Village of Corrales
Planning & Zoning Department
4324 Corrales Road, Corrales, New Mexico 87048
Phone: (505) 897-0502 / Fax: (505) 897-7217

PLANNING AND ZONING COMMISSION
Date of Meeting: Wednesday, May 20, 2020, 6:30 PM
Location of Meeting: TELECONFERENCE

DRAFT AGENDA

This will be a Teleconference Planning and Zoning Commission meeting. The public is allowed to join. You will be allowed to join the meeting until 6:35 pm. The meeting link is https://zoom.us/j/96609340303. Those without internet access or a computer microphone may phone in to the meeting at 1-669-900-6833. The meeting ID is 966 0934 0303#. Please email Laurie Stout at LStout@corrales-nm.org if you wish to speak during the meeting, so we can acknowledge you and have you sworn in when that agenda item is heard.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

February 19, 2020 Regular Meeting
April 28, 2020 Work Study

V. OTHER BUSINESS

Approval of changes to Rules of Transaction of Business (now Resolution 20-03)

Approval of changes to Resolution 20-01, establishing regular meetings of the Planning and Zoning Commission and determining reasonable notice.
VI. CORRALEÑOS PUBLIC FORUM (Comment on items not otherwise on Agenda – 3-Minute limit)

VII. PUBLIC HEARING ITEMS

STR 20-05. Owners and operators Jamie and Melanie Chadwick of 149 Arabian Lane request short-term rental application approval for a 4-bedroom house located at 149 Arabian Lane in Corrales.

SUM 20-03. Agent Community Sciences Corporation is representing Beta Investments, LLC. They are requesting Summary Plat approval to vacate a lot line between existing one-acre Tract B-i, La Tierra and existing 6.8-acre Tract A-1, Lands of Beta Investments, LLC, thereby creating proposed 7.9-acre Tract A-1-A, Lands of Beta Investments, LLC. This property contains the solar farm and is located directly east of the Rio Rancho Industrial Park and west of Don Julio Road in Corrales.

VIII. PZA REPORT

IX. COMMISSIONERS FORUM

Discuss additional Planning and Zoning Commission meeting(s) to address backlog

X. NEXT HEARING: June 17, 2020

XI. ADJOURNMENT

Laurie Stout, Planning and Zoning Administrator

Date 5-13-2020
Village of Corrales
Planning & Zoning Department
4324 Corrales Road, Corrales, New Mexico 87048
Phone: (505) 897-0502 / Fax: (505) 897-7217

PLANNING AND ZONING COMMISSION
Date of Meeting: Wednesday, February 19, 2020, 6:30 PM
Location of Meeting: Council Chambers

DRAFT MINUTES

I. CALL TO ORDER

II. ROLL CALL
Present: Michele Anderson, Sam Thompson, John McCandless, Tim Sawina, Melissa Morris, Ken Killebrew, and Jerry Stermer. A quorum was present.

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

V. CORRALEÑOS PUBLIC FORUM (Comment on items not otherwise on Agenda – 3- Minute limit)
Curt Flora: 560 Andrews Lane, I've been asking that minutes be put on the website. We want the minutes from (our applications) to be up on the website. We will publish an article to the public to join us in our fight.
Commissioner Sawina: I totally agree. Is there a reason why our minutes wouldn't be on the website?
Laurie Stout, PZA: They are on the website, but don't go back (to all previous years).
Flora: We want from July of 2018.
Stout: They go back to a point in 2019. In the meantime, they are available for public viewing at any time.
Chair McCandless: Have you had access to the minutes when you requested them?
Flora: When we requested them, we did have access. We want the public to have access to our minutes.

VI. PUBLIC HEARING ITEMS

ZOC 20-04. Applicant Zachary Furlow of 61 Tamarisk Trail in Corrales requests home occupation permit approval for “The Shapen Oar, LLC”, which will use 200 square feet (in an attached garage) for a woodworking/ carpentry workshop.

Applicant Zach Furlow, 61 Tamarisk Trail (sworn): I’d like to run a small carpentry business out of my garage workshop. Just small hand tools, nothing of an industrial scale. Would like to make small wooden goods; sell at the Maker’s market.

Commissioner Morris: So you are operating drills and things of that sort?

Furlow: Drill, table saw—about the loudest thing I have is a shop vacuum.

Commissioner Morris: I want to feel assured it won’t create a lot of noise for the neighbors.

Furlow: No. I’ve been doing this for months as a hobby. All I’m doing now is putting a few items for sale at the makers market. I have a regular 9-5 job. This is only part-time.

Commissioner Sawina: I had some questions for Ms. Stout. I’m concerned about, (not this particular applicant), but the noise. Nothing has been more contentious than someone having a home occupation, and not necessarily following the rules. Once we approve something, what recourse does the public have if this applicant or any applicant doesn’t follow through?

Stout: The home occupation application asks applicants to make certain statements and sign and attest that (their home business) will be subordinate and incidental to the use of the home as a dwelling—and that they won’t create noise, etc. that is discernible from neighboring properties. If that ends up not being the case—and I will say—the vast majority of home occupations are in conformance. The ones that aren’t are the ones we hear about, and because they came before the Commission and testified, and because we have a signed application, we can now use that in a court setting if it comes to that.

(Discussion of the process used to take a complaint from the beginning, through code enforcement, and ultimately to Municipal Court if compliance is not obtained by Planning and Zoning.)

Commissioner Morris: Can the court impose a fine if they refuse to comply, or jail time?

Stout: Yes. And the Village does not renew the business license.

Commissioner Morris: And then if they still fail to comply?

Stout: The court is the last resort. The Village can always refile charges.

Commissioner Sawina: If there is a violation of a home occupation, that would go to your office, as the Planning and Zoning Administrator, and not to Code Enforcement?

Stout: Code Enforcement is part of Planning and Zoning. Now that we have a Code Enforcement Officer, they will be the “prosecutor” (taking it to court).

Chair McCandless: The P & Z administrator supervises the Code Enforcement Officer.

Stout: Sometimes other village employees get involved—Building Official if there is also a building violation, for instance.

Move to approve ZOC 20-04: Sam Thompson. Second: Jerry Stermer. Vote, Yes: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerry Stermer and Ken Killebrew. (Unanimous.)

STR 20-03. Owner Karen McVey of Oakland, CA and operators Chip and Linda Babb of 3128 Renaissance Loop SE in Rio Rancho request short-term rental permit approval for a 3-bedroom house located at 140 Wagner Lane in Corrales. This property is zoned A-1 Agricultural and Rural Residential.

Chip Babb, applicant, operator (sworn): We lived in this house since 1991, and for the last four years it’s actually been a short-term rental. We’ve had six people stay at our house, including Karen, who have subsequently bought a house in Corrales. We’ve had from 2 to 8 people staying in the house from time to time.

Chair McCandless: And you are transferring the property to Ms. McVey?
Babb: Yes, we closed in December. Karen wants to continue it as a short-term rental and will be moving into the house in August.

Chair McCandless: I have a couple of procedural questions, and part of this is for the record. I know with bed and breakfasts, we have to have someone in the house, residing there. Is that the case for other short-term rentals that are not bed and breakfasts?

Stout: No, it’s not. The short-term rental ordinance was designed for any type of rental—whether it be someone renting just one bedroom in their house, or the whole house. A bed and breakfast is a type of short-term rental. They have their own professional organization, and they happen to serve breakfast to guests. The ordinance was designed to be the catch-all.

Chair McCandless: So, there is no residency requirement for the owner of the short-term rental?

Stout: No, there’s not.

Chair McCandless: Mr. and Mrs. Babb have made this application on behalf of Ms. McVey. I didn’t see in the application any formal acknowledgement of that management relationship.

Stout: On the application itself, you can see (we asked for) the property owner, and the operator. Ms. McVey has bought the house, but until she moves into it, the Babb’s will operate the short-term rental.

Chair McCandless: Is it appropriate for the operator and not the owner to be filing the application?

Stout: It is. Both must give us their 24-hour contact numbers, addresses and emails in case of emergency.

Chair McCandless: We don’t request any type of legal acknowledgement that the property manager has any kind of legal authority?

Stout: I do ask for that. It’s not in your packets, but ownership is confirmed.

Karen McVey, applicant, owner (sworn): So far, what I’ve seen, is we tend to rent to smaller groups of people. In keeping with the neighborhood, six to eight people is the max. Right now, we have two people (staying there). We have parking for at least ten vehicles. It’s all on-property parking.

Babb: With both Airbnb and VRBO, people who request to rent your property have to be vetted. You can look at reviews of anyone who requests to book, to see how they did with other people they’ve rented from.

McVey: We’ve rejected some people who want to have a huge group.

Babb: We have people who want to have weddings and things, and we refer them to Casa Vieja, etc.

McVey: I’ve worked so hard to get here; I don’t want to make (neighbors) angry!

Motion: Approve STR 20-03, Melissa Morris. Second: Ken Killebrew. Vote, Yes: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerry Stermer and Ken Killebrew. (Unanimous.)

STR 20-04: Owner and operator Gary Johns of 6461 Coventry Hills Dr. in Rio Rancho requests short-term rental application approval for a 2-bedroom house located at 637 Dixon Road in Corrales.

Applicant, Gary Johns, (sworn): I have a 2-bedroom house at 637 Dixon Road that I have on VRBO. I’ve got plenty of off-street parking. I have a grounds crew and housekeeping. I use the house frequently myself. I’m here to request a permit.

Commissioner Stermer: How about the crossed off six occupants? Now it’s four?

Johns: The house has two bedrooms, with a king and a queen. Officially, the occupancy will be 4.

Stermer: Has it been six?

Johns: I’ve never had six there, unless I was there with my family. I might have had a kid sleeping on a couch. I make it perfectly clear on the website it’s for four people. Most of the time it’s only two.

Chair McCandless: I noticed that the septic permit for this was issued in 2012. Has the Council as part of this ordinance, taken a look at the timeline for septic inspections, ensuring that the septic system is currently functioning well?

Stout: Any time a property changes hands, that will prompt a septic inspection or re-inspection requirement. Otherwise, we have to go with what the state has approved. For the purpose of the short-term rental permit, the reason we ask for the septic permit is so that if there are three bedrooms on the property, the septic permit is for three bedrooms as well.

Commissioner Thompson: Are we requiring fire inspections?

Chair McCandless: Yes. This property has already gotten one. It’s a requirement in all the applications.
Motion to approve STR 20-04: Tim Sawina. Second: Melissa Morris. Vote, Yes: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerry Stermer and Ken Killebrew. (Unanimous.)

SUM 20-01. Agent Community Sciences Corporation is representing property owner Phillip Cordova of 482 W. Meadowlark Lane, Corrales and Shawn and Caryl Stuart of 648 W. Meadowlark Lane, Corrales. They are requesting Summary Plat approval to adjust a lot line between existing 2.43-acre Lot 2, Lands of Stuart and existing 1-acre Lot 5, Arbole Grande, thereby creating 1.8-acre Lot 2-A, Lands of Stuart and 1.7-acre Lot 5-A, Arbole Grande. These properties are zoned A-1 Agricultural and Rural Residential.

(Tom Patrick, Phillip Cordova, Caryl Stewart and Shawn Stewart were all sworn in)

Chair McCandless: This application is a little complicated, but basically we want to move a property line between two properties, is that correct?

Tom Patrick, Community Sciences Corporation: Yes. We are here to ask that a portion of Lot 2, the most easterly portion, be combined with a lot that’s currently described as the east 177’ portion of Lot 5, Arbole Grande. This will increase the acreage of the new Lot 5-A, and will make that area more usable for the owner, Mr. Cordova. (Existing) Lot 2, which will now become Lot 2-A; it will reduce the amount of non-buildable area on that, while maintaining the same amount of buildable area on new 2-A. We think this will also be an improvement for Mr. Stewart. And Mr. Cordova intends to use this extra land in an agricultural sense, to have horses.

Commissioner Sawina: Adjacent property owners, were they notified?

Stout: Yes, certified letters were sent.

Motion: Approve SUM 20-01, Sam Thompson. Second: Michele Anderson. Vote, Yes: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerry Stermer and Ken Killebrew. (Unanimous.)

VII. OTHER BUSINESS

VIII. PZA REPORT

Commissioner Killebrew: Home Occupation permits, they are a year permit?

