



**PLANNING & ZONING COMMISSION
DRAFT MEETING MINUTES
MEETING HELD VIA ZOOM
TAOS SKI VALLEY, NEW MEXICO
MONDAY, JUNE 7, 2021 1:00 P.M.**

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken, and a quorum was established. Commission members present: Henry Caldwell, Richard Duffy, Susan Nichols, Chris Stagg, Tom Wittman, and Jim Woodard. Commission members absent: Yvette Klinkmann. Staff members present: Planning Director Patrick Nicholson, Village Administrator John Avila, Village Clerk Ann Wooldridge, Building Inspector Jalmar Bowden, Public Works Director Anthony Martinez, and Attorney Susan Baker.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Commissioner Duffy Second: Commissioner Nichols Passed: 6-0

III. APPROVAL OF THE MINUTES OF THE MAY 3, 2021 P&Z COMMISSION MEETING

MOTION: To approve the minutes with the clarification that the number of acres to be cleared on the Northside property this summer is 276 acres.

Motion: Commissioner Duffy Second: Commissioner Woodard Passed: 6-0

IV. OLD BUSINESS

A. CONSIDERATION TO RECOMMEND TO COUNCIL APPROVAL OF ORDINANCE 2021-70 UTILITY CONNECTION ORDINANCE, Repealing Resolution No. 2007-128 and Resolution No. 04-88, and Establishing Connection Fees for Village Water and Sewer Systems

Public Works Director Martinez explained that the Village of Taos Ski Valley is in the process of adopting system development fees (impact fees) for water and sewer in compliance with the New Mexico Development Fees Act ("the Act"), NMSA Section 5-8-1, *et. seq.* With the adoption of these impact fees, the Village will repeal Resolution No. 2007-128 and Resolution No. 04-88, for water and sewer system development fees and, previously, water and sewer connection fees

The New Mexico Development Fees Act does not allow connection fees to be combined with system development fees, so with the adoption of revised system development fees, the Village must separately account for the cost of connection fees through the adoption of a new ordinance.

Connection fees cover the cost of connecting to the existing water and sewer systems, including administrative charges, while development impact fees cover the costs of the expansion of these systems to serve new development.

The connection fee is related to the hydraulic capacity of the water system and represents the contributive share of the cost to operate the facilities; the amount of water the Village needs to supply its customers is directly related to their demand on the system. Customers placing a greater burden on the water system should bear a greater share of the costs for connecting to the system, he said. As development occurs, population increases, and there is a larger demand on utilities. Connection fees are the only funding source the Village has to ensure a continuing supply of potable water for its customers, as well as adequate wastewater treatment for the water that was sold for consumption. In order to meet legal requirements, connection fees must have a rational basis and must be proportional, based

upon the amount of use/type of use. Therefore, connection fees are generally higher for a larger commercial building as opposed to a small, two-bedroom residence.

The proposed Ordinance No. 2021-70 establishes connection fees and repeals outdated Resolutions No. 2007-128 and No. 04-88. The Ordinance includes appendices of fees that were calculated based upon the Villages' established EQR formula. These fees consider the actual physical cost of connection, as well as the long-term administrative costs of serving that connection, including the contributive cost of operating the water and sewer facilities

Discussion took place

MOTION: To RECOMMEND TO COUNCIL APPROVAL OF ORDINANCE 2021-70 UTILITY CONNECTION ORDINANCE, Repealing Resolution No. 2007-128 and Resolution No. 04-88, and Establishing Connection Fees for Village Water and Sewer Systems

**Motion: Commissioner Duffy Second: Commissioner Woodard Failed: 2-4
(Commissioners Caldwell, Nichols, Stagg, and Wittman voting nay)**

V. NEW BUSINESS

A. INTRODUCTION OF DEVELOPMENT IMPACT FEE UPDATE STUDY & COMPANION CAPITAL IMPROVEMENTS ADVISORY COMMITTEE REPORT by Willdan Financial Services, Ben Cook, Chairman of Capital Improvements Advisory Committee, & Patrick Nicholson, Director of Planning & Community Development.

Director Nicholson explained that staff and the Capital Improvements Advisory Committee (CIAC), have been engaged in the statutory requirement of updating the Village's Development Impact Fees. The updated Study, prepared in collaboration with Willdan Financial Services, summarizes an analysis of development impact fees needed to support future development in the Village through 2030. The CIAC, also required by State statute, has completed its review and recommendations on the Village's Capital Improvement Plan, Land Use Assumptions, and Development Impact Fee Schedule.

The Village Council will adopt the DIF Study by Ordinance and any proposed changes to the Capital Improvement Plan and Development Impact Fee schedule. The Planning & Zoning Commission has been asked to review and recommend adoption of the proposed Capital Improvement Plan and Development Impact Fee Schedule. A comparison survey of comparable Rocky Mountain ski communities was presented.

TSVI CFO Chaz Rockey suggested that increasing impact fees be part of an overall plan of finance for the Village, along with a needs assessment. He asked how the lengthy list of projects would get completed since there would still be a funding gap even with new fees. Mr. Rockey suggested that the proposed fees were not viable for a developer to accommodate.

Much discussion followed on the impacts of commercial development versus the impacts of residential development and on the list of proposed capital projects, among other items.

VI. MISCELLANEOUS

A. Administrative Approval of Alpine Village Suites Riverside Deck

Director Nicholson reported that the proposed deck at Alpine Village Suites would be cantilevered against the building, with no posts going into the ground. As such, he granted administrative approval for the deck.

B. TSVI Peter Talty said that the Kachina Master Plan document had been presented to Village staff as a

proposed addition to the Village's Comprehensive Plan.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING:

The next meeting of the Planning & Zoning Commission is scheduled for July 12, 2021 at 1:00 p.m. via Zoom as a possible joint meeting with the Village Council. The next Planning & Zoning meeting is scheduled for September 13, 2021.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner Duffy Second: Commissioner Woodard Passed: 6-0

The meeting adjourned at 2:30 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk