

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

SPECIAL MEETING

October 13, 2015

Robert A. Anaya, Chair - District 3
Miguel Chavez, Vice Chair - District 2
Henry Roybal - District 1
Kathy Holian - District 4
Liz Stefanics - District 5

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I. This special meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:00 a.m. by Vice Chair Miguel Chavez in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

II. Roll Call

Roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner Robert Anaya, Chair*
Commissioner Miguel Chavez
Commissioner Kathy Holian
Commissioner Henry Roybal
Commissioner Liz Stefanics

Members Excused:

None

III. Approval of the Agenda

Ms. Ellis-Green announced there were no changes and upon motion by Commissioner Holian and second by Commissioner Roybal the agenda was unanimously approved.

IV. Fee Ordinance: Presentation and Possible Direction

VICKI LUCERO (Building and Development Manager): Thank you, Mr. Chair. Staff presented the development review ordinance to the BCC on May 24, 2014 and September 9, 2014. At those meetings the BCC had comments and directives from staff. One of the things the Board asked us to do was to put together a comparison spreadsheet of what our current fees are, what our proposed fees are and what the fees are from other entities for those types of developments. So we had previously done that and that's also attached once again in your packet material.

The Board also wanted us to include film permit fees with higher fees for large production companies. We have addressed that also in the film ordinance. Another comment on the film permit fees was that you wanted to see a clear distinction between the commercial and educational filming. The current film ordinance which will remain in

* Commissioner Anaya initially participated telephonically, joined the meeting at 10:30 and left at 11:40.

effect does allow for certain exemptions for certain types of film from obtaining a permit, so things like student films, news service, charitable films – those are all exempt from having to obtain a film permit.

The Board also requested that we have fees in the ordinance for single-family residences that are lower than those for large-scale or commercial developments. The fees that are currently in the proposed ordinance, they're based on the valuation of the project, so fees for the smaller projects will be lower than fees for larger projects.

The Commission also didn't want us to include multiple fees in the ordinance. Our current fee ordinance has several different types of fees for one type of project and what we've actually done is we've combined those into one fee for a certain application type, so it will be a lot easier for the public to determine what their fees will be before they even come in to apply for a permit.

The Board also wanted us to look at fees and that they should be based on cost of acreage or development, for example smaller businesses would have lower fees than larger businesses, and again, the fees will be based on valuation of the project so the fees for smaller developments will be less than those for large-scale commercial developments.

The Board wanted us also to put the fee schedule for public comment, so we actually had copies of the proposed fee schedule made available at the three zoning map meetings last year in 2014. We put out a press release in September of 2014 requesting public review and comment. We also sent that out to everyone on our email contact database and to date we've only received one comment and that was regarding the no-impact home occupations and basically stated that the fees were too high and the process was too onerous. We have reduced the fees in the proposed ordinance significantly for these types of applications and we're working on expediting the process for those as well.

Another comment brought up by the Commission was regarding our courtesy inspection fees. Those are fees, if somebody wants us to come out and take a look at their property before they start construction to see if there's going to be any issues. We charge a courtesy inspection fee and the Board asked that we apply it towards the development permit fee when they come in to submit the application, and we've actually added that provision into the fee ordinance.

The Board also commented on the demolition fees and felt that they were too high, especially for demolition after a natural disaster, so we've actually lowered the demolition fees and we've created a separate category for demolition after natural disaster with an even lower fee of \$25.

Another question that was posed by the BCC is, are there certain facilities that shouldn't be required to get a permit or that shouldn't be required to pay fees? We generally require permits for almost any type of development and that is to ensure that there is no disturbance of steep terrain, that people aren't encroaching on easements with their structures or that they're not building within the floodplain, but we have significantly reduced the fees for small structures, particularly non-habitable structures, accessory structures of 400 square feet or less, and those will also be conducted through an expedited review process.

I believe those are all the comments and directives that we received from the BCC

at the previous meetings so with that, Mr. Chair, I stand for any questions.

CHAIRMAN CHAVEZ: Thank you. I'm going to go to Commissioner Anaya first, and the Commissioner Roybal, Commissioner Stefanics and Commissioner Holian and then I'll go last. Commissioner Anaya, do you have any questions or comments you want to add at this time?

COMMISSIONER ANAYA: Not right now.

CHAIRMAN CHAVEZ: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: I don't have any comments at this point either.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. On Exhibit A, I want to make sure [inaudible]. So not the first gray box but the second one. On the second box, so I'm reading project valuation on the left-hand side and I'm reading valuation fee on the right-hand side. Is that correct?

MS. LUCERO: Mr. Chair, Commissioner Stefanics, that's correct.

COMMISSIONER STEFANICS: Okay. So as you take these fees, it's a very high percentage of the project at the lowest amount. The \$350 valuation fee is 35 percent of \$1000. If you go down, the next one, \$600 is 12 percent. If you go down, it's two percent, then one percent. So my comment, and maybe I'm misunderstanding this purpose, but my comment is that for something that's very small, we're charging a very high percentage in fee. Can you tell me I'm wrong?

MS. LUCERO: Mr. Chair, Commissioner Stefanics, that is correct, and those fees, just for the record, those are for non-residential mixed-use and multi-family developments. It has to do with the review process that we'll have to go through in order to approve this type of application. Generally we don't see a lot of applications that are under the \$999 range.

COMMISSIONER STEFANICS: So what would that be? Would that be a storage shed? Would that be a carport? What kind of project would that be?

MS. LUCERO: It would be something that has to do with non-residential development. For just a personal residential development then you would look at the fees in the gray category above. So those are any type of non-residential development, anything related to a commercial business or a multi-family use, or a mixed-use development.

COMMISSIONER STEFANICS: Okay, so have you taken that same analysis that I'm doing and done that on the residential? The percentage of the project?

MS. LUCERO: Mr. Chair, Commissioner Stefanics, we didn't do them as percentages. We kind of based it off of our current fee ordinance. We've reduced the fees. We've based it on the fees from other entities as well in order to proportionate to the valuation of the project.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, I might have a comment later. I need to think about this.

CHAIRMAN CHAVEZ: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Vicki. I'm just wondering, how much comparison did you do with fees from other jurisdictions

that are comparable to ours?

MS. LUCERO: Mr. Chair, Commissioner Holian, we did a comparison spreadsheet of our current fees, our proposed fees, and then the fees in City of Santa Fe, Bernalillo County, Sandoval County, City of Albuquerque and Dona Ana County, and there's actually a comparison spreadsheet in Exhibit 3 of the packet. So what we did is we tried to pick out the application types that were comparable to what we have in our proposed SLDC. There were a lot of fees that they didn't have broken down the same way we do as far as the application types, but that's kind of what we looked at.

COMMISSIONER HOLIAN: Excuse me, Vicki. Where? Page 3?

MS. LUCERO: It's Exhibit 3.

COMMISSIONER HOLIAN: Oh. Thank you.

CHAIRMAN CHAVEZ: Commissioner Holian, are you done?

COMMISSIONER HOLIAN: Yes.

CHAIRMAN CHAVEZ: So, Vicki, I just have a question on walls or fences that are six feet in height. The memo states that residents are not required to get a permit for walls or fences.

MS. LUCERO: Mr. Chair, that's correct. If they're six feet in height or less they are not required to obtain a permit. That's the case in our current code and that's also written the same way into the SLDC.

CHAIRMAN CHAVEZ: Okay, so we're not too concerned about the foundation or the wind load on that wall or fence.

MS. LUCERO: Mr. Chair, if it's less than six feet we don't look at that.

CHAIRMAN CHAVEZ: Okay. Just wanted to make sure. The wireless communication facilities, we know that that's going to go through a more extensive review process and the fees for that will be somewhat higher, and I think in proportion with the inspection and the oversight needed. My question is is inspection after those wireless facilities are in place is there any ordinance that monitors the frequency of those facilities in years to come?

WILLIE BROWN (Assistant County Attorney): Mr. Chair, members of the Commission, I'll be covering this area a little bit later when we get into the actual code. The shorthand answer is no, to your question but maybe when you hear the full presentation that will clarify where we went or are going in wireless communications.

CHAIRMAN CHAVEZ: Okay, because I think there are some health and safety concerns that maybe we are not able to talk about in depth, but I think that if we're aware of the situation and possible impacts I think we can at least discuss in general terms, right?

MR. BROWN: Correct, Mr. Chair.

CHAIRMAN CHAVEZ: Okay. And then to staff, I think that the fee ordinance is relatively new to the County. We've done comparisons with other municipalities or other counties actually to see how close we are with others. But then again, moving forward, will we update? Is there some provision in this to update the fee ordinance every two years? Every five years? How does that work?

PENNY ELLIS-GREEN (Growth Management Director): Mr. Chair, we didn't actually address it in this ordinance. In general what we do is at the direction of the

Commission we've changed our ordinances in the past and if we've had different types of permit that requires a change in the fee ordinance we bring that forward.

CHAIRMAN CHAVEZ: Okay, because I think it's probably safe to say that these fees need to be looked at periodically and adjusted within – to be reasonable but to be increased periodically to keep up with the inspection and the oversight that the County's required for these applications. So I just wanted to mention that and it's probably something that I'll bring up as a recurring theme and I don't know staff – how it's best addressed but I think it would be good to have something in the ordinance that reminds us that we need to do that, every two years or five years, whatever the increment is. Commissioner Stefanics.

COMMISSIONER STEFANICS: So Mr. Chair and Commissioners, I know that staff is either looking for approval or direction and the only issue that I have here is that first fee in the non-residential mixed use and multi-family and I'm basing it on percentages. It's 35 percent, and then it drops down to 12 percent, and then two percent and then one percent. So Mr. Chair, I'm requesting that the \$350 fee for \$1000 project be dropped to at least \$175 or \$200 and hope that the Commissioners will support me on that.

CHAIRMAN CHAVEZ: Commissioner Stefanics, I'm going to go back to staff and see what that does for our comparables, because we sent staff out to look at comparables. They've done that. Is that going to undo what staff has done or is it somewhere in the middle?

MS. LUCERO: Mr. Chair, as I mentioned previously, we don't usually get a lot of projects that are within that range so I don't think that it's going to make much of a difference as far as the comparables. We can make that change.

CHAIRMAN CHAVEZ: Okay.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: I think that Commissioner Stefanics' rationale is logical and I would support that.

CHAIRMAN CHAVEZ: Okay. It seems that staff is pretty much in support of that. I don't know if we need to have a separate motion for that.

COMMISSIONER STEFANICS: I'm moving we change that fee.

CHAIRMAN CHAVEZ: So there's a motion. Do I hear a second?

COMMISSIONER ROYBAL: I'll second.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: There's two seconds.

The motion passed by unanimous [5-0] voice vote.

CHAIRMAN CHAVEZ: Discussion. Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I did have one question because I have had a few calls for the fee on carports and sheds and this would directly affect that fee, right? That would be what we'd bring down?

MS. LUCERO: Mr. Chair, Commissioner Roybal, that fee that was

proposed to be reduced to \$175 is for actually non-residential developments, so if it's for a private, personal residential use that's doing a residential structure they would be subject to a different fee, a much lower fee.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Roybal, that is just above the first gray fee and it would be a \$25 fee for something like a carport that you had been concerned about.

COMMISSIONER ROYBAL: That would be the whole charge that they would be charged?

MS. ELLIS-GREEN: That's correct.

COMMISSIONER ROYBAL: And formerly it was about \$300 or \$400 for a carport, correct?

MS. ELLIS-GREEN: That's correct. It was about \$350. There would be a fire impact fee associated which is associated with all of the fees. It's not part of this ordinance but that is for residential and agricultural non-habitable accessory structures of 400 square foot or less. So very small storage shed, barn, carport, that kind of thing, would be just a \$25 fee, which is a big reduction.

COMMISSIONER ROYBAL: Okay. Thank you.

CHAIRMAN CHAVEZ: I apologize to the public. I should have asked for public comment before the vote. We're usually pretty good about that so I apologize. It's a little after the fact but I will.

GREG SHAFFER (County Attorney): Commissioner, it's at the discretion of the Chair. This is not a public hearing; this is a study session to gather the contours of the fee ordinance and other ordinances and zoning maps that will go out to the public for formal review and comments. So again, asking at public comment at this point in time is at the discretion of the chair but it's not required.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Shaffer, this is noticed as a special meeting and this is noticed as an action item, not a study session. So we need some clarity, that's all I'm saying.

MR. SHAFFER: I'm pleased to provide it, Mr. Chair and Commissioner Stefanics. It was noticed like that so the Board could give direction like the motion that was just made for the purpose of developing the final product that will go out. Under the Board's rules of order I would liken it to an administrative item, on which public comment, again, is at the discretion of the Chair. Nothing improper about taking it but I don't believe that it's legally required at this point in time.

CHAIRMAN CHAVEZ: Yes, I kind of had the same understanding but since I opened up the can of worms, is there anyone here in the public this morning that would like to speak on this item that we just discussed? The development fee ordinance? Thank you. Thank you for being here.

V. Sustainable Growth Management Plan (SMGP) Amendments: Presentation and Possible Direction

CHAIRMAN CHAVEZ: We now have a presentation on the Sustainable Growth Management Plan. These are the amendments, right? That we'll be discussing this morning?

MS. ELLIS-GREEN: Mr. Chair, that is correct and Robert will be doing the presentation for that. Actually, Paul will be doing the presentation for that.

PAUL OLAFSON (Special Planning Projects Manager): Good morning, Mr. Chair, Commissioners. I will be giving a brief outline of the Sustainable Growth Management Plan updates and amendments and I'll go through it as an overview and then I think I'll stand for questions.

So before you today in your packet –

CHAIRMAN CHAVEZ: Excuse me, Paul, Penny, do we have anything that we can put on the screen for the audience?

ROBERT GRIEGO (Planning Manager): We can bring the changes. We hadn't prepared that at this point.

CHAIRMAN CHAVEZ: Okay. That's fine. I just thought it would be helpful. Sorry for interrupting. So, Paul, go ahead and continue.

MR. OLAFSON: Okay. Thank you. So this is an outline of the results of updating the Sustainable Growth Management Plan. The overview of the new information is largely related to the results of the updated population and economic growth forecasts, the changes in land use sections, changes resulting from the DCI process recently completed, updated open space and transportation items, updates from the community planning process in 2015, and this has been informed through multiple public meetings for the SLDC and zoning map implementation process. It's been informative for staff in developing the proposed amendments and updates to the SGMP.

The proposed amendments presented today reflect changes that are appropriate for updating and continued implementation of the SGMP. Additionally, the proposed amendments will facilitate the continuing implementation of the SLDC and the zoning map. Exhibit A in your packets is the compilation of all the changes that are being proposed. They include changes for Chapters 1, 2, 4, 6, 10 and 14.

The primary issues that are addressed in the proposed amendments are as follows: in Chapter 1 the changes are shown on pages 1 through 4. They include changes regarding the 2015 community planning process, the revised section noting that the Regional Planning Authority is no longer in place, and updated SGMP, which I'll give a brief description of later on.

In Chapter 2, which is more extensive, changes are listed on pages 5 through 27. The first changes are updated population and economic growth projections that came from 2014 and they are shown on pages 5 through 9. These are based on reports from UNM Geospatial and Population Studies and the Bureau of Business and Economic Research. Largely these changes show a lower growth trend than had been previously predicted and thus we needed to amend the SGMP to reflect those growth changes.

The sections on land use trends are updated on pages 9 through 11. These update

residential, commercial, industrial and conservation land uses. Land use maps on pages 12 and 13 show updates for the existing land use map and the land development suitability map. The sections on mixed use, transfer of development rights, and density bonuses are updated on pages 14 through 16. The sections on future land uses are updated on pages 17 through 20. The future land use map is updated on page 21. On pages 22 through 26 the sections regarding DCIs, hard-rock mining, sand and gravel extraction, junkyards, landfills, feedlots and small-scale gravel extraction are updated. These updates reflect changes resulting from the recent DCI Ordinance process. Also, the SGMP goals and strategies for Chapter 2 are updated on page 26 and 27 and include updates for DCIs, the zoning map, compact and cluster development and transfer of development rights. Also in policy 7.11 changes include the County Land Bank is now changed to the County Development Rights Bank.

In Chapter 4 changes for agriculture and ranching are on pages 28 through 35. These include keys to sustainability for agriculture is updated on page 28 and 29. Updated data for farm and ranch characteristics is presented on pages 29 and 30. The section on community-based agriculture is updated on pages 30 and 31. Local food supply, food security and existing County agricultural policies are updated on pages 31 through 33. Sections on conservation easements, transfer of development rights, agricultural protection and planning for Santa Fe's food future are on pages 33 through 35. Also updates to goals and strategies for supporting agriculture are presented on page 35.

Chapter 6 changes for open space, trails and parks are shown on pages 36 through 39. Figure 6.1 is updated with new data for open space, trails and park inventory and facilities on pages 36 and 37. The open space map is updated on page 38. Page 39 adds a new section on next steps and priorities for open space, trails and parks.

Chapter 10 changes for transportation are shown on pages 40 through 45. The changes reflecting transportation planning are shown on page 40. Updated future road network map is shown on page 41. Future roadway recommendations and road classifications are shown on pages 42 through 45. Transportation goals and strategies are updated on page 45.

Next we have Chapter 14 changes for the governance section of the SGMP. These are shown on pages 46 and 47 and these include the updates from the 2015 community planning process which are shown on page 46, and Figure 14-1 is updated on page 47.

Next in your packet is Exhibit B and this is a description of the changes to the maps for the SGMP and I'll briefly review these. The explanations for proposed revisions for the maps include SGMP Map 1-1 for growth management areas. The area for SDA-1 is adjusted to include areas for SDA-1 and mixed uses along Highway 14 to the southern end of SDA-1. SGMP Map 2-1, existing land uses is updated to include existing land uses from community planning processed, new parcel data, structure data and aerial photos.

SGMP Map 2-2, the land development suitability analysis. This map is updated using new and revised GIS data from multiple fields or sources. It includes population, structures, land uses, historical data, floodplains, etc. This includes data from New Mexico Game and Fish, US Fish and Wildlife, US Geological Survey, State Engineer,

USDA, County GIS and other sources. And finally SGMP Map 2-4, future land use map, is updated to reflect new or added land categories, community planning areas, Santa Fe Community College District plan area, mixed-use categories which were combined between residential and non-residential, additional commercial and industrial land use categories, the addition of public institutional land use category and conservation and open space land use category.

And again, the SGMP is the policy document that guides then the development for the SLDC and the zoning map. These amendments and changes that are proposed are in line with the future design and implementation of the SLDC and ensure that the SGMP is updated and in line with that process. We anticipate we will still have minor edits that the document is completed. There will be numbering and pagination and possible typos or other changes that may be suggested through this process. And with that I would end my presentation.

CHAIRMAN CHAVEZ: Okay, so questions of staff. I'm going to do the reverse and go Holian, Stefanics, Roybal and then Anaya. Ready?

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you very much, Paul, and I want you to know that I read this section very carefully. I was pleased with the additions and changes that I saw. I was glad to see that TDRs were added. They were fleshed out in the SGMP as well as the DCI section being improved. I will also note that Erin Ortigoza made a presentation of the proposed changes to the SGMP to the Land Use Subcommittee of the Food Policy Council last week and she asked for feedback from the Food Policy Council especially with regard to the parts of the SGMP that dealt with food security and ag policies. And so I would like to ask if she might be allowed to say a few words as to whether she got any feedback and if so what that feedback might have been or perhaps somebody else knows what that feedback might be.

CHAIRMAN CHAVEZ: Go ahead, Robert. And then is your person here, Commissioner Holian?

COMMISSIONER HOLIAN: Yes.

CHAIRMAN CHAVEZ: Sure. That would be fine and then if anyone, if there's anyone else that would want to speak on this item, since we're having public comment that would be okay as well. So, Robert, did you want to comment first?

MR. GRIEGO: Mr. Chair, Commissioners, yes, thank you. We did receive comments and input and much of that comments and input was incorporated into the SGMP. As Paul went over some of the changes we were able to address some of the things that Erin can identify for you.

ERIN ORTIGOZA (Planner): Mr. Chair, Commissioners, I had the pleasure of working with the Land Use Committee of the Food Policy Council and we spoke about some of the work that has happened since 2010 and we were able to update goal areas specific to linking resources with local farmers and also with regard to the adoption of the Planning for Santa Fe's Food Future in 2014. We included notes to that effect and as well we updated the resolution regarding the Food Plan's adoption and also the resolution pertaining to New Mexico grown fruits and vegetables for local schools.

The Farm to Table organization and New Mexico State University had also published a document in 2014 that had specific information relating to the – well, the

document was called the Power of Public Procurement and there were details in that document that we were able to augment some of the statements that had been included in the SGMP.

And we also on the Land Use Subcommittee have membership from the Trust for Public Land so we were seeking specifics relating to conservation easements and how those might be reflected in this update and we've received very good feedback on that. We also worked with a member of the Land Use Subcommittee to expand upon the concept of self-sufficiency with local food supply and how important that is to acknowledge with regard to working with landowners and homeowners and how growing food in their own backyards can be an important part of local food security. There are statements to that effect as well.

And I believe that was the extent of the update. We also updated the USDA census data. In the 2010 SGMP it had been 2002 to 2007 trends that were shown and we updated to show trends from 2007 to 2012.

COMMISSIONER HOLIAN: Thank you, Erin. So is that all reflected in the version that we have in our packet here?

MS. ORTIGOZA: Mr. Chair, Commissioner Holian, yes it is.

COMMISSIONER HOLIAN: And are there any more recent comments from the meeting that we had last week.

MS. ORTIGOZA: Mr. Chair, Commissioner Holian, every comment that we received is reflected in the update that you have in front of you.

COMMISSIONER HOLIAN: Great. Thank you, Erin.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I would like to say thank you for your guys' hard work in putting this together and I'm really happy that you guys are listening and incorporating comments from our communities, so I would just like to say thank you guys for that. I'm really pleased with the way this turned out. Thank you.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I have made or had a small discussion with Penny about this topic and it might end up needing to go into the SGMP and the code if my colleagues would agree. The definitions of industrial can be right to left, left to right, very broad, varied, and so I am suggesting that we come up with a light industrial category and the light industrial category might mitigate or take away some of the neighborhoods' fears about having large factories and plants in their neighborhoods that they weren't expecting. I believe that when a property owner has something available to them they should be able to use it but I also think that the neighborhoods purchase properties with certain expectations.

For example, I do think factories that are doing interior work without smoke stacks and any potential chemical dangers, etc. might be appropriate for light industrial. You might also say it's appropriate for mixed use. I'm not sure. So I'd like your comments on this because we've had some testimony from groups, not just along Highway 14 but some of the other areas of the county about areas that are zoned industrial and whether or not the land could be used light industrial and also take away some of that concern. Thank you.

MS. ELLIS-GREEN: Thank you, Mr. Chair, Commissioner Stefanics. The one area that was a lot of concern is along State Road 14. There is an industrial area there and you're right. At the moment we just have one industrial zoning district. So the discussion has been amongst staff as to whether or not we could say that that area is just light industrial. And you really shouldn't have two zoning districts, both called industrial and one is light industrial and one is heavy industrial as well.

So the discussion has now moved on to do we need a light industrial zoning districts? As you'll see, these tie together between the SGMP, the code and the zoning map. And so the thought is a light industrial zoning districts that would allow things like warehousing, lab use, special trade, wholesaling, things like that, along the State Road 14 area and leaving the other area off of State Road 599 in the northwest corner of the city to carry on with the heavy industrial uses that are currently operating there – the batch plants, that's were a chemical plant could be, heavy construction, mill-type heavy industry.

What that would mean is we would need to amend the SGMP to add another base zoning district and probably some text related in the industrial area and it would also lead to several areas of the code needing changes as far as creating a new base zoning district for industrial and a new – adding in that base zoning district in the use table. And then identifying that on the zoning map as well. So I know that that had been a great concern before. We did a few other things in that area as far as limiting, which I'm going to get to with the SLDC presentation but we did include an overlay requiring a setback from State Road 14 in the mixed use and the industrial area and we did reduce the amount of development that is allowed in that district without the use of transfer of development rights.

So using a combination of those we thought that we could alleviate a lot of concerns for the area along State Road 14.

COMMISSIONER STEFANICS: So my question on this topic is – you said it would require a lot of change, but is it manageable?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, yes, it is. At the moment this is presentation. If we were given the direction to do that it would be a small amount of changes in the SGMP that we would bring back when we bring the resolution in front of you; we would highlight that to you, and then when we come back next meeting to request to publish title and general summary of the code we would bring back those changes at that point.

COMMISSIONER STEFANICS: So, Mr. Chair, I move for action and discussion that staff develop a light industrial zoning area.

CHAIRMAN CHAVEZ: And I'll second and I want to add just a few comments. I think light industrial could expand the cottage industry or home occupation and I think that's a big part of our economy. If we're going to talk about expanding our horizons I would not look at only Highway 14 because I think this concept could apply anywhere in the county. So I think it has to be done in the right way for the right reasons without impacting existing homeowners or the environment or anything else. So those are my comments on the light industrial.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Just a couple thoughts. Commissioner Stefanics, I appreciate the dialogue and the discussion, and Penny, I want to go back to some of the discussions you and I had several years ago, actually, relative to the code and the industrial aspect and just maybe ask for some clarity on the record so that I have clarity but so that the public has clarity. There's absolutely, as Commissioner Chavez pointed out, opportunities for other industrial areas. The southern part of Santa Fe County makes a lot of logical sense for some of those industrial areas, adjacent to other industrial areas in Torrance County, Estancia Basin, for example, or in the Edgewood area.

When we spoke, Penny, we had discussions about once the code is in place and the zoning districts are in place a community still has the capacity – don't take my comments for saying I don't want to have the discussion now because I am favorable to having a discussion now. But the code and the plan itself still lends itself for any individual community to isolate a given area and to actually work towards designations in zoning and even land use. Correct?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, that's correct. We have 13 communities that have come together in this version that have put together plans and overlays but in the future additional communities can do that. In addition there is a zoning map amendment process. If it becomes apparent that there is the need for a change in zoning in the future because maybe circumstances have changed – now there's water, there's sewer, there's an industrial area next door – the discussion that we were having really specifically I think was on State Road 14 only because it was identified on the zoning map as already being industrial.

But absolutely, there's a lot of other ways for industrial use to happen or any other non-residential. In the south, Commissioner, we had talked before and it is shown on the zoning map for the rural commercial overlay to allow smaller-scale commercial development to happen along the major road there. And so a rural commercial overlay could happen in any location and you'll also see in the use list there are certain non-residential uses that are allowed throughout the county even in residential areas and traditional communities and the home occupation section has also been quite drastically expanded to allow three types of home occupation, the largest of which is a lot larger than the existing home occupations.

COMMISSIONER ANAYA: So just for additional clarity, a potential overlay, as you say, or a modification or maybe an economic development area could be an individual community via the community plan process, or it could be a district area, for lack of a better term, similar to the Community College District. You could take the Estancia Basin, for example, isolate it as an entity of its own and then redefine and go through a process by which you would have input from the public and additional analysis of area, because as you recall from the discussions you and I had it was kind of the chicken or the egg discussion as to do we want to think that we might forecast what some of those areas are? Or do we want to put that back into the hands of those respective communities to isolate a given area beyond the parameters and the zoning that's going to exist once we're done and my choice at the time was let's take a look at trying to get the

thing implemented through the current process and then always have the opportunity for a given area to re-isolate an area and say, hey, based on these needs we want an industrial area or a more defined commercial area or a mixed-use area or whatever it might be. Correct?

MS. ELLIS-GREEN: Mr. Chair, Commissioner, that is correct, and actually on page 3 of the SGMP pages we do state that we recognize the southern part of the county, identified as the Estancia growth management area, is uniquely different and goes on to state that a community area or a district plan could be appropriate in that area.

COMMISSIONER ANAYA: Excellent. Well, I appreciate this discussion on the parameter on the 14 but I wanted to have those comments made on the record because there are many community members that still may have that interest in that part of the county or any other part of the county, to isolate given communities and either make the zoning more restrictive or less restrictive, depending on their independent needs in their given community. And I just want to say it again. That was one of the reasons why we had a prolonged public hearing process and one of the other reasons we went back methodically I would say, with support of the communities to say let's isolate our areas and the work we've done and make sure we get it right or as close to right as we can, but still leave a vehicle for a community now and in the future to make other modifications as appropriate. So I ditto the comments of Commissioner Roybal in the thanks and the work and also acknowledge publicly and on the record that it's not a perfect document but it's a document that we've invested a lot of energy in and I believe we need to put into practice so that we can help understand the areas that might need some additional modifications. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics, did you have an additional comment?

COMMISSIONER STEFANICS: Yes, Mr. Chair. I want to clarify. And I appreciate all of the comments and the work that is coming to fruition with this entire plan. My motion was not about a specific area; it was about creating a zoning area for light industrial that would be included in both the plan and the code. I just wanted to clarify the motion. I know we're going to deal with the zoning map later.

COMMISSIONER ANAYA: So it could be in any part of the county?

COMMISSIONER STEFANICS: It could be in any part of the county. So I just wanted to clarify is that all that I'm requesting with my motion is to put in or to create a light industrial zoning section. Thank you.

CHAIRMAN CHAVEZ: So to Commissioner Anaya's comments about a living document, I hope that with all of this work, because this work started before I came on the scene. So I guess I could say I inherited some of this but I went into it with my eyes wide open. And so I'm glad that the County is at this juncture where we now will soon have an updated land use plan with a code that puts us in a place that hopefully will secure a better future for us and for our children. So I want to recognize staff and all of the public that came before me to work on this. I think it's six or seven years, Penny?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, probably at least that amount of time, between working on the SGMP, that was approved in 2010, and then all the work that was done on the code.

CHAIRMAN CHAVEZ: So there's a lot of work to build this foundation and Commissioner Anaya, I hope that we don't walk away and forget about it because we're going to have to revisit it. We're going to have to update it periodically, and if we don't we're going to be undoing everything that's been done to date. So I just wanted to expand on that a little bit more and then I wanted to talk a little bit about – I want to add a few comments.

Consideration of open space buffers, that's a concept that would help land development between existing and new development? Is that in general an accurate statement? Open space buffers?

MR. OLAFSON: Yes.

CHAIRMAN CHAVEZ: Okay. And it would involve design standards and all those other things that go along with planning for new development?

MR. OLAFSON: Yes.

CHAIRMAN CHAVEZ: And then there's a paragraph here that reads Santa Fe County continues to advocate the concept of intergovernmental cooperation. The SGMP also recommends an annual regional planning conference, which I think is good. I'm not going to continue reading, but the one – there's two pieces that I think are left out, Penny. One would be the pueblos and the other would be the City of Santa Fe because we still have some pending annexation to complete along with other issues that I think are going to be ongoing between the two local governments, whether it's BDD or RTD or whatever it is we're going to need to have an open dialogue and not only when we're in duress but I think on an ongoing basis.

So in that paragraph, Penny, if we could just make reference to the pueblos and to the City of Santa Fe regarding the annexation. Okay. Commissioner Stefanics is pointing out that the SGMP recommends the County work with municipalities regarding annexation including the City of Santa Fe, the City of Espanola, but then I think we need to pull that down into the intergovernmental cooperation annual meetings. Because if we don't meet and discuss we're really not going to be cooperating. So it might be a little bit of duplication but I think it would be good to have it both places. So that was just discussion, Commissioner Stefanics, and I just wanted to add a little bit, so those are my comments.

So we have a motion. The motion was to include the light industrial. I made the second to the motion. Any further discussion? Seeing none, there's a motion and a second.