Stout: The home occupation permit is good unless the business changes. It’s the business license that is renewed yearly.

Commissioner Killebrew: Do they get letters sent out, saying your fee is due? They used to.

Stout: I believe the Clerk’s office has had postcard reminders, and may again. My understanding is that they are working on it.

Commissioner Sawina: I am delighted the Village has a new code enforcement officer, and that you will be supervising them. But I would like to repeat the request that I made a year ago to your predecessor. I feel very strongly that there needs to be a process in writing, so people know exactly who is responsible if they are not getting satisfaction from the code enforcement officer—that you’re their supervisor—however you do it. It’s not for me to say how it’s done. But it’s been so difficult, and people don’t know who to talk to, who’s responsible, where the buck stops. I think it needs to be in writing. I think a brochure would be handy. It certainly should be on the website. To be really specific and clear about the whole process.

Stout: Point taken, there can be some language as to (the process).

Commissioner Morris: If someone files a complaint and it gets to you, is there any procedure for following up with them? Do they expect to be told what happens, or do they need to call? I think people get frustrated when nothing happens.
Stout: On the form itself, it asks whether the complainant wants to be contacted. Some people want to remain anonymous and say no. I hate to see that because we may need them later as a witness—but that is their right. I will discuss with the new code enforcement officer their plan for periodic follow-up. Violators are given time to comply, and that time frame varies. The goal is always compliance. If they choose not to comply, then we have the process of filing with the court, and then the various court settings, which can take some time.

Chair McCandless: I can see the challenges of just working through the process. I know the Planning and Zoning administration does try to get voluntary compliance, and that process can move fast or slow.

Commissioner Morris: I’m not saying it has to be fast, but a way to let (complainants) know it is moving through the process. People don’t always understand.

Chair McCandless: And that’s where having the process documentation laid out would help.

Stout: And once a complaint ends up in court, it is under the court’s purview. They will set the hearings, and make the ruling. If something continues to happen, or happens again, the Village can refile charges.

Commissioner Killebrew: A concrete example is an owner who lets their dogs run loose. They are notified, comply for a little bit, but then start letting them run out again.

Chair McCandless: It might be interesting down the line to hear from the new code enforcement officer, what her procedures might be.

Stout: She’s experienced, and will be able to take care of business, I think.

Commissioner Stermer: When we had the process about the slopes, one thing that we recommended was that the Village engage in a public awareness effort.

Stout: That is on my plate. It is also relevant to floodplain (issues). I do have plans to put something on our website about retention ponds, which are the Village method to help control stormwater. Uncontained stormwater floods properties. Right now, about every spring, before monsoon season, a selected neighborhood will get letters talking about the ponds, the responsibility of the property owner to keep them functional, here’s what Village Code says, and why it is important.

Commissioner Stermer: There may be, in your professional circles, other Villages that have come up with public education materials. Beyond your letters, I kind of envision a conversation with the whole community. All of these various organizations that are the heartbeat of Corrales, maybe they could join together in supporting the public awareness campaign. I think the action of the Council that the public heard about was “we’re not changing the slope”. But what about the other part.

Stout: I’m glad you brought that up, Commissioner, because an important part of the Chapter 18 reworking is that entire section about grading and drainage. It’s hard for me to navigate, seeing it and working with it every day, let alone explain what it means in terms of what a property owner needs to know and do. It can be made to be more user-friendly.

Commissioner Thompson: The Sandoval County master gardeners are going to put together, a list of erosion control plants by season, so that can be available. And they will be specific for our soil.

IX. COMMISSIONERS FORUM

Work Study discussion

Chair McCandless: This was brought up in our last meeting by Commissioner Morris. Given that we have this short-term rental ordinance, there are a lot of nuances there. The question was whether we would want to take some time to see if we can work through, or at least identify some of these nuances. To make sure we’re not overlooking something in these applications.

Commissioner Morris: I can’t decide if we should do it before a bunch of these come up. Seems we won’t know what the problems are until we start seeing them. I think the one that motivated me was the one with the “one and a half” parking spots.
(Discussion of short-term rental parking requirements, and of the Commission's authority to impose conditions on an applicant. Request by the Commission that Sandy Geiser from MRCOG provide a Commissioner training workshop on site.)

Chair McCandless: In terms of the short-term rental ordinance, we're comfortable looking at some more and learn as we go?

X. NEXT HEARING: March 18, 2020

XI. ADJOURNMENT

Motion to Adjourn: Ken Killebrew. Second: Sam Thompson. Vote, Yes: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerry Stermer and Ken Killebrew. (Unanimous.)

Laurie Stout, Planning and Zoning Administrator

Date: 2-24-20
I. CALL TO ORDER

Meeting called to order by Chair McCandless at 6:35 pm.

II. ROLL CALL

Present: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerry Sterner and Ken Killebrew. A quorum was present.

III. APPROVAL OF AGENDA

IV. BUSINESS ITEM

Amend Planning and Zoning Commission Rules for the Transaction of Business to include videoconference meetings, with associated procedures.

Chair McCandless: This meeting has two goals. One is to familiarize ourselves with this platform. The second is to take a look at our protocols. We have two documents that relate to our meetings. One is the Rules for the Transaction of Business, the other is our Resolution 20-01 establishing regular meetings. We should look at relevant portions of both of those documents. Did everyone have a chance to take a look at the guidance to public entities, put out by the AG’s office? I thought we’d look at these bullet points and see where they apply. Laurie and I will look at your recommendations, prepare a draft, and run it by the Village attorney. Then bring it back to the regular meeting in May. At that point we can ratify the changes that we made, if we’re all good with it.

Commissioner Morris: On May 20th, we’re going to notify the public that they can attend that meeting (via teleconference)?

Planning & Zoning Administrator Stout: Correct.

Commissioner Morris: But that’s not part of our current rules for transaction of business. Can we use this new way of having people appear, before we’ve actually adopted it?
(Discussion of Village Council procedure; notice of meetings still posted outdoors and on website. Only the format has changed. Opportunity to submit written comments, as always.)

Commissioner Sawina: All we’re doing is changing the location of our meeting.

PZA Stout: When the certified letters go out for the May 20th meeting, I’ll ask folks if they would please email me or call if they think they would like to speak about an agenda item, so we can get an idea up front of who’s going to be “in the room”.

Commissioner Killebrew: The main thing is that we notify the public that we’re having a meeting. As long as a good faith attempt is made. Just like in a regular meeting, folks need to “sign in” and notify us that they intend to speak.

Chair McCandless: I think we’re going to have to build that in. If they are notifying us ahead of the meeting, that is fairly significant. Currently people just show up and sign in. Let’s think about that. I’d like to tackle some of the bullet points on the AG’s memo, and see if some solutions don’t come out of that discussion.

Commissioner Thompson: I suggest we schedule our meeting at the normal time, but wait an extra 15 minutes and have people getting onto the call, identify those who are going to speak.

Chair McCandless: Perhaps we could open the zoom meeting 15 minutes early, at 6:15pm, and also utilize the chat box.

Commissioner Killebrew: That is number four and five in the bullet points.

Commissioner Morris: The (AG memo says) if a public entity has an emergency or time-sensitive matter to attend to, it may proceed with a virtual meeting. I guess we are assuming that we have time-sensitive matters. It says the most prudent thing to do is postpone any non-essential public meeting.

Chair McCandless: Let’s see how the (AG recommendations) apply. The first bullet point I see is the notice of the meeting must still comply with the mandates of the Open Meetings Act and should contain detailed information on how members of the public can attend. Our notification information is on our Resolution 20-01, which talks about the different kinds of (Commission) meetings: regular, special, emergency, etc. I was wondering if we would like to add another type of meeting, a Section 5, call it a virtual meeting, and have a first point that we would hold virtual meetings in the event of a state of emergency.

Commissioner Killebrew: This is an emergency type of meeting. It seems like it fits under (current emergency meetings category.)

Chair McCandless: My only concern with that is the last clause (under Emergency meetings) which says “the matter to be considered, if not addressed immediately by the Commission, will likely result in injury or damage to persons or property, or substantial financial loss to the Village”. That doesn’t seem to apply; what we’re really trying to do is hold a regular meeting.

Commissioner Sawina: I think our business is significantly different from the Village Council. (They) can act on things without necessarily getting input from the people. What we do is have people come before us to ask about their application. Often there are neighbors who care about that and want to speak and have a right to speak because of our laws. I’m thinking it’s going to be difficult to do this via zoom meetings—someone’s not going to get the message. If something is controversial, someone is going to say they couldn’t get on, or speak. Is it possible for applicants and the public—anyone who wants to speak—to come to our normal chambers? I’m really troubled by this, because our business is about granting permission, and the public, neighbors, should be able to speak. I’m pessimistic that it can work in this virtual environment.

Commissioner Thompson: I do empathize with what’s being said, and have had that concern myself, but I believe the stipulations from the Governor preclude there being any kind of audience. I can’t see us having any people there at the Council chambers.

Chair McCandless: Laurie and I originally thought that she and I could be in the Council chambers, and no, that can’t be done. I think we’re just going to have to do (virtual meetings), and if it goes on for a while, we’re just going to have to ask everybody’s forbearance and patience. In our Rules, there is an
option for people to send in written comments. They need to arrive 5 (business) days before the meeting, but if we emphasize that, people who have a concern can send comments in writing. We can then include them in the packet and consider them in the virtual meeting.

**Commissioner Killebrew**: The main thing is we make our best effort to give people a platform (to comment). We can’t just shut down the meetings.

**Chair McCandless**: If there is a situation where a community member feels very strongly that they need to communicate, and they are unable to, then maybe we just postpone.

**Commissioner Anderson**: If we can get their comments in writing, hopefully ahead of time, that’s best. But we can’t stop the whole process of P&Z. We still have to keep the system moving. Because someone’s business, or them dividing land, we’d be stopping them from proceeding. If we can take comments via email, that would keep the process going.

**Commissioner Killebrew**: Did the Council change their meeting procedures, formally?

**PZA Stout**: Aaron indicated (via chat box) that the Council did not, because of the emergency meetings act. They were given direction to carry on, with the format now being online.

**Commissioner Killebrew**: Why can’t we just do that same thing?

**Chair McCandless**: I think the value of doing this, for our Rules for Transaction of Business, were due to ratify those anyway. The other advantage of working through some of these procedures is so we anticipate some of these issues, and have a set of protocols for when we go into the meeting. The idea of how to address public comment is challenging.

**Commissioner Morris**: Does Council not have to accept public comment?

**PZA Stout**: Council does have a Corralenos Forum. In their agendas, just like the ones I will send out, the public is invited to attend. In the certified letters that will go to neighbors of (planning and zoning) applicants, as always, there will be very explicit instructions on how to join the meeting. If they think they would like to speak to a specific agenda item, I’m asking them to please contact me. They also are given the option of putting any concerns or questions in writing.

**Commissioner Stermer**: I think the whole community is going through this struggle. I like the idea of very clear encouragement to the neighbors, anyone who might like to speak, to participate. If there is a case where someone can’t be online, they can patch in by phone. I think we should do the people’s business and not be afraid of the technology.

**Chair McCandless**: Let me run this by you. It’s a rough draft. (For Resolution 20-01) we would take the existing Section 5 “Notice” and make it Section 6. We would add new Section 5 “Virtual Meetings”. Add: Virtual meetings by videoconference or teleconference may be called by the Chair, or a majority of members, in the event that a state of emergency is called by the Federal, State, County or Village government. That would be point A: Two: the teleconference or videoconference meeting can be used for Regular, Special, Emergency meetings, as defined in the same document. Three: Notification requirements should follow the requirements noted for each type of meeting, except that the agendas for all types of meetings will be posted on the Village website. Such notifications should include instructions on how to attend the meeting. All virtual meetings will be recorded. The Chair can suspend any meeting if technical difficulties arise. The Chair has the ability to mute the comments of a participant in the event of unruly or inappropriate comments or behavior. Finally, community participants must join the meeting no later than the first five minutes of the meeting. So, we might say the meeting opens at 6:15, and you must join no later than 6:35. We might want to add that people can exit the meeting whenever they wish, but they need to be present at the beginning.

