update
Reports are being submitted to the Local Government Division. Our Project Manager has signed off on our second change order for time extension. Construction progress is stalled until paving can be completed.

Planning Commission
A) Conditional Use Case #P2022-1-Efrain Serna is requesting Conditional Use Approval to construct a two-family dwelling within R-1 Single-Family Residential District located at 139 Reese; Lot 75A, Block 1A, of the Palmer Gateway Subdivision, Ruidoso, New Mexico 88345.
APPROVED

B) Conditional Use Case #P2022-5- Village of Ruidoso is requesting Conditional Use Approval to construct a Wireless Telecommunications Facility within the M-PUD Mixed Planned Use Development District located at 237 Service Rd.; Tract 2 of the School Tract known as the Horton Complex, of the Palmer Gateway Subdivision, Ruidoso, New Mexico 88345.
APPROVED

Workforce Housing Advisory Board
The rescheduled January meeting was held on February 9th. The housing study that was conducted by Novagradics was presented and discussed. The Committee directed staff to form a committee to plan a housing fair for the summertime. This fair will have components to meet the other 18 recommendations from the housing plan. Staff will work with all local stakeholders that can provide information and education to help our residents become homeowners and/or gain the knowledge and resources needed to be more self-sufficient when it comes to housing.

Re-Addressing Update:
The Addressing Committee met on January 18, 2022, to continue discussions of address placement procedures, and updates of found issues that need to be addressed immediately. Address changes will be implemented Village-wide with plenty of community engagement as we go. The next meeting will be on February 15, 2022. Currently, the focus of efforts is on US Highway 70 and Sudderth Drive.

Short Term Rentals:
Short Term Rentals
End of Month Report
February 2022

Month Stats

- 999 Active STR Properties
- 5,484 Internet listings found throughout the web (VRBO, Airbnb, Flipkey, etc.)
- 0 Removed Advertisements on the web (VRBO, Airbnb, Flipkey, etc.)
- $2,400 complete, $150 pending, 2,550 total – STR Permit Renewal
- $800 complete, $0 pending, $800 total – STR Permit Fee
- $1,480 complete, $200 pending, $1,680 total – Compliance inspections
- $980 complete, $100 pending, $1,080 total – STR Business Registrations
- $1,250 complete, $100 pending, $1,350 total – Neighbor Notification Fee

Lodger’s Tax

- $192,699.36

Uncertain Compliance Status

[Map Image]
Compliant

Average Daily Rate

$285.84

New Listings

(Current Month)

99
### Building Inspection and Permit Tallies

**February, 2022**

<table>
<thead>
<tr>
<th>PERCENTAGE OF MONTHLY TALLY</th>
<th>SOLICT.</th>
<th>COND. USE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>bldg</td>
<td>BLDG</td>
</tr>
<tr>
<td>02/01-02/28/22</td>
<td>prmt</td>
<td># ISSUED</td>
</tr>
<tr>
<td>G. David Myers</td>
<td>64%</td>
<td>51</td>
</tr>
<tr>
<td>William Powers</td>
<td>29%</td>
<td>23</td>
</tr>
<tr>
<td>Christi Alvarez</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Victoria Barrios</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Roberto Lopez</td>
<td>8%</td>
<td>6</td>
</tr>
<tr>
<td>Stephanie Warren</td>
<td>0%</td>
<td>0</td>
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<tr>
<td><strong>Column totals</strong></td>
<td></td>
<td>80</td>
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</table>

#### Building Permit Issued Comparison 2018 to Present

![Bar chart showing building permit issued comparison from 2018 to present.](chart.png)
## Number of Permits Issued 2022 vs 2021