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: As quickly as even the discussion that took place earlier on the development permit aspect, I've already received additional comments from constituents relative to permits. I just want to say on the record that we raised questions, we had a few comments and an adjustment that Commissioner Stefanics made a motion on but relative to the overall document there is still opportunity for people

to provide feedback associated with the fee structure and the time we do final approval. Correct, Penny?

MS. ELLIS-GREEN: Mr. Chair, Commissioner, absolutely. This is just the presentation meeting. On October 27th – we'll go through this in full at the end of the meeting. We're requesting to publish title and general summary and then there will be two public hearings on all of the items – all of the ordinance items.

COMMISSIONER ANAYA: So for the public's edification, Commissioner, we need to make that as clear as we possibly can and afford anybody the opportunity to make comments on this and other aspects we'll be voting on for approval. So there will be additional publishing that will take place on the changes, on any additions that we've made, and then ample opportunity for the public to provide additional input. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Penny, this is just sort of a minor thing. Of course I've run into a few typos in reading this carefully and there's one that I think is kind of important to note on page 7, SGMP-7, and at the top of the page it talks about the growth in the county between 1990 and 2010 and then it also talks about anticipated future growth between 2010 and 2030, and it says that it's forecast to be .0072 percent per year. I believe that should be .72 percent. .0072 percent is essentially zero. And then also there's another one – the percent implies times .01 when you say that.

MS. ELLIS-GREEN: Mr. Chair, Commissioner, we will check those numbers again and we'll correct them.

COMMISSIONER HOLIAN: Thank you.

CHAIRMAN CHAVEZ: I have something I want to go back to, Penny, but maybe I'll wait and do that later. It's on the fee ordinance. Something that I forgot.

VI. Sustainable Land Development Code (SLDC) Amendments: Presentation and Possible Direction

MS. ELLIS-GREEN: Mr. Chair, I'll be doing the presentation on that and Robert and Willie will be helping me for certain sections. The SLDC changes are quite extensive. The bulk of them are actually our 13 community overlays but what I will do is briefly go over the proposed changes in each chapter and let everyone know that the documents are available on our webpage. We have a few reference copies here, and again, we will be holding the two public hearings on this, a request to publish title and general summary and then two public hearings on this ordinance.

So our Chapter 1 changes on page 1-1, the significant thing about this is we will now be repealing all of the community overlay ordinances, the community ordinances because they are now included in your Chapter 9.

There were no changes proposed for Chapter 2 or 3.

Chapter 4, Procedures, changes – we had some minor changes on the application table, Table 4.1, changing the review of minor subdivision plats of five or fewer lots and leaving those as an administrative review which they currently are. The other change on

that is requiring a conceptual plan. That is like our County's current master plan procedure so we did write that into the procedures table. The other change on page 4-3 that I'd like to highlight is that we do state under our reviewing agencies that the County may hire qualified technical experts to review an application at the expense of the applicant, and that is consistent with what we did with the DCI ordinance.

CHAIRMAN CHAVEZ: Penny, is that the same as a hearing officer?

MS. ELLIS-GREEN: No, that is not the hearing officer. This would be, for example, if an environmental report was submitted to us and we wanted a third party qualified person to review that for us.

There were minor changes on titling on Chapter 5 and specifications on when a subdivision needs a conceptual plan, and that would be similar to when a subdivision now needs a master plan of over 24 lots. There is a change on page 5-2 I wanted to highlight. This is about vacations of a portion of a plat and the BCC in the past has seen all access and utility vacations, and the change here is to say that if the initial plat was done administratively then that change or vacation of a portion of the plat can again be handled administratively. And the Commission had asked us to look at that over the past year or so during public meetings for some of the smaller cases that we had. Again, if it was a subdivision that the Board approved and there was going to be a vacation or a partial vacation of that, then they would need to come back in accordance with the statute, come back in front of the Board. But an administrative plat that had previously been approved administratively could then be handled administratively.

Chapter 6 changes are really just bringing Chapter 6 into accordance with the CDI ordinance. Initially we had looked at the County preparing studies, reports and assessments and that portion has been taken out, just as we did in the DCI ordinance.

Chapter 7 changes, I think the ones that I would – I'm just going to highlight these changes. 7.4, we are making a statement that no structures can be permitted to be built within or obstructing a platted access easement. We've had that issue occur numerous times. If there is an access easement you can't build a fence across it.

Under signs, prohibited signs, these two are in our existing code and they weren't pulled into the SLDC. So offsite advertising and over-sized signs and billboards are prohibited. The changes on the urban road classifications, there had been a few minor changes on that on percentage grade and right-of-way width. On page 7-5, under Road Access, we missed two sections there. Under 7.11.11, numbers 3 and 4 had been missing, missed from our existing code so we're adding those in now. And that's – the first one is all new lots being created have to be provided with adequate ingress and egress, either by a new road or direct access to a public road. And the second one, number 4 was added in that if you were doing a development that borders a road with an insufficient right-of-way that you have to provide that right-of-way.

Further down that page is we're adding in from the existing code a subdivision with 31 or more lots or those with 31 or more development units or non-residential developments using or consisting of 25,000 square feet or more have to provide a secondary access.

On page 7-6 we added in lesser standards for certain land divisions and subdivision exemptions. I believe, Commissioner Stefanics, you at a recent BCC meeting

had asked about road access and what the minimum would be. These exemptions or these lesser standards were not written in our SLDC so we went back to find them in the code and we pulled them back in. So divisions of land for grazing or farming are exempt from offsite and onsite road improvements. Divisions of land for the 140-acre exemption are exempt from the on and offsite road improvements, and other land divisions and subdivision exemptions can reduce the offsite roads to no less than 20 feet. So again, that's in our current code.

We continued on that page, corner setbacks. We had two diagrams in the code. We didn't actually have text related to it so we do now have text related to what a corner setback is and planting in a corner setback. And that's for visibility at an intersection.

On page 7-7 and 7-8 we're proposing a change to table 7-17 and 7-18. This is when connection is required to the County or another utility and at the moment we're stating non-residential under or over 10,000 square foot. What we decided to do is to change that to a quarter acre-foot of water. So a development utilizing a quarter acre-foot of water or less would be one category and more than a quarter acre-foot, and there is a later change as well to be consistent with the code as to when you actually submit a hydro, and again, for non-residential development it's based on the amount of water, not the square footage. So you could have a very low water use but a large square footage that could still be allowed.

That additional change related to the hydrology reports is on 7-9. It's indented as number 12. At the moment we were just stating that a single residential lot did not have to submit a hydrology report. We've added to that, develop a single non-residential use that has a water budget of a quarter acre-foot or less, divide land through a land division or exempt subdivision, or create a minor subdivision for no more than five lots. Those divisions and those types of uses at the moment under the current code don't require submittal of a hydrology report.

Further down the page we've added in some additional language for community wastewater systems, and we're making that language consistent with the community water system.

On page 7-10 we added in a reference to the Environment Department standards, again, for the wastewater systems, and 7.13.11.2 is our conservation section in our water section, that's again on page 7-10. We did add in some additional language to be consistent with our Water Conservation Ordinance regarding swimming pools and prohibiting them on newly created lots and requiring that they be covered to prevent evaporation.

Continued, again, as additional language that we did not put in from our existing Water Conservation Ordinance regarding the domestic well metering program, and then fugitive water and wasted water. So that is the next nearly three pages of text that has been added in, and again, it's been added in consistent with the existing Water Conservation Ordinance.

The next changes I'd like to start highlighting are on page 7-14 and this is regarding our archaeological section. We do include on the top of page 7-14 a citation to NMAC standards and further down that page, the rest of the section has had changes related to the Galisteo Sites Protection Act and comments from the State Historic

Preservation Office.

On 7-15 there are three sections in total for the high, medium and low potential to make these consistent with the DCI section and the small-scale sand and gravel sections. We're adding in that there is a requirement for those uses to submit an archaeological report in high, medium and low areas. And that gets us through to the top of page 7-17. We then on page 7-17 under 7.17.5.2 this is where we've added in from again our current code the setbacks from the FEMA floodplain may be reduced if we've got bank stability and the design has been done by a PE, and we're also adding in from existing code a 600 cubic foot retention pond for a single family residence rather than making those residents submit an engineer's construction diagram for that, so again, that makes it easier for someone submitting for a building permit.

That section goes on to add in 7.17.10, we're adding in our old Mountain Special Review District standards. That was a standard that was adopted in the EZO, the Extraterritorial Zoning Ordinance that went away in 2009, I believe when we did the annexation. So what we have done now is rather than identifying it as one specific area in the EZ this is for any development above 7,400 foot in elevation. And there is additional standards for view sheds and putting story poles up for when you're developing. So that is a new section, 7.17.10, of development above 7,400 foot.

The other area that was in the MSRD is what was called the old landmark area which was development above 7,800 foot in elevation, and that is added in starting on page 7-21. So again, what we're doing there is adding in additional standards for terrain management from the Mountain Special Review District Ordinance. Over the years we've had a number of people concerned about that and wanted to know where that information went.

In the zoning section, Chapter 8, a lot of these have changed to say that conceptual plans are required for non-residential development that is phased. So a commercial general has been amended to require that. The other thing some of these tables have been amended to do is add in a phase requirement and a requirement with transfer of development rights. And so on the commercial general table there is a requirement for density for multi-family could go up to 15 dwelling units per acre but only with the purchase of transfer of development rights and we will get onto that because that is in Section 12.

Commercial neighborhood, again the density and dimensional table has changed to add in a base density for residential use of 2.5 acres per dwelling unit. However, it could be less if it's surrounded by a one-acre or a ¾-acre zoning district.

Industrial, on page 8-4, again, we added in the requirement for a conceptual plan for phased development and here you will see on the density and dimensional table a base density or a base requirement and a requirement with TDRs. So you could have a much smaller lot, smaller, frontage, smaller lot width, a taller height, from 36 to 50 foot if you purchase TDRs and your lot coverage could increase if you purchase TDRs.

The next changes are on mixed use and Vicki handed out one additional change. *[Exhibit 1]* Our text on the top of page 8-7 allows the base density in the mixed-use area as one dwelling unit per acre but the table says two. So the table will be amended to say one consistent with the text. Again, if you're doing mixed-use and you're phasing it you

would be required to do a conceptual plan. You'll see on that density and dimensional table that the base zoning is one acre per dwelling unit but if you purchase TDRs you could go up to 15 dwelling units per acre.

Still staying under mixed use we did make some changes to the open space requirement, a minimum requirement of 30 percent open space and we did state what can and can't be included as open space. We required landscaping to be adjacent to residential uses or neighborhoods, that there be a landscaping buffer.

Then our next changes on the planned development district, page 8-12, again, you'll see the base requirements and the requirements with transfer of development rights. We also added open space to the planned development district. We amended that to be consistent with the mixed use.