**Commissioner Thompson**: I think that is very complete. Does Aaron have the ability to mute all members of the public, and then call on them like we normally do?

**Aaron Gjullin** (meeting host): There are a couple different ways to handle it. For instance, the Court is going to use the “waiting room” feature that zoom offers. People are in the waiting room, and can hear
what is going on, but cannot speak. It is not until they are let into the meeting that they have the ability to speak. I would have to do some testing, but I believe they can still raise their hand within the zoom app and be let in on whatever specific item they want to speak to. The other option is you mute everyone as they come in. They have the ability to unmute themselves, or we can. The only issue with that is they can unmute themselves, but we also have the ability to remove someone from the meeting if they are being disruptive or crude. Those people cannot rejoin the meeting. That was something that the lawyer was looking at, just to make sure it was ok to not allow them to rejoin. The policy for Council meetings is that we are only offering them the ability to call in by phone. You have a lot of options available to you.

We do have the ability to make the Chair the host, and have the ability to mute or remove people. When Laurie and I were talking about it, we decided that it was a good idea that I be the host/moderator, so that you as Chair and Laurie as the administrator can focus on whatever issue you are discussing and not constantly be working on (the technical aspects) of the meeting itself.

Commissioner Sawina: Would we be able to see the person who’s speaking or is it just audio?

Aaron: The public has the ability to choose whether they are seen, or not.

Chair McCandless: That raises a good question. Do we need to see an applicant, or a community member when they are providing input, or is the audio adequate?

(Discussion of audio only participation.)

Commissioner Thompson: For the next meeting, we’ll see how it goes.

Commissioner Sawina: I have a continuing concern that maybe we just need to wait. But I will support what we’re doing as a group.

Commissioner Stermer: I also prefer to have people participate by audio and video. But I think there are going to be people who don’t have computers, and we should give them the opportunity to call in.

Commissioner Killebrew: As long they are given a voice, and the opportunity to (speak).

Chair McCandless: Do we have a consensus? On one end of the spectrum we’ve got people advocating for audio only, the other saying whatever format people are able to use, preferably we would encourage video. But if they are unable to do video, audio would be fine.

Commissioner Sawina: I move that we do everything possible to allow the witnesses, and the applicants, to testify by video if at all possible, and audio, if not.

Commissioner Anderson: What about submitting comments in writing?

Chair McCandless: That is in our Rules already, so I would think that is addressed. This is just really addressing the live portion of the meetings.

Commissioner Stermer: I’ll second.

(Roll call vote: Sam Thompson, yes; John McCandless, yes; Michele Anderson, yes; Tim Sawina, yes; Ken Killebrew, yes; Melissa Morris, yes; Jerry Stermer, yes. Passed unanimously.)

Chair McCandless: Ok, we’ll put that into the revisions that we make. Another thing we need to address is voting. We state in our Rules that Commissioners cannot vote in absentia. Section 7 (a) Rules for the Transaction of Business says: Voting is not permitted in absentia, or by telephone, fax or other written or electronic means, except as expressly provided for by the Commission.

We should amend that, either add another bullet point 7 (c) to allow, in the case of virtual meetings held under the auspices of emergency meetings act, voting by videoconference or teleconference, in the collective environment.

Commissioner Thompson: Under #2 Meetings, we could add a final point I call “extraordinary circumstances” which could address a state of emergency which precludes meetings in person, that virtual meetings can be conducted. I think you can then change under Voting (Section 7) “in the event virtual meetings are required”.

Chair McCandless: You are suggesting under Section 2 Meetings, that we add a point (g)?

Commissioner Thompson: Yes.
Stating that under extraordinary circumstances, and we would describe those using the same language as in Resolution 20-01?

Commissioner Thompson: I would, where you talk about “in the event a state of emergency is declared”. The state of emergency declared by Federal, State, or local government.

Chair McCandless: And then, on Section 7 you would add a point (c) “in the event that a virtual meeting is required, that voting via teleconference or videoconference is allowed”. I had a couple of other question, looking at the AG’s memo. How do we ID speakers? I guess we ask them to identify themselves, and they can check in via the chat box. Also, how do we limit speakers? I guess that could just remain as it does now, at the discretion of the Chair. That’s about all I had.

Chair McCandless: At the next meeting, we will add to the two scheduled hearing items approval of the two resolutions. One thing we talked about is that Ms. Stout is starting to develop a backlog of applications. At some point we will need to address that, and may need to call an additional meeting, rather than just doing once a month. Thank you to Aaron and Laurie for their help getting tonight set up.

V. NEXT MEETING: May 20, 2020 (Regular Meeting – via Teleconference)

VI. ADJOURNMENT

Motion to adjourn: Sam Thompson. Second by: Tim Sawina. Vote, yes: John McCandless, Sam Thompson, Michele Anderson, Tim Sawina, Melissa Morris, Jerome Sterner, and Ken Killebrew. (Unanimous.)

Laurie Stout
5-5-2020

Laurie Stout, Planning and Zoning Administrator
WHEREAS, Section 10-15-1 NMSA 1978, the Open Meetings Act requires that all meetings of a quorum of members of a public body held for the purpose of formulating public policy or the purpose of taking any action within its authority, are declared to be public meetings open to the public at all times, unless excepted from the Open Meetings Act; and

WHEREAS, Section 10-15-1D of the Open Meetings Act requires that the Village of Corrales Planning and Zoning Commission, a public body (Commission) of the Village of Corrales (the “Village”), determine annually what notice of meetings is reasonable when applied to the Commission.

THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF CORRALES:

Section 1. Regular Meetings

A. The Commission will meet on the third Wednesday of the month for regular Commission meetings at 6:30 pm and work study sessions will be held as needed. All Commission meetings will be held at the Village of Corrales Council and Municipal Court Chambers, or as indicated in the meeting notice.

B. Notice of regular meetings will be given at least 10 days in advance of the meeting date and shall indicate how a copy of the agenda may be obtained.

C. The agenda shall be available to the public in the Village Municipal Offices and shall be posted on the Village’s website at least seventy-two (72) hours in advance of the meeting.

Section 2. Special Meetings

A. Special Meetings may be called by the Chair or a majority of the members of the Commission.

B. Notice of Special Meetings will be given at least 3 days in advance of the meeting.

C. Notice of Special Meetings shall include a list of specific items of business to be discussed or transacted at the meeting, or information on how a copy of the agenda may be obtained.

D. The agenda shall be available at least 24 hours in advance of the meeting in the Village Municipal Offices, 4324 Corrales Road.

Section 3. Emergency Meetings

A. Emergency Meetings will be called only under unforeseen circumstances which are such that the matter to be considered, if not addressed immediately by the Commission, will likely result in injury or damage to persons or property or substantial financial loss to the Village.

B. Emergency Meetings may be called by the Chair or a majority of the Commission upon 24-hour notice.

C. The notice of all Emergency Meetings shall include an agenda for the meeting.

Draft, amended May 20, 2020
D. Within ten (10) days after the Commission takes any action on an emergency matter, the Village shall report to the office of the New Mexico Attorney General the action taken and the circumstances creating the emergency.

Section 4. Closed Meetings

A. If any open meeting is closed subsequently pursuant to the exclusions contained in Subsection H of the Open Meeting Act, the closure shall:
   1. Be approved by a majority vote of a quorum of the Commission.
   2. The authority for the closure and the subject to be discussed shall be stated with reasonable specificity in the motion calling for the vote on a closed meeting.

B. If any closed meeting is called when the Commission is not in an open meeting, the meeting shall not be held until public notice, appropriate under the circumstances, is given to the general public. The notice shall include:
   1. The subject to be discussed with reasonable specificity and
   2. The specific provision of the law authorizing the closed meeting.

C. Following completion of any closed meeting, the minutes of the next open meeting, reconvened meeting, shall state the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure. The Commission shall approve the statement as part of the minutes.

Section 5. Virtual Meetings

A. Virtual meetings by videoconference or teleconference may be called by the Chair or a majority of the Commissioners in the event that a state of emergency is called by a Federal, State, County or Village government. All process that is due applicants and parties to land use hearings shall continue to be provided for.
   1. The videoconference or teleconference meeting may be used for Regular, Special, Emergency or Closed Meetings, as defined in this document.
   2. Notification requirements shall follow those noted above for each type of meeting, except that agendas for all types of meetings will also be posted on the Village website. Such notifications shall include instructions on how to attend the meeting.
   3. All virtual meetings shall be recorded.
   4. The Chair may suspend any virtual meeting if technical difficulties arise.
   5. Upon notice to the individual, the Chair may mute the comments of a participant in the event of unruly/inappropriate comments or behavior.
   6. If the meeting is held by videoconference, video participation is preferred; however audio-only participation is allowed.
   7. During a virtual meeting, the Chairperson shall recognize each speaker by name each time that person speaks.

B. Community participants must join the meeting no earlier than 15 minutes before and no later than the first five minutes, after the Call to Order.
   1. All votes of the Commissioners will be counted by Roll Call vote.

Section 5. 6. Notice

A. For the purpose of meetings described in Sections 1, 2, 3 and 4 of this resolution, notice requirements are met if notice of the date, time and place is posted in the following locations:
   1. Lobby of Municipal Administrative Offices
   2. Bulletin board in front of the Village Administrative Offices
   3. Corrales Fire Station (Corrales Road)

B. In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or
any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at the Village Offices located at 4324 Corrales Road, at least five (5) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Village Clerk at 897-0502, or by email at SFresquez@corrales-nm.org if a summary or other type accessible format is needed.

APPROVED this 20th day of May, 2020.

APPROVED:

______________________________
John McCandless, Chair
Corrales Planning and Zoning Commission

ATTESTED:

______________________________
Laurie Stout
Planning and Zoning Administrator
Resolution 20-03
Rules for the Transaction of Business

Whereas, Section 3-19-3 of the NM Statutes provides, in part, that “A planning commission shall...D. Adopt rules for the transaction of business”, and;

Whereas, the Planning and Zoning Commission of the Village of Corrales desires that its Business be conducted in a fair, impartial and orderly manner for the public good;

Now therefore, be it resolved that the following rules are established this 20th day of May, 2020 for the transaction of business before the Planning and Zoning Commission of the Village of Corrales.

1) Members and Officers:
   a) By Village Ordinance lawfully adopted, the Commission consists of seven members, appointed by the Mayor, with the advice and consent of the Governing Body. Commissioners serve two-year terms, on a staggered basis, or until a successor is named. New terms commence in the month of June.
   b) The Commission at its first regularly scheduled meeting each June elects as Officers its Chairperson, Vice-Chairperson and Secretary, to serve one-year terms.
      i) Chairperson. The duties of the Chairperson include the following: presiding at all meetings of the Commission; calling special meetings as necessary, reviewing and approving the agenda for all meetings in consultation with Planning and Zoning staff, signing Commission documents including but not limited to approved copies of meeting minutes and subdivision plats; assuring that all actions of the Commission are taken in accordance with Village Ordinances and other relevant laws and regulations; representing the Commission and speaking on its behalf; where so prescribed in the Land Use regulations and ordinances of the Village of Corrales transmitting recommendations of the Commission to the Governing Body through Planning and Zoning staff; and all of the duties that may be established by law.
      ii) Vice-Chairperson. The duties of the Vice-Chairperson include the following: presiding or performing all the duties of the Chairperson during the absence, disability or disqualification of the Chairperson.
      iii) Secretary. The duties of the Secretary include the following: keeping copies of the minutes of all meetings; preparing or informing the Commission of correspondence relating to the business of the Commission; signing approved plats.

c) In the event of a vacancy in the Vice-Chairperson or Secretary positions, the Chairperson shall appoint a commissioner to the vacant position for the balance of the term of office.