<table>
<thead>
<tr>
<th>MONTH</th>
<th>2022</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>66</td>
<td>61</td>
</tr>
<tr>
<td>February</td>
<td>70</td>
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<tr>
<td>March</td>
<td>105</td>
<td></td>
</tr>
<tr>
<td>April</td>
<td>102</td>
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</tr>
<tr>
<td>May</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>June</td>
<td>103</td>
<td></td>
</tr>
<tr>
<td>July</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>August</td>
<td>103</td>
<td></td>
</tr>
<tr>
<td>September</td>
<td>120</td>
<td></td>
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<td>October</td>
<td>125</td>
<td></td>
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<tr>
<td>November</td>
<td>117</td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>81</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>66</td>
<td>1177</td>
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</table>

## 2022/2021 VOR vs COUNTY FEES

![Graph showing the comparison of VOR and County fees for each month between 2022 and 2021.]

## New Business Registration December 2021

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Type</th>
<th>Name</th>
<th>Locations</th>
<th>Tag</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>BR2022-115</td>
<td>BUSREG</td>
<td>ST Cuirap LLC DBA Uary Rd</td>
<td>In the Village</td>
<td>Licensed Retailer of Legalized Adult Cannabis</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-112</td>
<td>BUSREG</td>
<td>Smithco Construction INC.</td>
<td>Out OF Town Businesss</td>
<td>General Utility &amp; Building</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-108</td>
<td>BUSREG</td>
<td>Forestry Plus, LLC</td>
<td>Home Occupation</td>
<td>Tree Thinning Services</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-109</td>
<td>BUSREG</td>
<td>729 Enterprise, LLC</td>
<td>Out OF Town Businesss</td>
<td>Construction</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-114</td>
<td>BUSREG</td>
<td>J &amp; K Construction LLC.</td>
<td>Out OF Town Businesss</td>
<td>General Construction</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-122</td>
<td>BUSREG</td>
<td>Doso Company, LLC</td>
<td>Home Occupation</td>
<td>Junk Removal</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-120</td>
<td>BUSREG</td>
<td>Hall N Howes</td>
<td>Home Occupation</td>
<td>Hauling Friglt</td>
<td>Active</td>
</tr>
<tr>
<td>BR2021-127</td>
<td>BUSREG</td>
<td>Mountain Oasis Massage Therapy, LLC</td>
<td>Home Occupation</td>
<td>Massage</td>
<td>Active</td>
</tr>
<tr>
<td>BR2021-137</td>
<td>BUSREG</td>
<td>Berger Briggs Insurance &amp; Risk Solutions</td>
<td>In the Village</td>
<td>Insurance Agency</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-138</td>
<td>BUSREG</td>
<td>Electric Essentials</td>
<td>Out OF Town Businesss</td>
<td>Electrical Contractor</td>
<td>Active</td>
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<tr>
<td>BR2022-141</td>
<td>BUSREG</td>
<td>S&amp;M Nightly Rental Cleaning Co.</td>
<td>Home Occupation</td>
<td>Cleaning Nightly Rentals</td>
<td>Active</td>
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<td>BR2022-144</td>
<td>BUSREG</td>
<td>Mountain Oasis Massage Therapy</td>
<td>Home Occupation</td>
<td>Massage Therapy</td>
<td>Active</td>
</tr>
<tr>
<td>BR2022-145</td>
<td>BUSREG</td>
<td>Party’s Handyman Service</td>
<td>Out OF Town Businesss</td>
<td>Home Repair</td>
<td>Active</td>
</tr>
</tbody>
</table>
February TOURISM REPORT

Performance Summary

View your key profile performance metrics from the reporting period.

<table>
<thead>
<tr>
<th>Impressions 1</th>
<th>Engagements 1</th>
<th>Post Link Clicks 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,283,974</td>
<td>126,158</td>
<td>9,394</td>
</tr>
<tr>
<td>▼18.7%</td>
<td>▲0.2%</td>
<td>▼53.6%</td>
</tr>
</tbody>
</table>

Audience Growth

See how your audience grew during the reporting period.

Net Audience Growth, by Day

⚠️ Data Unavailable: We are unable to provide data for this date range.