The next change that you're going to see is on page 8-14. This is the Community College District Ordinance. We had a placeholder last time but we realized when we were asked to come back with a more comprehensive document, we realized that there was a lot of conflicts in the existing Community College District. And so what we have done now is we have written those standards into the SLDC. So that is about a 30-page document and it also includes their own use table, again, using – that has been one change which is the use list in the current code. The current SLDC is much longer than the use list in the Community College District Ordinance. So we need to make the use lists consistent throughout.

So that takes you all the way through page 8-57. I would point out as well, the media district was an amendment to the Community College District and that has been written into this section as well. Still on planned development districts we had previously proposed a couple of changes for those that we had identified on the zoning map as existing planned development districts and just stating that if they're identified as an existing PDD and they're not the Community College District then they can continue to build out in accordance with their master plan. Non-residential structures within an existing PDD may expand up to 25 percent with a conditional use permit. If there's any more expansion than that then they would be modifying their PDD through the procedure in Chapter 4 of the code.

We made a few changes to the overlay zones, to the community overlay regulations, the first of which is allowing the communities to choose their base zoning district, so this does relate to the discussion we had before about the light industrial area. If we add that in as a base zoning district then it's open for communities to choose that as one of their base zoning districts.

On page 8-59 there's a change to the home occupation portion. At first we had been stating that a community cannot restrict home occupations. We changed that to no and low impact home occupations. However, we would allow standards to be modified for low impact home occupations but not for the no impact. The reason for that is a lot of communities felt that the medium level home occupation was much more intense than they wanted to see throughout their communities.

We added in there wireless communication facilities and amateur radio facilities and Willie will be touching a little bit on that new section of the code that has been written in accordance with the Spectrum Act.

The other additional change to overlays that we made is in the environmental and resource protection overlay and on page 8-61 we're identifying the Turquoise Trail environmental and resource protection overlay. And again, this was added in due to concerns about the mixed-use area shown on State Road 14 and off of the San Marcos area. It does have setbacks. The setback for non-residential is 1,000 feet from the centerline of State Road 14 and non-residential development would also require a 2,000-foot wide buffer adjacent to a community overlay district and residential development required to provide a 500-foot setback from the centerline of State Road 14 and from the community overlay district. So again, that was additional language that we added in specifically to address the State Road 14 issue that we had heard about.

The next section is new. This was previously a reserved section and this is the density bonus section. So what we have added in is a density bonus and you will see the chart on page 8-62. Your ag/ranch, rural and rural fringe areas would be allowed to double their density. So the ag/ranch go from one dwelling unit for 160 acres to one dwelling unit per 80 acres if there is an open space dedication of the $\frac{3}{4}$ of the total site area. So if they're dividing land, then what you would do is you'd identify $\frac{3}{4}$ of the tract as just being open space. You don't need to – it's just area that you're not going to develop on. So you could still ranch it. You could still use it for agricultural purposes, but you wouldn't actually put structures on there.

Moving down you would see that the rural-ranch, which is one dwelling unit per ten acres could double the density but would need a community water and community sewer requirement as well as an open space requirement. Residential-fringe, residential-estate would get an extra third density but again, needing open space, water and sewer. And traditional communities – this is in our existing code – would be allowed to do three dwelling units per acre subject to community water and sewer. So this is a tool that people could use in order to go below what the zoning district allows by getting either having water and sewer available or by providing open space. Again, it's not public open space, it is just an open area.

I'm actually going to hand over now for Chapter 9 to Robert. There are 13 community district overlays in here. As we've stated a few times, our 13 communities worked really hard on getting their plans updated. All of them have come in front of you and got their plans updated and these are their community overlays that Robert will now touch on.

CHAIRMAN CHAVEZ: Robert, before you start on Chapter 9 – we're going to go all the way to Chapter 14, right, Penny?

MS. ELLIS-GREEN: Yes, we will. Actually Chapter 14 and then we've got a few things in our appendix.

CHAIRMAN CHAVEZ: So if I could, before you start Chapter 9, Robert, I want to ask if there's any comments or questions from the Commission on your presentation so far. Commissioner Anaya.

COMMISSIONER ANAYA: Penny, just a couple of comments. You made a comment and kind of went through it a little fast and maybe it's something that we could individually get a little more feedback on but we spent a lot of time on home occupation and when you got to that piece you kind of alluded to us basically scaling

back what's allowable or not allowable. Is that throughout the entire document or is that going to be community by community? Because we spent a lot of energy on home occupations and the capacity and ability of people to be able to do that and I would sure hate to get to this point at the 11th hour and scale that way back to where people didn't have the capacity to utilize that function.

The other thing I guess I would say is I respect an individual community's desire to create some boundaries or parameters but I would rather do that as the community driving that individually as opposed to us doing it across the board and then making it the home occupant's problem, if you will, to try and make it work in another area. I guess my point simply is some areas may not object as others would. So could you clarify that piece for me?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, yes. That's on page 8-59 and that is actually under the community overlay regulations, so it only applies to community overlays. And all it was intended to do was to allow a community to say those home occupations are too big for us and we would like to scale back those standards for the medium impact.

COMMISSIONER ANAYA: Okay. The other thing we talked a lot about a couple years back was the size and scope of commercial functions, whether they're a home occupation or they get leveled up to a higher level but we talked about mom and pop type stores. Where do we accommodate that particular function in the code? We talked about different levels of commercial and we had a lot of discussion and input about having a smaller-scale general store in a community and not having as onerous requirements as a larger one. Did we accommodate that in our plan?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, yes. There's a number of places. The use tables, without flicking through all of them, the use tables may well allow certain non-residential uses to occur in a residential zoning district, especially in our traditional communities. In addition to that we have the rural-commercial overlay that could allow a smaller-scale non-residential use. We do have the medium-scale home occupations that again could allow a non-residential use that's much larger than the home occupation that we have now. So there's a few places to put that and I did want to point out again, that was one of the reasons we added in 7.13 which is our water section, the exemption saying that a small business like that wouldn't need to submit the hydrology report which could be really expensive.

So on the hydrology, and I appreciate you saying those on the record for clarity based on addressing my questions, but relative to the hydrology, I have something that we've had some discussion about. We deal with it all the time in our land use cases, but it has to do with the conversion of water from agricultural use to residential use, and there's a conversion factor that I can't state. Maybe my colleagues might know what it is but there's a conversion factor where is somebody's utilizing 50 acre-feet of water in ag use, that that's going to get reduced quite a bit if it's converted from an ag use to a residential use.

I think somehow some way in our code we need to figure out how to address that question and deal with it because frankly, coming from living in the Estancia Basin myself, where a conversion of an agricultural well actually will enhance our aquifer

through that conversion. I want to figure out a way where we're not penalizing somebody or requiring way too much additional testing if in fact it's a known fact they're pumping 50 acre-feet out of that particular well for an ag use and now it's going to get reduced substantially, where we're not penalizing them for that; we're actually encouraging that. And I know we've had discussions, but I want to put it on the record and I want us to have some more discussion about it as we move to final approval so that we're acknowledging that it's actually a beneficial use for us to go through that process of conversion from an ag use to a residential use.

So if you could just make a few brief comments on that, I definitely want us to have a broader discussion about that as far as before we get to the final approval. Could you comment on that? It ties directly to hydrology reporting requirements.

MS. ELLIS-GREEN: Right. Mr. Chair, Commissioner Anaya, the actual conversion for water rights is something that would come out of the State Engineer's Office so we as a Land Use Department, if an applicant came in we would just look at what your water rights were given to you for the subdivision purposes. So we really wouldn't get involved with that conversion. And then it's just the requirement of – then we would accept those water rights, if you were doing, say, a large-scale subdivision, as part of what is required for your community water system for that. So I think we can definitely look into it a little bit more but what we've tried to do in this document if something is regulated by another agency is refer to it in some way but not us regulate in addition to the other agency.

COMMISSIONER ANAYA: And that's fine. So let me restate it a little differently. If an entity, a farmer, is pumping 50 acre-feet out of a well and it's a known fact that they've been pumping 50 acre-feet out of a well for 20 years, and now there's an opportunity for that conversion to be reduced by ten acre-feet – I think it's even more than that – where they would pump 40 acre-feet of water out of that aquifer as opposed to 50, then I don't want us to hang up that conversion or that particular project over a hydrology report. And so that's the piece I want us to analyze and review because it's an absolute reduction in pumped water that has to take place when that conversion takes place. And so I want us to figure out and have some of the legal discussion as to how we might deal with that in those circumstances because I can tell you that they're going to come up, especially in that Estancia Basin.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, I may understand a little more now and maybe that's something we can write into our Chapter 6, the water report. That's where you're going to get kicked in if you're doing a large-scale subdivision to doing a water study as well as the hydrology report. So maybe we can write something in there about a credit for a situation like that.

COMMISSIONER ANAYA: Thank you, Mr. Chair. That's all I have right now.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Penny, I have some concerns about minor and major subdivisions. I know that with major subdivisions of course there are much more strict regulations that they have to abide by. So we have anything in the code to protect against somebody doing serial minor subdivisions to get

around the stricter regulations for major subdivisions?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Holian, that's a difficult question. We do have our succeeding subdivision section which I am trying to find, which is once you've done one subdivision like a small-scale summary review subdivision, followed by another one for a period of seven years you combine the total number of lots. However, if you're doing something that is a subdivision exemption, followed by a subdivision exemption, there is no requirement to add those lots together. So what we've seen before is maybe people with a large tract of land have done the 140-acre exemptions where every tract that they create is 140 acres, and then within months or sometimes years later, there's another exemption for a family transfer, possibly, creating lots much smaller, 10, 15 lots at a time. And again, those are exemptions from the subdivision act and there is no requirement for them to fit in with what's called the succeeding subdivision, which is one subdivision after another.

COMMISSIONER HOLIAN: Is it possible for us to put in something? Is it legally possible for us to put something in the code that will provide more protection? Or are our hands tied? Perhaps we could have that discussion, a little bit more detailed discussion in the future.

MS. ELLIS-GREEN: We can work with the Legal Department to see whether or not there's anything that we can do, but we do have to be in accordance with the Subdivision Act. So they are exemptions; they're not considered subdivisions, so we'll work with Greg and Willie to look and see if there's anything that we could propose that would tie their hands.

COMMISSIONER HOLIAN: Okay. Thank you. And the other question I have is about our domestic well use metering program. First of all, I take it we actually do have a database, correct? And people are, at this point, required to report their well meter readings. Is it every six months?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Holian, I believe it's every year that it is required. Some non-residential development that gets approved it is more consistent and that information does go to the case planner. There is a database. How good a database it is I couldn't say. It's not actually handled by my department so we can definitely look at that. It's fairly difficult to have people and to consistently monitor well use. We wanted to keep it in the code so we have that ability in the future but I think it became quite a challenge when we did try to send out letters requiring people to do meter reading.