2) Meetings.
   a) Notice of Meetings. Notice of all meetings of the Commission shall be provided in accordance with applicable statutes, ordinances and rules, as set forth in the Commission’s most recently adopted Open Meetings Resolution. All meeting notices and required notices of specific agenda items shall be posted as required, including posting on the Village’s web site, and shall be emailed on the date of posting to all members of the Commission who have provided an email address for that purpose.
   b) Agenda. The Planning and Zoning staff shall prepare a draft agenda for each meeting and forward it to the Chairperson no less than 48 hours before the agenda is required to be posted. The Chairperson shall promptly review the agenda and either approve it as presented or make such changes or amendments as the Chairperson deems appropriate, in consultation with the Planning and Zoning staff. The Planning and Zoning staff shall thereupon prepare a final agenda as directed by the Chairperson, and shall publish and post it in accordance with the Commission’s most recently adopted Open Meetings Resolution, including posting on the Village’s web site. The final agenda shall be emailed on the date of posting to all members of the Commission.
   c) Sequence of Agenda Items. The Commission’s agenda for regular meetings will normally proceed in the following sequence, unless otherwise agreed upon by vote of a majority of the Commissioners present: call to order, roll call, approval of the agenda, approval of minutes of prior meetings, Public Comment on items not on the agenda; business items, to include applications for home occupation permits, variance from zoning ordinances, subdivision plat approval requests, site development plans, and any other applications within the jurisdiction of the Commission; Commissioners Forum, Planning and Zoning Administrator’s Report, other business; and adjournment.
   d) Quorum. A simple majority of the members of the Commission shall constitute a quorum for the transaction of business.
   e) Duration of Meetings. Regular and special meetings shall not extend beyond the hour of 9:00 PM unless agreed upon by a majority of Commission members in attendance at an open meeting. If the Commission is unable to complete all agenda items by such hour, a Motion to reconvene at a date certain is in order. Notice of the time and place of the reconvened meeting will be posted within 24 hours of the approved motion to reconvene and such reconvened meeting will comply in all aspects with the New Mexico Open Meetings Act and applicable ordinances of the Village of Corrales. Reconvened meetings will be held only on an exceptional basis when required by the volume or complexity of the matters presented for consideration by the Commission.
   f) Minutes. Draft minutes shall be prepared by the Planning and Zoning staff using notes, tape recordings, or other media recordings taken at the meetings. The minutes shall include, at a minimum, the following information: the date, time and place of the meeting; the names and members in attendance and those absent; the agenda items; the substance of the proposals considered; names of persons who address the Commission; a record of any decisions and votes taken which show how each member voted. The draft minutes shall become final upon their adoption by the Commission.
   g) Extraordinary Circumstances. In the event of a state of emergency called by a Federal, State or Local Government, where in-person meetings are not possible, a Virtual meeting via teleconference/videoconference may be conducted.

3) Completeness of Materials.
a) It is the responsibility of applicants to submit all relevant written material in a timely manner for review by Village staff and by interested members of the public prior to the meeting at which the materials will be presented to the Commission. Each application submitted for consideration by the Commission and ALL required supporting documentation shall be completed no less than (10) business days prior to the meeting at which the application will be considered. If the application and supporting materials require review by Village staff or contractors (including, but not limited to, the Building Inspector, Fire Chief, or Village Engineer, and including in all cases the Planning and Zoning staff), the applicant must submit all such materials in time for such review, as determined by the Planning and Zoning staff in accordance with applicable statutes, ordinances, regulations and policies of the State, the Village and the Planning and Zoning Department. The Planning and Zoning staff shall determine whether the materials are correctly prepared and complete prior to the matter being placed on the agenda, and in the event the Planning and Zoning staff determines that they are not complete the matter shall be deferred until a later Commission meeting. If, notwithstanding review by the Planning and Zoning staff, it is determined at hearing that the application or required supporting materials are not correctly prepared and complete, the Commission in its discretion may either (i) summarily deny the application, or (ii) postpone its consideration of the matter until a later date. Any items that are called before the Commission which are not represented by a direct party, shall be clearly identified as to who the initiator of that request is.

b) Citizens and other participants wishing to provide written comment on an application or other written or printed material pertinent to the application shall submit such material no later than five (5) business days prior to the meeting at which the application will be considered.

c) It is the responsibility of applicants to present all relevant testimony prior to the decision by the Commission. Applicants and other participants will not be permitted to supplement or add new documents to the record before the Commission after the Commission’s action.

4) Distribution of Materials to Commissioners. The Planning and Zoning staff will acknowledge and enter into the record signed, written communications received from the public concerning the pending application at least five (5) business days prior to the public hearing, and those communications will be distributed to the Commission and the applicant by the Planning and Zoning staff. No written documents shall be distributed to the Commission except through the Planning and Zoning staff.

a) The agenda and other written materials assembled for distribution to Commissioners by the Planning and Zoning staff shall be placed in the cabinet provided for that purpose in the Village Administrative Offices. It is the responsibility of each Commissioner to check periodically his/her name slot to remove materials for preparation in advance of meetings.

b) The Planning and Zoning staff shall distribute all written material needed for preparation for decision-making by the Commission at least five (5) working days prior to regular or special meetings. Staff should include with each application for a home occupation permit a map-view image or images (from Google Earth or another provider of equivalent materials) showing the property to which the application applies and a sufficient area surrounding the property to show adjacent properties and structures and any other properties likely to be directly affected by activities on the subject property. Except in unusual circumstances, written communications from professionals such as legal counsel or professional engineers retained by the Village regarding matters pending before the Commission shall be distributed at least five (5) working days prior to regular or special meetings.

c) A copy of each report prepared by the Planning and Zoning Administrator for submittal to the Village Council will be provided to all Commissioners by email or other reliable means at the same time such report is submitted for presentation to the Council.

5) Testimony under Oath. All persons (other than New Mexico-licensed attorneys appearing on behalf of a client) giving testimony before the Commission shall be sworn in under oath before proceeding by the Planning and Zoning staff or other qualified notary public and shall be obligated thereby to testify in a truthful manner. To assist in the orderly presentation of testimony and maintenance of minutes and other Commission records, all persons wishing to testify (and attorneys representing clients) will be asked to provide their names and addresses to the Planning and Zoning staff prior to appearing before the Commission.

6) Conduct of Meetings. Roberts Rules of Order, Newly Revised is hereby adopted for the governance of the Commission in cases not otherwise provided for in these rules or as provided for in State Statute.


b) An applicant will be asked to address the Commission and explain the material that is the subject of the application in a succinct manner, confining their comments to matters relevant to the Commission’s jurisdiction and decision-making responsibilities. At the conclusion of an applicant’s presentation, Commissioners may question the applicant to assist their understanding. No new materials, including graphic renderings, PowerPoint presentations, photographs, or other written materials will be accepted at the public hearing, unless admitted by the Chairperson upon a showing of good cause why such materials could not be provided in advance of the meeting and upon the Chairperson’s determination that the admission of such materials is in the interest of justice and equity and not unduly prejudicial to any party. No written documents shall be distributed to the Commission except through the Planning and Zoning Department staff.

c) The Chairperson may, at his or her discretion, invite oral testimony from the public present in support of, in opposition to, or concerning the application. Such testimony will be heard in the following order: interested parties (generally, applicants), owners of adjacent properties, other affected parties (those owning property within 300 feet of the subject application); and the general public. Those testifying are asked to confine their remarks to matters relevant to the Commission’s decision-making responsibilities concerning the pending application. The applicant will have an opportunity to cross-examine witnesses or provide further clarification regarding an application. Commissioners may also question those testifying to assist the Commission’s understanding of the matter to be decided. No question shall be asked of a Commissioner by applicants or others testifying before the Commission except through the Chairperson.

d) All persons participating in meetings of the Commission are expected to conduct themselves in a courteous manner. The Chairperson may limit oral presentations by applicants, proponents, opponents, and other testimony in the interests of time and orderly proceedings. The Chairperson may, when necessary, seek the assistance of the Corrales Police Department to assure the orderly conduct of Commission business.

e) In the event that a virtual meeting format is required (as per Section 2. g.), the Chairperson shall recognize each speaker by name each time that person speaks. Only one member of the public
will be unmuted at any given time. Members of the public will be sworn in individually when they are invited to speak.

7) **Voting and Decisions by the Commission.** Decisions by the Commission shall be made on Motion by a Commissioner, duly seconded. Approval of a motion shall occur on the affirmative verbal vote of a majority of Commissioners present. If the decision is unanimous, the Chairperson shall so state for the record. In the event of a divided vote, the Chairperson shall announce those Commissioners recorded in favor, those recorded against, and those abstaining.

   a) Voting is not permitted *in absentia*, or by telephone, fax or other written or electronic means, except as expressly provided for by the Commission. The maker of a Motion shall set forth supporting reasons (findings) in the text of his/her Motion to assist in understanding the decision to be made by the Commission, provided, that in any instance where the Motion is to deny an application, the maker shall state such reasons (findings) based on applicable ordinances and laws.

   b) Following receipt of testimony, the Commission may choose to postpone a vote and decision-making to a subsequent meeting, unless Village ordinances or other applicable law requires a decision be made within a specified time not consistent with such postponement. If the Commission finds that the record before it is incomplete, and that it is in the interest of justice and equity that an opportunity be afforded for additional evidence or testimony to be allowed, the Commission may in its discretion, by majority vote of the Commissioners present, to elect to keep the record open for a period not to exceed the time until and including the next regularly scheduled Commission meeting for the presentation of additional testimony and evidence.

   c) In the event that a virtual meeting format is required (as per Section 2. g.), voting by Commissioners via teleconference or videoconference is allowed. Under such circumstances approval of a motion shall occur on the affirmative roll call vote of a majority of Commissioners.

8) **Record of Decision.** All testimony, information and documents submitted to the Commission prior to its decision and the minutes of the meeting will constitute the record in the event of an appeal. Any applicant or other party desiring a verbatim transcript of the hearing on any matter shall make appropriate arrangements with the Village at least five (5) business days in advance of the hearing to be transcribed, and shall reimburse the Village for any costs incurred.

9) **Ex Parte Communication.** When an application or other request is placed on the agenda for a regular or special meeting, it becomes a matter within the jurisdiction of the Commission and subject to the legal restraints on *ex parte* communications with Commissioners. Undisclosed *ex parte* communications could compromise the fair and open purposes of these rules for the transaction of Commission business. If a Commissioner believes he/she has been contacted *ex parte* on a matter pending before the Commission, it is his/her obligation so to inform the other members of the Commission prior to the matter’s consideration, and, if the *ex parte* communication was in writing, submit it as part of the record for the meeting.

10) **Conflicts of Interest.** Applications, presented to the Commission for decision, may, on occasion, present the potential for conflicts of interest for individual Commissioners. A conflict could exist if a decision conferred a financial or personal benefit to a member of the Commission or benefit someone with whom the Commissioner has a business, personal, or kinship relationship. It is the obligation of each Commissioner to declare for the record any instance where a conflict of interest or the appearance of a conflict of interest might exist with regard to matters pending before the
Commission. Such Commissioner must then withdraw from further deliberations, including participation in discussion, and any decision-making, and should leave the room where the hearing is taking place unless that Commissioner claims to be an interested or affected party as described in the Battershell case cited in 6 (a) above.

11) Amendments to these Rules. These rules may be amended at any regular or special meeting by a vote of the majority of the entire membership of the Commission, provided that a written copy of the proposed amendment has been distributed to each member of the Commission five business days in advance of such meeting.

PASSED AND SIGNED this 20th day of May, 2020, by the Planning and Zoning Commission of the Village of Corrales; as amended April 29, 2020.

John McCandless  
Chairperson  
Corrales Planning and Zoning Commission

Tim Sawina  
Secretary  
Corrales Planning and Zoning Commission
STR 20-05, Residential Short-Term Rental Permit Application,
149 Arabian Lane, Staff Summary

Applicants Jamie and Melanie Chadwick of 149 Arabian Lane in Corrales, request a short-term rental permit for a four-bedroom, 4,400 square foot house at 149 Arabian Lane. This property is zoned A-1 (Agricultural and Rural Residential).

This is the Chadwick’s primary residence, but they intend to live part-time in Los Lunas, NM at 1806 Ash Drive while operating the Corrales home as a short-term rental when they are not present.

As per Village of Corrales Ordinance 19-006, the following items are required to be submitted for a STR application, applicable to A-1, A-2 and Historic zoned properties:

(a) (Indicate) the maximum number of occupants and vehicles that the dwelling unit and any accessory structures can accommodate. There can be no more than six guest rooms on a residential short-term rental property.
   (Applicant has provided a short narrative and their advertisement: the home accommodates 16+ guests in four bedrooms. Six parking spaces required, and shown.)