<table>
<thead>
<tr>
<th>Audience Metrics</th>
<th>Totals</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Audience 1</td>
<td>115,283</td>
<td>▲2.5%</td>
</tr>
<tr>
<td>Total Net Audience Growth 1</td>
<td>2,491</td>
<td>▲93.4%</td>
</tr>
<tr>
<td>Twitter Net Follower Growth</td>
<td>41</td>
<td>▲2.4%</td>
</tr>
<tr>
<td>Facebook Net Page Likes</td>
<td>2,096</td>
<td>▲137.1%</td>
</tr>
<tr>
<td>Instagram Net Follower Growth</td>
<td>349</td>
<td>▲1.4%</td>
</tr>
<tr>
<td>Pinterest Net Follower Growth</td>
<td>0</td>
<td>→0%</td>
</tr>
<tr>
<td>YouTube Net Subscriber Growth</td>
<td>5</td>
<td>▲37.5%</td>
</tr>
</tbody>
</table>
Message Volume

Review the volume of sent and received messages across networks during the selected time period.

Messages per Day

![Graph showing message volume per day]

<table>
<thead>
<tr>
<th>Sent Messages Metrics</th>
<th>Totals</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Sent Messages</strong></td>
<td>216</td>
<td>↓ 13.6%</td>
</tr>
<tr>
<td>Twitter Sent Messages</td>
<td>23</td>
<td>↓ 4.2%</td>
</tr>
<tr>
<td>Facebook Sent Messages</td>
<td>150</td>
<td>↓ 11.2%</td>
</tr>
<tr>
<td>Instagram Sent Messages</td>
<td>42</td>
<td>↓ 26.3%</td>
</tr>
<tr>
<td>Pinterest Sent Messages</td>
<td>0</td>
<td>→ 0%</td>
</tr>
<tr>
<td>YouTube Sent Messages</td>
<td>1</td>
<td>→ -</td>
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</table>

<table>
<thead>
<tr>
<th>Received Messages Metrics</th>
<th>Totals</th>
<th>% Change</th>
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</thead>
<tbody>
<tr>
<td><strong>Total Received Messages</strong></td>
<td>2,814</td>
<td>↑ 31.5%</td>
</tr>
<tr>
<td>Twitter Received Messages</td>
<td>95</td>
<td>↑ 26.7%</td>
</tr>
<tr>
<td>Facebook Received Messages</td>
<td>2,215</td>
<td>↑ 48.9%</td>
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<tr>
<td>Instagram Received Messages</td>
<td>504</td>
<td>↓ 12.7%</td>
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Impressions

Review how your content was seen across networks during the reporting period.

Impressions, by Day

<table>
<thead>
<tr>
<th>Impression Metrics</th>
<th>Totals</th>
<th>% Change</th>
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<td><strong>Total Impressions</strong></td>
<td>3,283,974</td>
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<td>16,522</td>
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</tr>
<tr>
<td>Facebook Impressions</td>
<td>2,969,375</td>
<td>▼ 20.4%</td>
</tr>
<tr>
<td>Instagram Impressions</td>
<td>298,077</td>
<td>0.1%</td>
</tr>
</tbody>
</table>
Engagement

See how people are engaging with your posts during the reporting period.

Engagements, by Day

![Engagement Chart]

<table>
<thead>
<tr>
<th>Engagement Metrics</th>
<th>Totals</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Engagements</td>
<td>126,158</td>
<td>📉0.2%</td>
</tr>
<tr>
<td>Twitter Engagements</td>
<td>723</td>
<td>↑19.9%</td>
</tr>
<tr>
<td>Facebook Engagements</td>
<td>117,292</td>
<td>📉0.8%</td>
</tr>
<tr>
<td>Instagram Engagements</td>
<td>8,084</td>
<td>↑8.1%</td>
</tr>
<tr>
<td>YouTube Engagements</td>
<td>59</td>
<td>↑51.3%</td>
</tr>
</tbody>
</table>

Engagement Rate (per Impression)

| Engagement Rate (per Impression)    | 3.8%   | ↑22.7%   |
Video Views

Review how your videos were viewed across networks during the reporting period.