COMMISSIONER HOLIAN: And so we don't really have an enforcement capability at this point in time.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Holian, no, we don't, although we do require meter readings when someone comes in for permitting, so at that point you can work out kind of the water use that is happening. And certainly for the larger-scale subdivisions, a lot of those are on a community water system and we can get reporting from that.

COMMISSIONER HOLIAN: Thank you, Penny.

CHAIRMAN CHAVEZ: Commissioner Roybal, did you have any comments or questions?

COMMISSIONER ROYBAL: I think Commissioner Anaya and Commissioner Holian touched on some questions that I did have, so I don't have anything additional right now.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Some minor and maybe major topics. On 7.1, the signs, the prohibited signs. You have a clarification in 7.9.9.2, that exemption for the safety signs. Is there ever a situation – would we need to write in an exemption for rooftop solar there? Because what I'm asking is would it ever be proscribed in this section that somebody couldn't do rooftop solar because of the height and somehow being translated as a type of sign? So behind my question in this section is are we protecting rooftop solar somewhere else in the code?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, I will find the definition of height and I believe it allows the solar to go three foot above the height. So I will look for that. But I don't think this section would regulate solar.

COMMISSIONER STEFANICS: Okay. So let's go on to something else. But I would like somebody to address that to me. So if you went back to 7-5, page, the very top one on connectivity, roads within subdivisions shall not be gated unless the road is a dead-end road serving no more than five lots. Now, you can have dirt roads that have multiple lots but less residences. So I have a couple different questions there. Is this excluding ag gates? Down in my area there are a lot of roads that have empty lots.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, this was specifically regarding a subdivision. So if someone came in with a subdivision proposal that the road wouldn't be gated.

COMMISSIONER STEFANICS: Okay. It's only related to subdivisions.

MS. ELLIS-GREEN: And it's required to provide connectivity.

COMMISSIONER STEFANICS: Okay. The next page, other land divisions and subdivision exemptions may reduce the road easement width for offsite roads to no less than 20 feet. This goes back to the issue that I did bring up and I understand that this is subdivisions but go to the other land divisions. So this would be family transfers? They would be subdividing and building that they would need to adhere to the 20 feet.

MS. ELLIS-GREEN: That's correct.

COMMISSIONER STEFANICS: I believe that many people are not going to do that. And I'm wondering if we – not today, because this would take some thought – but I'm wondering if we could address how we handle very old developments and safety issues. Because I understand this is about safety. Correct?

MS. ELLIS-GREEN: That is correct. Yes.

COMMISSIONER STEFANICS: Okay. So I'm just going to put out that question and thought. On page 7-9, I think that was on the wells. That was answered for me. But on 7-10, you might think this is a silly question but at the very last sentence, swimming pools of a permanent or temporary nature. Are we talking about children's swimming pools?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, I will look into that. I don't believe we're talking about those little inflatable things that you would blow

up and put some water in.

COMMISSIONER STEFANICS: Okay, but when some child becomes a teenager, often that small inflatable becomes, I don't know, a six by four above ground until they go I'm not using it anymore and then the parents take it down. I'm just saying I think we should clarify how that would impact a family activity that might be utilized. So that's all for right now. Thank you.

CHAIRMAN CHAVEZ: Thank you, all. Penny, I want to go back to the development review fee ordinance. You talked a lot about a checklist or no multiple fees and informing the applicant of the cost. Could we provide the applicant a checklist and a timeline that goes with the application so they know not only the cost but what step they have to go through and the timeline on what they should expect so we're not misleading them or failing if we don't meet their expectations?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, absolutely. What we're intending to do and what Vicki's staff is working on is doing a checklist for each different application type. So that can include – we can add in the fees to that. We can add in kind of scheduling, like an expedited permit like a carport, how many days to expect. A residential dwelling permit, how many days to expect, who the reviewing agencies are, things like that.

CHAIRMAN CHAVEZ: I think that would be real helpful, especially for the home occupation business, the small contractor, the private individual that's going through the permit process that may not fully understand it. So I think sometimes they think that once the CDRC has made their decision that their permit is going to be ready the next day and that's not always the case. So if we could work with customer service on that I think that would be real helpful.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, that's what we're intending to do. Once this gets approved we would have a whole new set of checklists.

CHAIRMAN CHAVEZ: Okay. The other thing, I did make a note on meter reading and I know that it's in Chapter 10. Well, I guess it would be under Chapter 14, Inspections, Penalties, Enforcement, and things like that. But I did have a concern about meter reading in general and then as it's applied to our land use cases and many times when someone asks for a variance they'll be on a well that's non-metered, but then we grant the variance with the condition that they meter their well. That they reduce their use and meter that well. So it goes to Commissioner Holian's question. I think it ties in with Commissioner Anaya's discussion about converting agricultural water into residential. So I think on all of those points, if we can meter and if we can enforce it. I know it's not going to be easy. It's going to be a challenge. I don't know if we would have to hire water police but someone to enforce it might not be a bad thing. So I'll just put that out there for food for thought.

And then on the affordable housing, that will come up later also, right? Yes, Chapter 13. Could you explain for me transfer of development rights. Will that – is that a loophole so that someone would not be required to meet the affordable housing requirements? Or does it just deal with density bonuses and things like that.

MS. ELLIS-GREEN: Mr. Chair, that is in Chapter 12 so I will be going over it. But that's where you can protect an area through a sending area and do more

development in a receiving area. But if you're kicked into being required to road improvements, affordable housing, whatever it may be –

CHAIRMAN CHAVEZ: That stays.

MS. ELLIS-GREEN: Yes. The requirement would still be there.

CHAIRMAN CHAVEZ: So we're then on Chapter 9. Robert, do you want to go ahead and continue?

MR. GRIEGO: Yes, thank you, Mr. Chair, Commissioners. I'm going to provide a brief overview of the process we're going through and then for each community district I'll provide some highlights on what the community districts accomplished through the overlay districts that you see before you today.

The Board authorized the community planning process for community planning committees to work with the County in a community-based approach to accomplish the following: Review and update community plan updates as appropriate for consistency with the SGMP. This also included the development of a land use map. Develop zoning for the community districts for incorporation in the County zoning map. So this zoning that was established was based on the land use maps that were incorporated in the updates. Establish community district overlays for amendments to Chapter 9 of the SLDC.

To accomplish this, what we did is we established what we called a blue tool. Each community reviewed their existing plans and their ordinances and relevant sections of the SLDC to identify differences for their community districts. We also developed a use matrix tool based on the County's standard use matrix for communities to identify uses appropriate for their communities based on their plans and ordinances for each zoning district. Each community reviewed that use matrix which includes over 220 uses. Then the proposed zoning map was established. That is what is proposed to be incorporated into the zoning map which we will be going over through the zoning map adoption process.

The community district overlays were completed in accordance with both the SGMP and SLDC framework. Chapter 9 of the SLDC has been amended to incorporate the community districts. If you reviewed Chapter 9 the entire first page of Chapter 9, Section 9.1 through 9.3 have been replaced with a new Chapter 9.1, 2, and 3. Sections 9.2 and 9.3 describe the purpose and establishment of the community district overlay zones. The purpose of the community districts is to preserve and protect unique communities and areas in the county through the implementation of a community district overlay zone.

These overlay zones establish regulations specific to each community district zone; they're either more or less restrictive than the County. If an overlay is silent the SLDC applies. For this process, within all 13 communities we ended up with a total of over 132 meetings that were held as part of the process. Over 1,175 county residents participated in this process. So the outcome for each community district that was reviewed through the process is identified and the first community district is the Los Cerrillos Community District overlay.

This community district had – each of these districts is set up in a standard format for the changes that were established, so each has a purpose and intent. The sustainable design standards that were specific to Los Cerrillos included setbacks to State Road 14 of

200 feet for the residential estate and rural residential zoning districts. They established lighting standards to protect night skies, road design standards to protect the character of the area, protection of riparian and wildlife corridors. The base zoning districts that were established for the Los Cerrillos Community District are rural residential, residential estate, traditional community and public institutional. That is on page 6 of Chapter 9.

The community district also established a rural commercial overlay. This area was established to support the needs of the community and to retain the character of the village. This rural commercial overlay supports small-scale commercial uses up to 2,500 square feet. They established permanent and conditional uses with the rural commercial overlay district.

All of the standards for each zoning district are identified. There's a dimension standards table for each zoning district which identifies the density in that zoning district, frontage, lot width, minimum and maximum height, maximum building size for each district, so for traditional community, on page 8 of the document it identifies a maximum of 2,000 square feet for a non-residential building. That would be separate from the rural commercial overlay which allows up to 2,500 square feet.

They also have some architectural and design standards within the district and within the supplemental zoning standards for Los Cerrillos they had specifically restricted accessory dwelling units in the traditional zoning district and they provided additional standards for the residential estate zone to allow only a minimum of 600 square feet of heated square footage for the accessory dwelling unit and also required water conservation standards for the accessory dwelling unit in addition to the County standards. And also they required the combined water consumption of the primary and accessory structure not to exceed a quarter acre-foot per year.

COMMISSIONER STEFANICS: Mr. Chair, could I ask a question?

CHAIRMAN CHAVEZ: Yes.

COMMISSIONER STEFANICS: I'd like to ask a question. I know that we have at the Commission meetings approved most of these community district plans. Correct?

MR. GRIEGO: That is correct.

COMMISSIONER STEFANICS: Okay. And I know that our staff spent a lot of time working with the communities on developing their plans. Was the goal to have the community plans as close as possible to our code standards as we had planned and discussed?

MR. GRIEGO: Mr. Chair, Commissioner, with the plans, a plan is an amendment to our SGMP and that's more of a guidance document. The ordinance or the overlay district that we're creating now is more regulatory in nature and it's more tied to the regulations in the land development code. So we did have to go through that process. When we went to each of these community planning processes we did the plan update which is what the Board approved. We also provided them with – we also went through a process where we developed the overlay districts in accordance with the SLDC and established the zoning map in accordance with the SLDC as well. So we brought all three of those items to the committees but the Board approved the first one through the SGMP amendments for each community plan specifically. So now we're bringing forward the

overlay district for the implementation. But the committees were aware of both their existing plans which were already there. A lot of these communities already had ordinances, which we incorporated into the process, which are now reflected in the overlay districts in front of you today.

COMMISSIONER STEFANICS: Okay, so I guess – and you can wait to answer this till later. But my question really has to do with the varied standards across the different districts for the same thing. So maybe we can address that at the end, i.e., the area used for business, percentage of acreage, etc. Just how our staff are going to – well, let's just come back and discuss that after we go through this.