(b) A Google map or similar showing the entire property, all roads which abut the property and at least 25 feet of adjacent properties, showing on-site parking and areas subject to the short-term rental business.
   (Aerial view provided, with house and parking indicated. The parking may be a bit hard to see, but there is a large circle drive with six spaces shown off the circle.)

(c) Floorplan showing all bedrooms within the dwelling unit and any accessory structure(s) on the property. (Provided. Three bedrooms downstairs; master bedroom upstairs.)

(d) Off-street parking as required by Section 18-39 (3) Short-term rental lodging establishments. (Provided.)

(e) A valid septic permit for the property, showing the number of bedrooms permitted by the State to the septic system on the property. (Provided; permitted for four bedrooms.)

(f) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the owner of the property for which the permit will be issued. (Contact information provided. The Chadwick’s own the property.)

(g) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the operator and the local contact person for the owner of the residential rental. (The Chadwick’s are also the operators. Contact information provided.)

(h) Short-term rental permit application fee. (Paid.)
(i) *A valid New Mexico gross receipts tax number for the operator.* (Included; business name is "Casa de Corrales").

The applicant has acknowledged in writing on the application form that the short-term rental is to be used for overnight accommodations and not be advertised or utilized as an event center; and that a fire inspection and Village of Corrales business license will be required. All short-term rental applicants also acknowledge that the short-term rental should not create nuisances detectable from adjacent properties.

I observed the yellow "notice" sign properly posted on site on May 6, 2020.

*This application was originally to have been heard before the Planning and Zoning Commission on March 18, 2020. That meeting was cancelled due to coronavirus precautions. Since then, some public commenters have sent in written comments for the Commission and those comments are included in this packet for STR 20-05.*

**Recommendation:** Approve STR 20-05. Fully compliant with Ordinance 19-005. The Commission may wish to have the applicants acknowledge their understanding that operation of the short-term rental is designed for overnight lodging and does not allow for their property to be utilized or advertised as an event center, and that all parking should be contained on-site.

Laurie Stout, Planning & Zoning Administrator

5-13-2020
Application for Short Term Rental Permit

Everyone who operates or plans to operate a short term rental at any location within the A-1, A-2, or H zones of the Village of Corrales must obtain a Short Term Rental Permit (STR) issued by the Village. (Ch.18 Sec. 18-45(g), Codified Ordinances of the Village of Corrales.). To obtain an STR you must follow these procedures:

Instructions:
1. Fully and accurately complete the application and attach ALL the following:

   (a) The maximum number of occupants and vehicles that the dwelling unit and any accessory structures can accommodate. There can be no more than six total guest rooms on a residential short-term rental property.

   (b) A Google map or similar map showing the entire property, all roads which abut the property and at least 25 feet of adjacent properties, indicating the on-site parking and areas subject to the short-term rental business.

   (c) Floorplan showing all bedrooms (not just rentals) within the dwelling unit and any casita or other accessory structure(s) on the property.

   (d) Off-street parking as required by Section 18-39 (3) Short term rental lodging establishments. (One and one-half spaces dedicated per guest room.)

   (e) A valid septic permit for the property, showing the number of bedrooms permitted by the State to the septic system on the property.

   (f) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the owner of the property for which the permit will be issued.

   (g) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the operator and the local contact person for the owner of the residential rental.

   (h) Short-term rental permit application fee.

   (i) A copy of your valid New Mexico CRS ID certificate. An application without these required attachments is not complete.

2. Submit the application, $150.00 fee and nine (9) copies of all required materials, to Planning & Zoning. If the application is complete, the administrator will schedule a hearing by the Planning and Zoning Commission within 40 days of a 100% complete application. If the application is not complete, it will be returned and will not be set for hearing until resubmitted in a complete form.
3. You will post an easy-to-see notice (yellow sign), which you must obtain from the Village, for fifteen (15) days prior to the meeting when your application will be heard.
4. Attend the hearing and be prepared to answer questions.
5. Obtain a Village **business registration** ($35 fee annually), if your STR is approved by the Commission.

If you have any questions about filling out the form or about the process, please phone, e-mail or make an appointment to see Planning and Zoning. We are here to help.

**GENERAL INFORMATION**

<table>
<thead>
<tr>
<th>Address of Short-Term Rental</th>
<th>149 Arabian lane Corrales NM</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Property Owner</strong></td>
<td>Jamie &amp; Melanie Chadwick</td>
</tr>
<tr>
<td>Date</td>
<td>2-8-20</td>
</tr>
<tr>
<td><strong>Physical Address</strong></td>
<td>149 Arabian lane <a href="mailto:Corraleshacienda@gmail.com">Corraleshacienda@gmail.com</a></td>
</tr>
<tr>
<td><strong>Mailing Address</strong></td>
<td>149 Arabian lane City Corrales State NM</td>
</tr>
<tr>
<td><strong>24-hour Emergency Contact Phone</strong></td>
<td>505-216-9543</td>
</tr>
<tr>
<td><strong>Name of Operator</strong></td>
<td>Jamie &amp; Melanie Chadwick</td>
</tr>
<tr>
<td>Date</td>
<td>2-8-20</td>
</tr>
<tr>
<td><strong>Physical Address</strong></td>
<td>149 Arabian lane <a href="mailto:Corraleshacienda@gmail.com">Corraleshacienda@gmail.com</a></td>
</tr>
<tr>
<td><strong>Mailing Address</strong></td>
<td>149 Arabian lane City Corrales State NM</td>
</tr>
<tr>
<td><strong>24-hour Emergency Contact Phone</strong></td>
<td>505-216-9543</td>
</tr>
</tbody>
</table>

| **STR Property Legal Description:** | 154-A-2 Lands of Dantzberg |
| **Zoning:**                         | A-1 |
| **Map No.:**                        | 16 |

Does the owner reside on the property? **Yes** X **No**
If the operator is not the property owner, they MUST attach a letter signed by the owner granting approval for the proposed short term rental use.

| **Total Square Footage of Home:** | 4,400 |
| **(Exclude Garage unless part of STR)** | Square Feet |

How many square feet of the home will you use for the STR? **4,400**

Will you use Accessory Structures for your short term rental? **Yes** X **No**
If yes, how many square feet of Accessory Structures will you use for your STR? 

What is the name of your business? **Casa de Corrales**

How many guest bedrooms will be rented on the property? **4**
(you must provide a valid septic permit issued by NMED showing the number of bedrooms permitted on this property)

Will there be any employees who are not residents of the property? Yes ___ No X

The statements below track the requirements of the Village Code section governing STR permits. (Chapter 18-45(g)). By initialing these items, you certify that you meet these criteria and will abide by them if your STR is approved. Violating these requirements may result in revocation of your short term rental permit, fines, and/or other penalties.

INITIAL EACH APPLICABLE ITEM. (Do not use “X” or a check mark.)

MC a. There can be no more than six guest rooms on a residential short-term rental property.

MC b. Per Section 18-39(3) Short term rental lodging establishments must provide one and one half parking spaces per guest room. All parking must be on the property (off street.)

MC c. Short term rental permits are designed to allow overnight accommodations, with or without breakfast service, to registered overnight guests. No property for which a short term rental permit has been issued shall be used as an event center for parties, weddings or other gatherings. This is a condition of the issuance of a short rental permit which the permit holder accepts upon issuance of the permit by the Village. In addition to other penalties under the Village Code, a violation of this condition may result in the revocation of the short term rental permit.

MC d. A business license is required for anyone conducting business within the Village of Corrales.

MC e. A fire inspection will be required, and the property must be compliant with the Fire Code.

MC f. A lodger’s tax registration number for the property will be required and lodger’s tax must be paid.

MC g. Operation of the STR should not create nuisances detectable from adjacent properties.

Commission approval. The Planning and Zoning Commission may approve a short-term rental permit if the Commission finds that the applicant has met the requirements of Section 18-45 (g). The Commission may add such additional conditions or limitations upon the permit which may be appropriate to minimize any potential adverse impacts upon surrounding properties.

Appeal Process. An applicant who is aggrieved by the decision of the Planning and Zoning Commission may appeal the decision to the Governing Body by written notice to the Village Clerk of such appeal, to be made within ten (10) days of the date of the decision by the Planning and Zoning Commission. The matter shall be referred to the Governing Body for hearing at a regular or special meeting in the usual course of business. The decision of the Governing Body made thereof shall be expressed in writing; and the action shall be deemed final.

Penalties for violation of requirements of subsection (g) of Section 18-45.
I certify that I meet the above requirements and will abide by them. I understand that I may lose my short term rental permit and business license if I violate any of these requirements. I also understand and agree that any representation made by me in
connection with this application, whether orally or in writing, is deemed to be a condition of the short term rental permit, and violation of such condition may result in loss of my short term rental permit and business license.

Signature of Applicant: [Signature] Date: 2-8-20

PLANNING & ZONING OFFICE USE ONLY

Received By: [Signature] Date Received: 1/11/20 Date: 2-13-20

Amount Paid: $150  □ Cash  □ Check No.: __________  Credit Card

Application Reviewed and certified complete by: [Signature] Date: 2-13-20

Planning and Zoning Commission Approval/Denial:

APPROVED with the following conditions, if any:

________________________________________________________________________

________________________________________________________________________

Village Approval: ____________________ Date: ____________________

Administrator (hearing date, if applicable)

Ninety Day Business License Application Deadline:

DENIED with the following findings:

________________________________________________________________________

Denial: ____________________ Date: ____________________

Administrator (hearing date, if applicable)
Application for Short Term Rental

1. (f)
   (g) Jamie & Melanie Chadwick - owners/operators/local contact

   149 Arabian Ln
   Corrales, NM 87048

   CorralesHacienda@gmail.com
   NMDoula7@gmail.com

   505-261-9543
   505-918-0813

   local address when not at rental:
   1804 Ash Drive SW
   Los Lunas, NM 87031
Welcome to your spacious family retreat! Lots of space for everyone to spread out & relax. This custom adobe sits on an acre close to shops, breweries, wineries, & the Rio Grande River. Privacy & leisure abound in the large yard! With a park like setting everyone will love the back patio. The thick adobe walls keep a house that is full still sound & feel so calm. Located in a quaint country setting less than 10 minutes from the city of Albuquerque. Check out our instagram for local happenings!

**Sleeping arrangements**

Bedroom 1
1 king bed, 1 sofa bed

Bedroom 2
2 single beds, 2 cribs

Bedroom 3
2 queen beds, 1 single bed

Bedroom 4
1 queen bed, 1 sofa bed
**FLOORPLAN SKETCH**

**Borrower:** Chedwick, Jamie & Melanie  
**Property Address:** 149 Arabian Ln  
**City:** Corrales  
**State:** NM  
**Zip:** 87048-8292  
**File No.:** 15166  
**Case No.:** 7009002673  
**Lender:** PrimeLending, A PlainsCapital Company

---

**AREA CALCULATIONS SUMMARY**

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<tr>
<th>Code</th>
<th>Description</th>
<th>Net Size</th>
<th>Net Totals</th>
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<tr>
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<td>Second Floor</td>
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<td>872.7</td>
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<td>P/P</td>
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<td></td>
<td>Covered Porch</td>
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<tr>
<td></td>
<td>Covered Patio</td>
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<tr>
<td></td>
<td>Balcony</td>
<td>52.8</td>
<td>427.2</td>
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**LIVING AREA BREAKDOWN**

<table>
<thead>
<tr>
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<td>20.1 x 33.0</td>
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<td>4.1 x 45.1</td>
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</tr>
<tr>
<td>5.0 x 25.3</td>
<td>126.5</td>
</tr>
</tbody>
</table>

**Curve** 17.3 @ 180.0°  
**Second Floor** 47.8
APPLICATION FOR A LIQUID WASTE PERMIT OR REGISTRATION

Date of Receipt: NMED Received: 11/1/1989

Permit Approved for (circle one): Acres

450 ft

Ownership and Lots Size Document Attached:

— Recorded Survey
— Recorded Plat

SYSTEM DESIGN

A. Treatment Unit:

— BE130216
— Yes
— No

X Type 1a = 2 sf/gal/day
— Seasonal High Water Table 100+ feet
— Bedrock, Caliche, Tight Clay 100+ feet
— Gravel, Cobbles, Highly Permeable Soil

B. Depth from Ground Surface to:

— 4.5 ft

C. Soil Description:

— USDA Soil Class
— Methodology & Verification Submitted?
— Yes
— No

D. Domestic Water Source:

— On-site
— Off-site
— Private
— Public
— Shared

OTHER: State Engineer Well Permit # 4: RG 53368

Name of Public Water System:

— Experimental System

TOTAL WASTEWATER FLOW ON PROPERTY:

A. Proposed Liquid Waste System Use and Design Flow:

— Single Family Residence 4 no. bedrooms 450 gpd
— Seasonal Residence
— Commercial/Institutional (type):

B. Are there other sewage sources on this property? — Yes — No

TOTAL WASTEWATER FLOW ON PROPERTY: 450 gpd

III. SITE INFORMATION

A. Lot Size:

— 450 = 0 x 450

C. Minimum required absorption area:

— 900 SQFT

Trench or Bedwidth = 2 ft.