Video Views, by Day

<table>
<thead>
<tr>
<th>Video Views Metrics</th>
<th>Totals</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Video Views</strong></td>
<td>199,924</td>
<td>726%</td>
</tr>
<tr>
<td>Twitter Video Views</td>
<td>1,530</td>
<td>540.2%</td>
</tr>
<tr>
<td>Facebook Video Views</td>
<td>196,380</td>
<td>997.7%</td>
</tr>
<tr>
<td>Instagram Post Video Views</td>
<td>542</td>
<td>87.7%</td>
</tr>
<tr>
<td>YouTube Video Views</td>
<td>1,472</td>
<td>12.2%</td>
</tr>
</tbody>
</table>
Profiles
Review your aggregate profile and page metrics from the reporting period.

<table>
<thead>
<tr>
<th>Profile</th>
<th>Audience</th>
<th>Net Audience Growth</th>
<th>Published Posts</th>
<th>Impressions</th>
<th>Engagements</th>
<th>Engagement Rate (per Impression)</th>
<th>Video Views</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Period</td>
<td>115,283</td>
<td>2,491</td>
<td>150</td>
<td>3,283,974</td>
<td>126,158</td>
<td>3.8%</td>
<td>199,924</td>
</tr>
<tr>
<td>Feb 1, 2022 - Feb 28, 2022</td>
<td>↑ 2.5%</td>
<td>↑ 93.4%</td>
<td>↓ 4.5%</td>
<td>↓ 18.7%</td>
<td>↓ 0.2%</td>
<td>↑ 22.7%</td>
<td>↑ 726%</td>
</tr>
<tr>
<td>Compare to</td>
<td>112,487</td>
<td>1,288</td>
<td>157</td>
<td>4,039,010</td>
<td>126,416</td>
<td>3.1%</td>
<td>24,205</td>
</tr>
<tr>
<td>Jan 1, 2022 - Jan 31, 2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@DiscoverRuidoso</td>
<td>1,190</td>
<td>36</td>
<td>23</td>
<td>16,487</td>
<td>722</td>
<td>4.4%</td>
<td>1,530</td>
</tr>
<tr>
<td>@VillageRuidoso</td>
<td>115</td>
<td>5</td>
<td>0</td>
<td>35</td>
<td>1</td>
<td>2.9%</td>
<td>0</td>
</tr>
<tr>
<td>discoverruidoso</td>
<td>22,930</td>
<td>349</td>
<td>29</td>
<td>298,077</td>
<td>8,084</td>
<td>2.7%</td>
<td>542</td>
</tr>
<tr>
<td>Ruidoso, New Mexico</td>
<td>76,180</td>
<td>2,029</td>
<td>44</td>
<td>2,779,192</td>
<td>108,492</td>
<td>3.9%</td>
<td>196,279</td>
</tr>
<tr>
<td>Ruidoso, New Mexico</td>
<td>399</td>
<td>5</td>
<td>1</td>
<td>N/A</td>
<td>59</td>
<td>N/A</td>
<td>1,472</td>
</tr>
<tr>
<td>RuidosoNewMexico</td>
<td>49</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Village of Ruidoso</td>
<td>14,420</td>
<td>67</td>
<td>53</td>
<td>190,183</td>
<td>8,800</td>
<td>4.6%</td>
<td>101</td>
</tr>
</tbody>
</table>
El Paso

Outdoor Expo
March 12 - 13, 2022

DiscoverRuidoso.com
Celebrate Valentine's Day in Ruidoso

Whether you're looking for Valentine's Day ideas for yourself or your loved one we've got you covered. Think of it as our Valentine's Day gift to you!