MR. GRIEGO: So Mr. Chair, Commissioner, as we develop these plans we had identified the zoning districts which were based on the land use map that we had for each community and the zoning districts that were established, we then used for the use matrix which begins on page 12, we looked the zoning districts in accordance with the use matrix that was countywide and we refined it for each base zone in the community district. So for instance, on the use matrix you see on page 13 for Los Cerrillos, they had the four zoning districts. They had their rural residential, and they reviewed each of the 220+ uses for each zoning district. So there are four zoning districts, rural residential, residential estate, traditional community and public institutional.

Then for this area specifically they didn't have a commercial neighborhood district but they established a rural commercial overlay where they provided additional standards for their commercial district. And that was established through the planning process and the plan update.

So each of the zoning districts has a table very similar to this one just based on their own specific zoning districts in the communities.

So the next community, which is Section 9.5 which begins on page 20 is the Tesuque plan and the Tesuque overlay district. The Tesuque plan was updated after the SGMP was adopted but they did establish a process and this overlay was drafted as part of the process that the Board established. They developed sustainable design standards specifically important to the community where design standards for fences and walls, signs, parking, terrain management, which includes steep slopes and the ridges, design standards for development of 15 percent slopes to include building height, roof colors, light reflective values and structures under ridgetops would be – pitched roofs would be prohibited in those areas.

The base zoning districts for Tesuque include rural residential, residential fringe, residential estate, residential community, traditional community and public institutional. Lot coverages for both non-residential and residential. The residential community zoning district had specifically open space design standards within that district that required 75 percent of the gross area to be identified as open space. They also recognized existing plan development for Bishop's Lodge as part of their zoning, and they established a rural commercial overlay to support the needs of the community and to retain the character of the area. Within that rural commercial overlay there were two areas, Area A was within the village core, Bishop's Lodge Road and Tesuque Village Road. They identified uses within that area and the limited maximum square footage for non-residential uses there, and Area B was nine acres located along Tesuque Village Road east of the interchange

with 285.

The community also established standards for home occupations. As we discussed the County standards were amended for medium occupations in this area. For medium impact, Tesuque only allows no impact and low impact. They prohibited the medium impact and they established the use matrix for those communities – for the base zoning districts in accordance with that process.

The next community, the next section is 9.6 which is Madrid and the Madrid community district begins on page 40 and they also have a purpose and intent. The sustainable design standards within Madrid that were important to the community included – they have setbacks in accordance with the needs in their community for – they also established sign standards, water conservation, terrain management. They established a Madrid green belt traffic restrictions. The base zoning districts for the Madrid community included rural, traditional community, commercial, neighborhood and public institutional. They also established specific use regulations for each zoning district.

Within their overlay zone they established an overlay zone for commercial identified on page 44, Section 9.6.4, specifically for the areas adjacent to State Road 14. And they established the types of uses that would be allowed both permanent and conditional on page 44 and 45, including building square footage and types of buildings that would be either permitted or a conditional use.

And then there was supplemental conditional uses identified for the traditional community and for the rural community in the Madrid area. They also established some changes to the supplemental zoning standards for accessory dwelling units where the requirement would be that at the time of application the primary dwelling unit shall be owner-occupied. Under the home occupations they also prohibited the medium impact home occupation within the district and they provided some additional standards to the low impact.

The use matrix for the community was reviewed. They developed a use matrix for the zoning districts within Madrid.

The next community is San Pedro which is Section 9.7. Section 9.7 begins on page 54. Within the San Pedro community district their design standards that were important to the community, they had some concerns about lighting and protecting the night sky, signs, there were some concerns about noise in the community. The base zoning districts for the San Pedro community included rural, rural fringe and rural residential. They also established supplemental use regulations for non-residential uses and they established a prohibited use for shooting ranges in the district. That was a particular issue that they wanted to ensure that it was prohibited. And they developed a use table in accordance with the procedures that were outlined.

The next section would be the La Cienega one, Section 9.8, La Cienega and La Cieneguilla community district overlay. Within this community district overlay they had sustainable design standards specifically relating to water supply and water conservation and required connections to the County water utility system. Specific terrain management standards and special protection of riparian areas and riparian corridors to allow – they also wanted to allow agricultural uses in the riparian corridor.

They did not have an opportunity to review the density bonus with enough time to provide a recommendation on whether to apply the density bonus section for the county. So they are proposing to come back in the six months in accordance with the procedures outlined in the SLDC to do review of the SLDC and they would like to have the opportunity to review that section at that time. There were some lot coverage restrictions with the base zoning districts. There were some changes to the base zoning districts from the La Cienega/La Cieneguilla existing ordinance. There were changes to the traditional community to address parcel boundaries. There was also an addition of 117 acres which is known as the Tres Rios Ranch area was added to the traditional community. The area identified as part of Las Golondrinas property was formerly in the traditional community and it was placed in the public institutional zoning district. This was in accordance with the process in the community and also in accordance with the property's owners' request as well.

Another major change to this area included a commercial neighborhood district. This was established in the community plan update and the future land use map but the zoning, the commercial neighborhood district would be the area north of Santa Fe Downs along Los Pinos Road and Erica Road, which is identified specifically on the zoning map. There's also identified specific planned development districts including Santa Fe Downs, Sunrise Springs and La Bajada Ranch. These areas previously had some levels of approval and they were identified as planned developments to be in accordance with their approved master plans.

The County also has a section regarding density transfers and the La Cienega community actually went and developed a TDR section or transfer of development rights section specifically for their community. This has been an interest for the community to protect agricultural land since at least 2001. Actually prior to that. So they had identified specific areas and criteria for transfer of development rights that they identified and that section begins on page 80. They identified the standards for development rights. Specifically we had an opportunity to review the draft of the TDR section with them at their last meeting and they supported the section that was there but they also wanted to provide an additional ability for the area in La Cienega if they were to have both a sending area and a receiving area within their district that they would have a bonus for that. So instead of what the County will be proposing which we'll be going over a little bit later they had additional unit per TDR in the La Cienega/La Cieneguilla district if both the sending and receiving area were within La Cienega.

So they did establish the criteria to preserve lands including agricultural lands, wetlands, wildlife preservation areas, conservation areas and areas of cultural significance and open space. They also went the extra step to identify the specific sending areas and those are identified on the bottom of page 80 as well, including the Tres Rios Ranch area and the sending areas and the La Bajada Ranch area as a sending area and then the portions of Las Golondrinas that were previously in the traditional community.

As far as receiving areas, they identified a couple of potential receiving areas, one being the PPD which was the Santa Fe Downs area and also the La Bajada Ranch area. There's a map associated with that on page 82 and then the community also developed a use table in accordance with the County's use matrix.

The next community district is the Valle de Arroyo Seco Highway Corridor District overlay, which begins on page 93. They also incorporated design standards from their existing plan and ordinance. They have standards for residential, non-residential signs, water conservation and reuse and terrain management. The design standards for each district are also established and they also had some concerns regarding noise buffering and established standards for landscaping within that district. The Arroyo Seco Highway Corridor District is composed of the traditional community. The commercial neighborhood is identified specifically on the zoning map and it's the area north of County Road 88 adjacent to the highway, and there's public institution uses there as well. So they have also established uses specifically of supplemental use regulations for the commercial neighborhood district which are identified on pages 97 and 98, and they also reviewed the supplemental zoning standards for the home occupations and the Arroyo Seco Highway Corridor standards for a home business were also created. So they did create a home business section in addition to the commercial neighborhood and the home occupations. There was a section they had in their existing ordinance which was home occupations and this section was reflected here in Section 9.9.4.2.

CHAIRMAN CHAVEZ: Robert, is that on page 99?

MR. GRIEGO: It's on page 100, Commissioner. And that is based on their existing ordinance. And if I could go on to the next highway corridor is US 285 South Highway Corridor District overlay. We did go through a significant process with this community as well. There was an existing plan and existing ordinance in effect for 285 so part of the process that we worked with the community to do was to incorporate the regulations in accordance with the SLDC framework, so we did bring that forward in the best way we could in accordance with the process and the community planning committee.

So major changes for the 285 corridor include design standards from the existing plan and ordinance, residential and non-residential signs, water conservation and reuse, and terrain management. There were specific design standards for each district and crossroads areas. The base zoning districts in the US 285 South Highway Corridor District included ag/ranch, rural, rural fringe, rural residential, residential fringe, residential estate, commercial neighborhood and public institutional. So the standards are reflected for each zoning district here. We also did our best to bring forward some of the actual graphics from their existing ordinance so it was reflected.

The one major change that we made was identifying a planned development district. It was a property that had – some properties that had master plan approval that we brought forward in a planned development district because it included both residential and non-residential and it fit the standards for the requirements for a planned development district. It did not fit into another zoning district but they would also be required to developed in accordance with their approved master plan, in accordance with Chapter 8 of the code.

The supplemental use standards are also identified and the home occupation standards are a part of the supplemental use standards here. The use table is in accordance with the process that we did so we did spend a significant amount of time with the community reviewing the use matrix as part of this process.

The next community, which is Section 9.11. That is the Tres Arroyos del Poniente Community overlay.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: La Cienega.

COMMISSIONER STEFANICS: Robert, could you tell me how far south the 285 South plan goes?

MR. GRIEGO: Yes. It basically goes to the State Road 41.

COMMISSIONER STEFANICS: Thank you.

MR. GRIEGO: And I'll show you the map if you like.

COMMISSIONER STEFANICS: No, I got it. Thanks.

MR. GRIEGO: Okay. The Tres Arroyos del Poniente, Section 9.11 begins on page 140. Their design standards included they wanted some setbacks from New Mexico 599. Again, this community also had an existing plan and an existing ordinance and a lot of the standards were brought forward from that ordinance so that the open space – the setbacks from 599 included a 250-foot setback from the 599 right-of-way. There was also a provision there if there's a legal lot of record unable to meet that setback the parcel furthest away from New Mexico 599 would be eligible to be built upon. There are open space standards within this, standards for trails, road design standards, water and wastewater, landscaping and signs. Also outdoor lighting was a major issue for this community.

The base zoning within the TAP District includes residential estate. There was a planned development district for this area including the Tercero development and the Aldea development. Part of this area was previously part of the Extraterritorial Zoning Authority as well. The community district also identified or prohibited the medium impact home occupation within the TAP area and reviewed the standards for the home occupations and made modifications there as necessary.

They also established a use matrix in accordance with this process.

The next zoning district was the Village of Agua Fria which begins on page 156. This is Section 9.12, so the Village of Agua Fria community district overlay specifically, their purpose and intent, their design standards. One of the concerns had to do with the preservation of distinct natural features such as the Santa Fe River and primary open space corridors. The established non-residential development at a maximum of 5,000 square feet with the exception of small grocery stores which would be allowed to request up to 10,000 square feet. They also allowed home restaurants within the area as identified to include or to prohibit a drive-up or drive-through. They would not be allowed to do liquor sales but beer and wine would be allowed provided that all applicable state requirements were met.