D. Depth from ground surface to bottom of absorption area =

— 4.5 ft

E. Requirement of an existing system Registration - Existing Impervious System

APPLICATION (Instructions available on request)

Application is for:

— New Permit Registration - Existing unpermitted system
— Modification of an existing system

LATITUDE EGYPT

— Existing unpermitted system

SYSTEM LOCATION: Address, City, State, Zip Code

— Existing Permit No. (if applicable): BE900094

SUBDIVISION

— Experimental System

APPLICATION FOR A LIQUID WASTE PERMIT OR REGISTRATION

Permit Approved for (circle one): Acres

Date of Receipt: NMED Received: 11/5/2013

Permit Fee:

Other:

BE130216
V.1. NMED USE ONLY

Owner. (Owner's Authorized Representative and Contractor)

Owner Authorized Representative and Contractor:

Signature: __________________________
"Print Name: Amanda McKerinper Riogrande Septic Service"

Date: 07/07/15

Permit Conditions or Reasons for Denial:

NOTE: This permit may be canceled for failure to meet any condition(s) specified. Failure to comply with the system within one year, for providing inaccurate or incomplete information, or failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection.

If you have any questions call:

VII. NMED PERMIT TO CONSTRUCT (For Registrations, ATSO-Ownership Transfer, or Permitting of Existing Unpermitted Systems installed after February 1, 2002, Skip this Section and Go to Section VIII):

A Permit for Construction of the system described here is hereby granted subject to conditions.

Permit Number: ________

Permit Conditions or Reasons for Denial:

NOTE: This permit may be canceled for failure to meet any condition(s) specified. Failure to comply with the system within one year, for providing inaccurate or incomplete information, or failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection.

If you have any questions call:

VIII. NMED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:

The system described above was inspected by NMED:

Contractor Photo Inspection Submitted:

If you have any questions call:

V.2. NMED USE ONLY

Owner. (Owner's Authorized Representative and Contractor)

Owner Authorized Representative and Contractor:

Signature: __________________________
"Print Name: Amanda McKerinper Riogrande Septic Service"

Date: 07/07/15

Permit Conditions or Reasons for Denial:

NOTE: This permit may be canceled for failure to meet any condition(s) specified. Failure to comply with the system within one year, for providing inaccurate or incomplete information, or failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection.

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If you have any questions call:

VIII. NMED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:

The system described above was inspected by NMED:

Contractor Photo Inspection Authorized:

If you have any questions call:
NMED Permit No: 86130.2 Revele. Applicant's Name: Torrez
Type of Inspection: INITIAL [FINAL] [REINSPECTION] [COMPLAINT] [OTHER]

1. BUILDING SEWER
   a. Correct Size and Material 20.7.3.813.C
   b. Required Cleanouts Present, Installed Correctly & to Finish Grade 20.7.3.813.B
   c. Pipe at Correct Grade (1/8” to 1/4” per foot) 20.7.3.813.A

2. PRE-TREATMENT
   a. Type
   b. Installed as per Plans or Manufacturer's Instructions 20.7.3.401.1
   c. Other:

3. SEPTIC TANK / SEC./ TERT. TREATMENT UNIT
   a. Concrete [Plastic/Fiberglass] Sec./Tert. Treatment Unit located as per Site Plan 20.7.401.1
   b. Correct Setbacks 20.7.3.302, Table 302.1
   c. Tank Certified; Correctly Labeled 20.7.3.501, 20.7.3.501.8.4
   d. Tank Correctly Oriented, Level & Depth Below Grade 20.7.3.501.7.7
   e. Inlet / Outlet Pipes Sealed & Watertight
   f. Inlet / Outlet Baffle or Tee with Branch Extending 12" Minimum Below Liquid Level
   g. Effluent Filter Installed, Riser to Grade
   h. Tank & Fittings Correctly Vented
   i. Concrete Tank: Coated & Material Correct OR Type V-Concrete
   j. Outlet Pipe Correct Size & Material
   k. Manholes Correctly Sized & Located
   l. Manhole Risers at Grade, Diameter, Secure Lids & Coated
   m. Tank Installed per Manufacturer's Instructions
   n. Advanced Treatment Unit Installed per Manufacturer's Instructions
   o. Water Tightness Test Conducted
   p. Water Softener Discharge Bypassing ATU
   q. Other:

4. SURGE, PUMP AND HOLDING TANKS
   a. Correct Size
   b. Inlet/Outlet Sealed Correctly
   c. Pump(s) & Alarms installed on separate circuits, properly set and located
   d. Manholes, Risers, Lids Correct and Water Tight

5. TEE/DISTRIBUTION BOX/HEADER
   a. 4" Diameter
   b. Tee Level/Head
   c. "O" Box Level and on Concrete Slab or Stable Soil
   d. "O" Box Inlet Baffled and "I" Above Outlets
   e. "O" Box Outlets at Same Height, Equal Flow to Outlets
   f. Tee or "O" Located a Min. of 5' From Disposal Field
   g. Other:

6. DISPOSAL TRENCH OR BED
   a. Trench [Chamber] [Bed] [Seepage Pit(s)] [Other]
   b. Soil Type Verified
   c. Correct Clearance to Ground Water or Limiting Layer

Additional comments:

OK - If installed and meets Requirements
N/ I - Not Inspected
N/ C - Not Compliant
N/A - Not applicable
A P - As Proposed
N/ T - Not Tested
EX - Existing

GIS COORDINATES
Well: lat 35°14'.064", long 106°36'.510
Elev: __________
Sys: lat 35°14'.053", long 106°36'.529
Elev: __________

Final Approval
Granted [Not Granted]

I certify that this liquid waste system was installed in accordance with the permit approved by NMED, unless otherwise noted in Comments Section above.
Installer, Date
NMED Inspector, Date
## STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT

### REGISTRATION CERTIFICATE

<table>
<thead>
<tr>
<th>Date ID Issued</th>
<th>IDENTIFICATION NUMBER</th>
<th>Business Start Date</th>
<th>Business End Date</th>
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<td>03-517750-00-0</td>
<td>16-Mar-2020</td>
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</tbody>
</table>

**Date ID Issued:** 04-Feb-2020  
**IDENTIFICATION NUMBER:** 03-517750-00-0  
**Business Start Date:** 16-Mar-2020  
**Business End Date:**  

**Business Location:** 149 ARABIAN LN  
**City and State:** CORRALES, NM  
**Taxpayer Name:** JAMIE CHADWICK  
**Firm Name:** CASA DE CORRALES  
**Mailing Address:** 149 ARABIAN LN  
**City and State:** CORRALES, NM  
**Taxpayer Type:** PROPRIETOR  
**Filing Frequency:** Quarterly  
**Zip Code:** 87048  

**THISCERTIFICATEISNOTTRANSFERABLE**

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 630, Santa Fe, New Mexico 87504-0630.

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**STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT**

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**Taxpayer Type:** PROPRIETOR  
**Filing Frequency:** Quarterly  
**Zip Code:** 87048  

**THISCERTIFICATEISNOTTRANSFERABLE**

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 630, Santa Fe, New Mexico 87504-0630.
May 9, 2020

Dear Corrales Planning & Zoning Commission,

This letter is regarding the request of Temporary Rental application for 149 Arabian Lane, Corrales, NM 87048, owned by Mr. & Mrs. Jay Chadwick. It is our understanding that the owners wish to become an Air B&B and rent out the home while they are out of town on occasions. (20 nights per year as per conversation)

There are some major concerns over permitting an Air B&B on Arabian Lane, in the past several years the home at 5220 Corrales Road which boarders Arabian Lane on the South side was an illegal Air B&B and posted as a venue on Air B&B. There were almost weekly weddings or parties held at this location which caused the surrounding three neighborhoods many issues to include guests wondering down our road, noise, late night disruption, parking and blocking of private roads while guests attended events, making it near impossible to safely get onto Corrales Road and the use of Arabian Lane as a track for an ATV at high speeds. Both Arabian Lane and Aaramar Road are private lanes for ingress and egress of property owners only both were affected by the happenings at 5220 Corrales Roads illegal activities.

While the owners of 149 Arabian Lane may not be allowing this sort of thing they are not planning on being in town during the duration of their rental times which will leave the renter on their honor as far as following any rules or regulations are concerned. We are concerned we will once again return to some if not all the same issues that we no longer must deal with if you allow this permitting.

Each landowner on Arabian Lane is bound to a legal road maintenance agreement which states that each is responsible for maintaining their section of which the section that 149 Arabian Lane is the second parcel on Arabian Lane and in turn will have a higher traffic volume and create more need for maintenance, in fact this property and the one to the East of it have not upheld this agreement nor made repairs to the existing issues already present so the higher impact will create yet more issues for residents on Arabian Lane.

We are also not wanting to have multiple strangers coming and going we have managed to be one of the lanes that has had minimal issues with theft or vandalism, we would like to keep it that way. This is not a situation where a background check or other heftier investigating of a tenant can be done as in the case of long-term home rental and lease agreements.

We respectfully ask that this permit for temporary rental of 149 Arabian Lane be denied so that we can continue as a neighborhood to enjoy peace without disruption of ourselves and of our neighbors.

Thank You

Shawn & Robert C’DeBaca
351 Arabian Lane, Corrales, NM
505-898-5620
May 11, 2020

Dear Ms. Stout,

It was brought to my attention that a P&Z meeting to consider a short-term rental permit for the home of Jamie and Melanie Chadwick on 149 Arabian Lane has been scheduled for 5/20/2020. Although Mrs. Chadwick at one point indicated her intentions to move, we were not aware that the meeting had been scheduled until this afternoon.

I have concerns about having Air B&B as well as others in the neighborhood. Several years ago, we lived in Corrales for 20+ years and am well aware of the disruptions that go on during the Balloon Fiesta. I do not believe that the temporary renter will be able to manage the property or handle disruptive situations. The property is large and can accommodate many people. The Chadwick's have been good neighbors, and they take very good care of their property. They will be out of the vicinity when their property is being rented.

Who have invested in their property, neighbors and village.

The Chadwicks have been good neighbors, and they take very good care of their property. They will be out of the vicinity when their property is being rented.

I have concerns about having Air B&B or temporary rentals that is directly across the street from me. I was two houses away from 220 Corrales Rd. when it was being rented out as a temporary rental. It eventually became a venue for weddings and other events. I'm sure you and the commission are aware of how disruptive this was to us... My husband and neighbors. I have also witnessed disruption and illegal activities by former renters in my neighborhood. Despite this, we have no documentation by my neighbors and neighbors. I have also witnessed disruption and illegal activities by former renters in my neighborhood. We have not been able to enforce any rules for the corporation.

Are there short-term rental regulations in place and accessible to the public? Will they be enforced and by whom? What can residents do if renters become disruptive, especially on weekends?

Thank you for your consideration.

Harriette Monroe
115 Arabian Lane
Corrales
May 13, 2020

Dear Village Council.

This letter is to inform the council of my objection to the issuance of a permit for temporary rental to the Chadwick’s at 149 Arabian Lane for the following reasons:

#1 Arabian Lane is a PRIVATE road for the homeowners only, it is not maintained by the Village and is required to be maintained by the individual homeowner whose property it passes thru.

#2 I have been informed by the property owner, the house would be rented when the owners went to Las Cruces to visit grandma, per village requirements the owners are required to be accessible within one hour of any problem requiring immediate action, Las Cruces is over 3hrs away.

#3 Mrs. Chadwick puts herself out as a professional photographer and passes out business cards stating that fact, has she ever applied to the village for a home Occupation Permit for said business? If she has failed to follow rules and procedures in the past, how can we be assured they will comply in the future?

#4 Corona Virus is a major concern at the present and travel is limited, how are we as a neighborhood going to be protected from possible infection with strangers coming from all over the place. With our governor deeming this not an essential business and quarantine being required for a two-week period, how is that going to work with out of state visitors?

#5 The council knows about the problems we had with 5220 Corrales Road which caused a lot of problems with both Arabian Lane and Aaramar Lane, which is also a private road. The Chadwick’s have not talked to any of the neighbors on Arabian Lane or neighborhoods that were affected by 5220’s illegal Air B&B, but are trying to slide this Air B&B into our backyard without letting anyone who does not use Arabian Lane know what they are planning.

I respectively request the Village Council listens to the neighborhood and does not allow this permit to be issued for the above and collective concerns of the neighborhood.

Thank you for your consideration on this matter,

Respectfully

Robert C’DeBaca

351 Arabian Lane, Corraíes, NM
May 12, 2020

Dear Ms. Stout,

This letter is regarding the request of Jamie & Melanie Chadwick for a Temporary/Short Term Rental Permit at 149 Arabian Lane. We have concerns about an Air BNB or temporary rental that is on our private road and 2 houses west of our home. The Chadwick’s home is large and can accommodate many people. This means numerous people and vehicles coming in and out, 24hrs/day on a small private dirt road that has to be maintained by each property owner on Arabian Lane; more traffic=more maintenance. This road already is experiencing difficulty with some residents maintaining their portion of the road.

There is also a major problem with parking. Although it clearly states in the ordinance that events are not permitted, if the renters still intend to host a larger event it will create a safety issue. In the past, people have parked along Arabian Lane which allowed only small vehicles to pass. Imagine the chaos and potential decreased response time if emergency vehicles are needed anywhere on this road!

I have read the Short Term Rental Ordinance and understand that a violation of any conditions may result in the revocation of the short term rental permit. My questions are: who is responsible for monitoring compliance? Is it us, the neighbors? If violations or concerns are raised by neighbors, are these then investigated and actions taken? If so, by whom?

We’ve experienced numerous issues with the property at 5220 Corrales Road, to include: addition of a mobile home on an established residential property; illegal Air BNB/short term rental; and large events, such as weddings, graduations and celebrations. Many of the residents of Arabian and Aaramar Lanes voiced concerns with village officials, numerous times, to no avail. Because of this we find it difficult to support the Chadwick’s permit request.

I have lived on Arabian Lane since 1981 and I have seen it grow from 3 homes to now 9! It is a very peaceful place and hope it remains so.

Thank you for your consideration,

Laura Volz and Craig Aldrich
295 Arabian Lane
Corrales, NM 87048
SUM 20-03, Proposed Tract A-1-A,
Lands of Beta Investments, Staff Summary

Agent Community Sciences Corporation is representing property owner Beta Investments, LLC. They are requesting Summary Plat approval to vacate a lot line between existing one-acre Tract B-1, La Tierra and existing 6.8-acre Tract A-1, Lands of Beta Investments, thereby creating proposed 7.9-acre Tract A-1-A, Lands of Beta Investments, LLC. This property contains the solar farm and is located directly east of the Rio Rancho Industrial Park and west of Don Julio Road in Corrales.

They also wish to vacate the easement and cul-de-sac platted on Tract B-1, La Tierra, as that lot will now be part of the general solar farm and will use the existing 30’ easement that enters it on Tract A-1.

**Background:** Solar panels already exist on this 1-acre parcel being absorbed into the general solar farm property. The Commission earlier approved the division of La Tierra into Tracts B-1 and B-2, both of which at the time were owned by SSCAFCA. SSCAFCA has transferred ownership of Tract B-1 to Beta Investments, LLC, for the use of Affordable Solar. Earlier hearings before the Commission were the Site Development Plan for the solar farm, and a zone change of Tract A-1, Lands of Beta Investments from A-1 to C (Commercial).

(The odd configuration is due to Tract B-1, Lands of Beta Investments, which is not a part of this plat but is slated for a future SSCAFCA project to redirect flows from the Industrial Park towards Montoyas Arroyo, hopefully eliminating Tortugas Arroyo and the floodplain downstream.)

**Access:** Access to proposed Tract A-1-A (solar farm) remains the 30’ private access easement off Don Julio Road. The access and cul-de-sac for Tract B-1, La Tierra was required by Village Code at the time of that plat, but may now be vacated and replaced with Tract A-1-A’s existing access.

**General:** Legal description is on the plat. Lot corners are marked, and Village Engineer Steve Grollman’s email dated February 17th notes that the boundary and areas are correct on the drawing as well.

No wells or septic exist near this property. To the west is the Rio Rancho Industrial Park, Montoyas Arroyo to the south (owned by SSCAFCA), Tract B-1, Lands of Beta Investments (also owned by SSCAFCA) and Don Julio Road to the east and undeveloped land east and north.

Surveyor has noted FEMA floodplain boundaries and the 15’ Rio Rancho sanitary sewer easement on Tract A-1-A. Other utility easements also remain. A topographical survey has been provided to the Village.

Certified letters were sent timely. I observed the sign posted properly on May 5, 2020.

**Recommendation:** Approve SUM 20-03. The proposed Summary Plat is compliant with Village of Corrales ordinances within *Article III. Subdivisions.*

Assuming approval, the next step for the applicant will be to submit a zone change request from A-1 to to C-Commercial for the newly created Tract A-1-A, Lands of Beta Investments.

Laurie Stout, Planning & Zoning Administrator  
5-6-2020  
Date
Village of Corrales
Planning and Zoning Department

SUMMARY PLAT APPLICATION (Sec. 18-88)

APPLICANT INFORMATION

Applicant Name: "County Services" Telephone: 997-0000
Mailing Address: PO Box 320, Corrales, NM 87048 Email: "county@county@county
Name of Proposed Subdivision: "Bela Investments, LLC and Community Services"
Zone Classification: "Vacation and Residential"
Location of Proposed Subdivision: "Dan Julio Rd."

Descriptive Information:

Subdivision: "Bela Investments, LLC"
Lot/Tract Number: "A-1"
MRGCD Map #: 

Acreage of Site: 11.2402
Present Number of Lots: 2
Proposed Number of Lots: 1

Property Owner(s), if different from applicant: "Bela Investments, LLC"
Mailing Address: PO Box 65808, ABQ, NM 87193-5805
Telephone Number: (505) 706-6119

Relationship of Applicant to Land Owner(s): "Agent"
Name/Address of Land Planner: 
Name/Address of Engineer: 
Name/Address of Surveyor: "Community Services (see above)"

Signature of Applicant: 
Date: 02/06/2020

Page 1 of 9 Revised July 2019
GENERAL INFORMATION

FEES: Six hundred and fifty dollars ($650) due at the time of application. Cost of certified mailing will be invoiced to the applicant. Re-submitals due to errors or omissions are $1,000.

DEADLINE: A minimum forty days (40) prior to anticipated P&Z Commission hearing; fourteen copies of all documentation are required: four (4) copies shall be 24” by 36”; after the Administrator states the application is complete, then ten (10) copies of the Preliminary Plat, with corrections if any, shall be submitted in 11” by 17” and an electronic copy (PDF format) is required with EACH submittal.

REQUIREMENTS: Chapter 18 Section 18-76 – Section 18-94 (see attached checklist). Public notification required; sign must be requested by applicant and posted per §18-79(b) of the Codified Ordinances.

OFFICE USE ONLY

Date Received: 3/06/20  Received By:  File No.: SUM 20-03

Amount Paid: 650.00  Cash ☐  Credit ☐  Credit Card Number: 17458

Check ☐  Check #:  Receipt Number:

Completed Application Acceptance Date:  Date of Hearing: 

Developer Invoiced for Legal Notice (date/amount):  Paid: $ 

☐ Approved:  Date: 

☐ Approved with Conditions:

☐ Denied:  

Date

Findings of Facts and Conclusions of Law:
☐ Amended Plat Required: ______________________

Date

Findings of Facts and Conclusions of Law:

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

☐ Amended Grading and Drainage Plan Required: ______________________

Date

Findings of Facts and Conclusions of Law:

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________
SUMMARY PLAT APPLICATION CHECKLIST

Summary Plat submittal. The applicant seeking approval of a subdivision or re-subdivision under this summary procedure shall submit a completed final plat application. The proposed summary plat and all accompany materials shall:

(1) Be clearly identified as submittals pursuant to the summary plat procedure;
(2) Be prepared in accordance with the standards for plats, data and related materials that are required for preliminary plat approval and for final plat approval as provided in this article; and
(3) Comply fully and completely with all requirements for preliminary plat approval and final plat approval as provided in this article.

Unless waived by the Planning and Zoning Commission, the preliminary plat requirements are as follows: INITIAL IF INCLUDED. Completed application form

1. Proof of financial responsibility on the part of the subdivider.

2. The location of all present property lines, projected section lines, streets, watercourses, and other existing features within the area to be subdivided and similar information regarding land immediately adjacent thereto. Buildings, wells and waste water disposal systems shall be shown on the property to be subdivided and on adjacent parcels, on a separate sheet titled “Site Plan.”

3. The proposed location and width of all proposed streets, alleys, utility easements, and areas to be reserved for public use.

4. Existing utilities, drainage courses and culverts within the tract or on streets immediately abutting thereto; the location and size of the nearest water mains and sewer lines.

5. The title under which the proposed subdivision is to be recorded and the name of the land planner, engineer, registered land surveyor, the subdivider and the owner of the tract, with the address to which any notice is to be sent.

6. The layout, numbers and approximate dimensions of proposed lots.

7. The zoning classification and proposed use for the area being platted.

8. Proposed names for all streets in the area being platted.

9. Written and signed statements explaining how and when the subdivider proposed to provide and install all required sewer or other disposal of sanitary wastes, graveled roads, drainage structures and street name signs.
10. The legal description of the area being platted and of each parcel of land proposed as part of the subdivision; legible copies of all prior plats that reflect the history of the land being subdivided, showing how and when the existing lots were created, shall be provided by the subdivider.

11a. Contours referred to the National Geodetic Survey (formerly U. S. Coast and Geodetic Survey) datum with elevation contours shown at not more than one (1) foot intervals on slopes up to eight percent (8%), not more than two (2) foot intervals on slopes between eight percent (8%) and fifteen percent (15%), and not more than five (5) foot intervals on slopes of fifteen percent (15%) or greater. In addition, all areas with slopes greater than eight percent (8%) must be differentiated through shading, tone, color, or line weight; and all areas with slopes of fifteen percent (15%) or greater must be separately differentiated through shading, tone, color, or line weight. Slopes greater than fifteen percent (15%) shall not be disturbed. If there are no slopes greater than fifteen percent (15%) in the area to be platted, an affidavit to that effect, signed and sealed by the surveyor, shall be placed on the preliminary plat.

11b. Land east of the Corrales Main Canal shall be exempt from the requirement to submit a topographic survey unless required by the Commission or the Administrator; an affidavit stipulating that the land has a one percent (1%) or less slope, signed and sealed by the surveyor or professional engineer preparing the plat, shall be placed on the plat.

12. The north point, scale (one inch equal to 100 feet) and date.

13. The acreage of the land to be subdivided.


15. Subsurface conditions on the tract, if required by the Planning and Zoning Commission, including such information as the location and results of tests made to ascertain subsurface soil, rock and groundwater conditions; depth to groundwater, soil percolation and any other subsurface conditions.

16. Such other information and material as may be applicable or required by ordinance or rules and regulations pertaining to utilities, services or streets within the Village or within the area of planning and platting jurisdiction.

Unless waived by the Planning and Zoning Commission, the final plat (Sec. 18-87) requirements are as follows: INITIAL IF INCLUDED.

Following preliminary plat approval and the presentation of proof by the subdivider that he has complied with all preliminary plat requirements, the subdivider shall complete and submit a final plat application and fourteen (14) sets of all application materials as required in this section for review by the planning and zoning administrator, the Village engineer, the Village attorney, and the Commission.

Requirements for Final Plat Application: Sec. 18-87(c)
The final plat shall be in conformity with the requirements of applicable State statutes and shall be
an accurate drawing designating specifically the land so laid out, and particularly describing the portions thereof to be dedicated for public use. Such final plat shall be drawn in black ink to a scale of not more than 100 feet to the inch from an accurate survey. It shall contain one or more sheets of dimensions not exceeding 24 inches by 36 inches. If more than two sheets are submitted, an index sheet of the same dimensions shall be attached showing the entire subdivision on one sheet and the component areas on the remaining sheet.

(2) The final plat of the subdivision and accompanying documents shall show:
Completed Application Form and applicable fee.

a) Boundary lines with accurate distances and courses.
b) Correct legal description, which shall refer to permanent monuments, number of each lot in progression, and dimensions of the same. All property corners shall be set with rebar and cap, or other appropriate materials, and identified as such on the final plat.
c) Lines of all proposed streets and alleys with their widths and names.
d) Accurate outline of any portions of the property intended to be dedicated for public use or for the use of the owners of the lots fronting or adjacent to the land, together with dimensions of same.
e) Line of departure of one street from another.
f) Names and widths of adjoining streets and alleys abutting the subdivision drawn in dashed lines.
g) All lots designated by numbers or letters, and streets, avenues and other grounds designated by names, letters or numbers.
h) Building setback lines shown by narrow dashed lines, if required.
i) Location of all easements provided for public use, services or utilities.
j) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements and other areas for public or private use.
k) Radii, arcs or chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
l) Location of all survey monuments and their descriptions.
m) Name of the subdivision and scale of the plat, north point, name of the owner or owners, name of subdividers and date.
n) Certificate of registered land surveyor attesting to the accuracy of the survey and the correct location of all monuments shown.
o) Certificate of licensed engineer attesting to the adequacy of, and in compliance with, engineering provisions and requirements.
p) Acknowledgement. Every plat shall contain a statement that the land being surveyed, and the streets, alleys, easements, drainageways and other public ways appearing on the plat are with the free consent and in accordance with the desire of the undersigned owner and proprietor of the land and are dedicated to the public use and shall be acknowledged by all fee simple owners and any contract sellers and purchasers.
q) Certification. A certification by a title or abstract company, or a duly authorized attorney, that there are no delinquent taxes, suits, actions at law, easements, restrictive covenants or rights-of-way affecting the property except those stated on the plat.
Affidavit. The plat shall also contain an affidavit by a registered land surveyor or registered engineer that the proposed subdivision does lie within the planning and platting jurisdiction of the Village.

Separately signed approval blocks with the names of each utility company involved, typed under the signature, along with the date of each signature. For lands east of the Main Canal, a signature and date of approval block shall be provided for the Middle Rio Grande Conservancy District.

Signature block (same as for Final Plat Subdivision):

This summary plat of subdivision is approved, but such approval does not constitute acceptance for maintenance purposes of any streets, alleys or other dedicated lands.

Chairman, Planning and Zoning Commission ____________________ Date ______________

Secretary, Planning and Zoning Commission ____________________ Date ______________

Mayor, Village of Corrales ____________________ Date ______________

Village Clerk ____________________ Date ______________

(d) Required improvements (final plat).

(1) Upon receipt of a final plat and prints thereof from the subdivider, the Planning and Zoning Administrator shall refer the final plat with such letter of transmittal to the Planning and Zoning Commission at its next regular session and shall report on the following:

a. Any improvements that may be required by this article have been constructed in a satisfactory manner in accordance with the minimum standards established by the Village as approved by the Village engineer.

b. In lieu of such prior construction, the subdivider has filed with the Village Clerk a duly executed performance bond with a financially qualified surety in an amount equal to 100 percent of the cost of the total public improvements and on all of the property abutting each such street or other locations within the subdivision.

c. The developer has presented copies of signed contracts containing adequate financial assurance to the Village providing for installation of public improvements which may be required in a satisfactory manner in accordance with the minimum standards established by the Village; such contracts shall be cancelable only upon disapproval of the plat by the Planning and Zoning Commission.
d. The developer has entered into an agreement or contract with the Village providing for the installation of such improvements and pledging the properties of the subdivision as guarantee that such improvements will be installed. Such contract may provide that the subdivider pay for such public improvements made pursuant to the contract with the Village on a block to block basis as the subdivision is developed, providing for payment for such improvements as constructed, and the release of lien placed up on such properties by the instrument of the Village. Payment to the Village for these purposes shall be made at the time of development even though the entire improvements, or a portion thereof, may be required to be deferred, and such money shall be held in escrow by the Village as a trust fund for such purposes.

(c) Hearing, approval and recordation of summary plat. At hearing, the Commission may approve the proposed summary plat, or may deny it if the Commission determines that the proposed subdivision does not qualify for summary plat approval, the proposed summary plat and accompanying materials are incomplete, or the proposed subdivision fails to meet all standards of this article and other applicable ordinances and policies of the Village. Upon approval, the Village will record the summary plat in the office of the county clerk in accordance with the provisions of Subsection 18-79(e)(3).

Section 18-89. Improvements.
The following improvement procedures will be required unless waived by the Planning and Zoning Commission:

1. Completion of improvements. Plans for improvements shall be prepared by a qualified engineer registered in accordance with the laws of the State. The improvements listed in Subsection (2) of this section shall be installed pursuant to the method decided upon under section 18-87(d).

2. Required improvements. The improvements to be installed shall include the following:

a. Permanent markers. All subdivision boundary corners shall be marked with a permanent monument. A permanent monument shall be deemed to be concrete with a minimum dimension of four inches, extending three feet below the surface of the ground, or steel pipe or rebar firmly imbedded in concrete which extends at least three feet below the surface of the ground. Should conditions prohibit the placing of monuments on line, offset marking will be permitted, provided however, the offset courses and distances are shown on the plat. A permanent benchmark shall be accessibly placed within the subdivision, the elevation of which shall be referred to the National Geodetic Survey (formerly U. S. Coast and Geodetic Survey) datum and accurately noted on the subdivision plat.

b. Drainage. Adequate provision shall be made for drainage of storm water. Drainage improvements shall maintain any natural watercourse and shall prevent the collection of water in any low spot. No lot shall be platted to obstruct natural water flow. Storm water drainage shall not be permitted to combine with sanitary sewers. Lined drainage channels may be required and provided with required checks or be installed in concrete storm sewer conduit in accordance with the requirements noted in the master plan and as required by the Governing Body for storm sewers. Drainage structures must be placed on all arroyos where roads intersect them. Drainage
structures shall be based on 1.25 inches of rain in one hour as the standard, and may be either of corrugated metal or concrete.

3. Additional improvement standards. Additional standards for design, construction, specifications and inspection of street improvements, utilities, street name signs, and drainage facilities may be required by the Village. Such standards, rules and regulations shall be approved by the Governing Body and be on file in the Village Clerk’s office.

4. Completion of improvements. No building permit for construction within the subdivision, except permits for construction of the improvements, shall be issued until all improvements have been completed to the satisfaction of the Village.

Comments:

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________
February 6, 2020

Planning and Zoning Administrator
Planning and Zoning Commission
Village of Corrales, NM


Dear Ms. Stout, Chair and Members of the Planning and Zoning Commission,

Community Sciences Corporation (CSC) is the agent for Beta Investments and SSCAFCA.

We wish to combine existing Tracts A-1, Lands of Beta Investments, LLC and Tract B-1, La Tierra Subdivision, into one new Tract A-1-A as part of the solar panel facility. At the same time, we wish to vacate the existing Private Access Easement and cul-de-sac on Tracts B-1 and B-2, La Tierra Subdivision. New Tract A-1-A will utilize the existing 30’ Private Access Easement off Don Julio Road and has no need of the cul-de-sac or access to Don Julio Road. Tract B-2 has access off Don Julio and no longer needs to provide access to what was Tract B-1, now part of new Tract A-1-A. Tract B-2 is not being re-named as the acreage is not changing and a new Assessor’s account number will not be assigned.

CSC is not requesting any variances or waivers and is not granting easements, dedicating or vacating any rights-of-way by this platting action.

CSC therefore requests your review and approval of this Summary Plat application.

Respectfully,

Thomas W. Patrick
New Mexico Professional Surveyor No. 12651
Laurie,  
  
Boundary/areas are all correct.  
  
Thanks,  

SJG
I, ____________________________________ (applicant/agent) acknowledge receipt of a yellow "public notice" sign from the Village of Corrales that must be displayed and visibly available to passersby on the road at the entrance to the subject property, from end of day March 3, 2020 through 6 pm on Wednesday, March 18, 2020.

A Village representative will be by the property to assure this posting has been completed. If your sign cannot be located by Village rep, your hearing will be postponed till the next meeting.

____________________________________
Signature

_______________________________
Date

(SUM 20-03, Lands of Beta Investments)
PZA Report (originally scheduled for March 2020 mtg.)

May 20, 2020 Planning and Zoning Commission Meeting

The following Home Occupation permits were approved administratively:

**ZOC 20-05.** Applicant and artist **Samuel Marion** of **305 Mountain Shadows Road** will use a 500 square foot detached accessory structure for studio space for “Rose Fountain Studios”. Little to no client visits to the home.

**ZOC 20-06.** Applicant **James Herrera** of **700 East Valverde Road** will use 38 square feet of a 2,359 square foot home for an office, and 400 square feet in a detached accessory structure for studio space. His business is graphic design. No client visits to the home.

**ZOC 20-07.** Applicant **Brian Phillipbar** of **1220 Angel Road** will use 400 square feet of an 1,800 square foot home as an office for his general contracting business “Brian Phillipbar Construction Company. No client visits to the home.

The Village of Corrales website now contains minutes, agendas and packets for Planning and Zoning Commission hearings going back to January of 2018.

Code Enforcement Officer Sherrie Rice jumped in on day one and has made many citizen contacts, regarding problems both old and new, since then. The website now contains information in the Planning and Zoning Department tab, Code Enforcement tab, regarding the procedure and process.

Host Compliance company will work with the Village to help us obtain the addresses and contact information of short-term rental properties currently operating within the Village. My task is to convince the Sandoval County Assessor’s office to relinquish the data so that we may begin. Letters will go out soon thereafter to all properties that have not already been approved, asking operators to submit the short-term rental permit application. Another press release was sent to the “Corrales Comment”, requesting that short-term properties come forward and apply for a permit now.

**Updates as of April 30, 2020:** The Salce Basin Flood remediation project was at the substantial completion stage and is mostly done.

Building Official Lee Brammeier is working from home, accepting building permits electronically, available to citizens via email and work cell. Code Enforcement Officer Sherrie Rice is also primarily working from home, available via work cell and is responding to complaints, conducting property visits, and mailing notices of violations as needed. My office is still accepting applications via email and some drop offs at Village Hall. Village Engineer Steve Grollman and I are conducting site visits at properties with proposed subdivisions or grading and drainage plans.

Laurie Stout, Planning & Zoning Administrator

Date
Planning and Zoning Commissioners:

What follows is a list of some of the completed and ready-to-go applications and others that are nearly complete or under discussion with applicants.

**SUB 20-02, Preliminary Plat, Lands of Smith** (originally was to have been heard in March. Applicant has made some tweaks to the plat drawing that may or may not necessitate a re-submittal, but it is nearly done if not.)

**SUB 19-03, Final Plat, Lands of Cuellar.** Ready to be heard, originally scheduled for March.

**SUB 20-04, (Sketch Plan for Commission Review and Comment), Primos Pequenos Subdivision.**

Ready to be heard.

**VAR 20-01, Side Setback, 215 Coyote Trail.** Ready to be heard.

There are two more **Summary Plats** (one with two **Variances**) in the pipeline. These require a few more items but are nearly complete and should be ready soon.

Cell Tower **Site Development Plan** for Fire Station #1 also nearing completion.

A **Summary Plat** with **Zone Map Amendment** not yet submitted, but discussions underway. Followed by a **Site Development Plan** for the same property. Waiting on the applicant so no urgency.

I am respectfully requesting that the Commission consider scheduling an extra meeting after the June 17th meeting (later in June or sometime in July in addition to the July 15th meeting) to work through some of these applications.

Laurie Stout

Planning and Zoning Administrator