The design standards also include water restrictions and wastewater. The zoning districts for the Agua Fria community district includes residential estate, traditional community, commercial neighborhood and planned development district, and public institutional seems to be missing from that area but we will need to add public institutional because that's one of the zoning districts in Agua Fria.

The community also identified density bonuses within the community districts. Within the residential estate it identifies the density would be allowed to be increased to

one dwelling unit per acre with a shared well in the residential estate area. The traditional community also has a density bonus to allow the density to go down to .33 or three dwelling units per acre with community water and sewer.

There are existing properties in Agua Fria which are existing commercial development in Agua Fria that are identified as the commercial neighborhood properties and they also reviewed the home occupation standards and did not allow the medium impact home occupations within the community.

CHAIRMAN CHAVEZ: Robert, can I ask a question here? First, I want to make a comment. It seems that most of the traditional villages are willing to accept low impact home occupation and not anything above that from what I'm picking up so far. So my question on that point and just in general. How are we going to treat existing businesses whether they're home occupation or more commercial? Are those existing conditions are they sort of like grandfathered in? Are they legal non-conforming? How is that going to work?

MS. ELLIS-GREEN: Mr. Chair, if they're an existing business then they would be considered legal non-conforming. So grandfathered.

CHAIRMAN CHAVEZ: But they would have to have a permit or in some cases they've been operating with a permit – a business license.

MS. ELLIS-GREEN: If they're an existing business that was permitted before and has a business license then they're considered grandfathered in. There may be some businesses that have just been operating but never came through the County for an approval –

CHAIRMAN CHAVEZ: Or a business license.

MS. ELLIS-GREEN: Or a business license. And then in that case then they're operating illegally, so now they would have to make submittal to request a permit.

MR. GRIEGO: Mr. Chair, if I could also add a little bit too I think the first part of your question was in regard to home occupations. I think that they did do some restrictions. They did also allow certain uses as either conditional or permitted which are non-residential uses, specifically, in the traditional community of Agua Fria. So they reviewed the use matrix as a whole, so there could be non-residential uses within that district, which would be either a permitted or a conditional use that would be allowed in accordance with the use table.

CHAIRMAN CHAVEZ: Okay. Any other questions from staff before we go to the next. So you're going to go to the next traditional community, Robert?

MR. GRIEGO: Yes.

CHAIRMAN CHAVEZ: You just did the Village of Agua Fria.

MR. GRIEGO: We've just got a couple – it looks like we've got about three or four more to go so I'll try to get through these pretty quickly.

Within the Pojoaque Commission they also had an existing plan and an existing ordinance. The zoning for this area is all traditional community with the exception of some public institutional areas. They also established a rural commercial overlay zone within this area for actually – they created three sub-areas as a rural commercial overlay. So within these areas, Area A is an area in Jacona and identifies that on page 171 what that area is. Area B, Pojoaque and Area C, Cuyamungue. And within these areas

identified both the permitted uses within those districts and the square footage that is allowed for non-residential development in those areas.

I do want to point out that there was – through the community plan process they wanted to ensure that the Bouquet historic district was not part of the commercial and that is not identified on the zoning map as such.

They developed a use matrix in accordance with the process of the County.

The next area is San Marcos, Section 9.14 on page 181, within the San Marcos area. San Marcos did have a community plan but they did not have an ordinance. They had been working on establishing an ordinance and this overlay district has been part of that process. One of the changes to this area is they wanted to make sure there were setbacks from State Road 14 of 200 feet. Parcels bordering New Mexico 14 shall be set back a minimum of 100 feet in commercial neighborhoods and 200 feet in rural residential.

There's also setbacks to the Cerrillos Reservoir and there's also setbacks to the Cerrillos State Park and County trails, and any archaeological site setbacks within the area. The community also addressed water harvesting standards. The zoning districts within San Marcos included rural, rural fringe, rural residential and commercial neighborhood, so there were specific parcels identified as commercial neighborhood in accordance with their community plan. They also reviewed the home occupation section specifically for their community and the use matrix was established in accordance with that process as well.

The next section is the Galisteo community district overlay. So the Galisteo community plan was adopted after the SGMP was adopted but they did not have an ordinance established for that area so the ordinance was established for Galisteo through the community planning process and so they spent a lot of time going over the design standards including fencing and walls, lighting, signs, road design standards. The base zoning district for Galisteo included ag/ranch, rural, residential fringe, residential estate and traditional community. They also established supplemental zoning standards and home occupation standards and they developed a use matrix as well.

The next overlay is –

CHAIRMAN CHAVEZ: Excuse me, Robert. I want to take time for a few questions so we're not saving them all for end. So any questions on the presentation so far? La Cienega.

COMMISSIONER STEFANICS: No, at the end of Chapter 9. I think he only has one more.

MR. GRIEGO: That's correct.

CHAIRMAN CHAVEZ: Okay.

COMMISSIONER STEFANICS: Then I'll have a question.

CHAIRMAN CHAVEZ: Okay, Robert. Go ahead.

MR. GRIEGO: Mr. Chair, Commissioners, thank you. The last community on here is the Chimayo community district overlay. This was the most recent community plan that was adopted by the County and subsequent to the approval of the Chimayo plan we went back to the community to develop the standards to implement their plan. The standards included design standards. They established density transfers. What the

supported for density transfers. They also wanted to establish a historic overlay so there's a placement for a reserve section for historic overlay on page 210, I believe. And also, the reserve, the environmental resource protection overlay, that was something that they also wanted to review and the TDR section is also reserved in the community district.

The base zoning districts for the – one of the other things that the community established was they wanted to ensure that agricultural uses be – Section on page 211, Agricultural uses resulting in roofed areas and/or impermeable surfaces are subject to the lot coverage restrictions. So they wanted to ensure that agricultural uses would have those restrictions as well.

The zoning districts within the Chimayo base zoning district include rural residential, residential fringe, residential estate traditional community, commercial neighborhood. There's one property that's commercial neighborhood that previously had master plan approval that did not fit within the standards of the traditional community. Other existing commercial uses within the community would not fit within the traditional community uses so that's how they were identified. And then the public institutional included County properties including the fire station and the community center. And they also developed the use matrix for their area. The reserved sections for Chimayo were on page 216 for the TDRs, the historic preservation overlay and the environmental resource protection overlay.

So that concludes the overview of the zoning districts.

CHAIRMAN CHAVEZ: Questions to staff? La Cienega.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. First, if a group wanted to see something happen in a district that's not included, do they circle back to the staff here? Or do they circle back to the planning group of the community?

MS. ELLIS-GREEN: Mr. Chair, La Cienega, so if they wanted to have a different base zoning district or –

COMMISSIONER STEFANICS: No. If there was something that wasn't in the district, well, the zoning for the district, and they feel like it's an oversight, how does that all get addressed? Do they come to you all? Do they go back to the community group that did the planning?

MS. ELLIS-GREEN: I would think that they would start by coming to staff but I think that if it's in a community district we would want to honor that process and meet again with the community to get their input on it.

COMMISSIONER STEFANICS: Okay. For example, may years ago we held a hearing, the County held a hearing at the Eldorado Senior Center on the need for affordable senior housing and someone has brought to my attention that they believe – now it might now even effect Eldorado but it might affect the outlying area in the 285 corridor. Somebody brought to my attention that they believe the district zoning would prohibit caregiver dwellings in the form of casitas or multiple use affordable housing for seniors, depending upon the language.

So this isn't something for you to address today. I just want to know where to send the people who have contacted me to talk about this.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, I would say first to staff, to the planning group, to see whether or not that is actually correct and if so

we would circle back with the community who worked on this.

COMMISSIONER STEFANICS: Okay. And I have a meeting I'd like for them to go to with me already scheduled. So I'll talk to Robert or whoever. Thanks. That was it.

CHAIRMAN CHAVEZ: So now we're on Chapter 10. Right, Robert? Penny?

MS. ELLIS-GREEN: Mr. Chair, that's correct, and I'm going to have Willie start that off with the wireless communications facilities section and then we will try and be really quick just to run through some of the other highlights in the code but Willie worked extensively on the wireless communication facility.

MR. BROWN: Good afternoon, Mr. Chair, Commissioners, and I'll try to get through this in about five minutes. It's kind of a scary yet interesting area. First of all, rightfully and wrongfully, the convenience and privilege of using one of these – and I'm holding up my cell phone, which is a smart phone and many of you have them as well – is reflected in Chapter 10 of the changes to the code and already in the draft code that you adopted. Chapter 10, as you know, deals with supplemental zoning standards and the wireless communication facilities is covered in pages 10-2 through 10-24, so it's 22 pages of changes, and as you can see, all of the text is underlined which means it's all new because we needed to change so much.

Now, the County currently has an ordinance that governs this area. It's Ordinance 2001-9, and you adopted it in June of 2001. But that ordinance is no longer in sync with the changes in federal law. Now Congress has enacted two laws that govern the area of wireless communications. Of course that's when our Congress still enacted laws, but the first one was in 1996. They enacted the Telecommunications Act of 1996. And there's two important take-aways from that act. The first is that state and local governments are prohibited in the 1996 act, are prohibited from adopting any requirement that – and I will quote the federal law – “that may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.” That's in the original statute.

The second take-away from the 1996 act is, and I'm going to paraphrase what it says, and this kind of plays into the question that Commissioner Chavez asked previously. No state or local government may regulate wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. And so the way I read that is that if an applicant complies with FCC regulations for output then state and local governments cannot regulate it. However, if you go to – in the materials page, page 10-16, that's the chart of things that we will ask for in submittal of applications for a permit from the County.

If you look at the very second line, the second and third line, we do ask some information. The first one is a signed assurance from the facility's owner, owner's agent or operator stating that the radio frequency emissions for the proposed facility or device shall not exceed the FCC's maximum permissible exposure. And then it's a cite to the actual federal law. And the second one we asked for, the output that a proposed facility or modification intends to emit – and I will say this: I'm not an electrical engineer; I'm not

kind of engineer but in the research that I did, according to the FCC, a cell tower emits very little radio frequency emissions. They're at a low frequency, and the danger is if you're five to six feet from one for a prolonged period. That is the danger. So you'd have to be maybe somebody working on the tower or something. That's dangerous.

What emits a lot of frequency are AM towers and if you've ever gone near one sometimes you can hear them humming. They emit substantial frequency. That's why they're fenced and have those high voltage signs. And I mentioned that that opening – the first take-away about that governments can't pass regulations that prohibit or have the effect of prohibiting the ability to provide communications services. This has been tested many times and always in federal court. And in fact I read many cases and I focus on cases coming out of the City of Rio Rancho, the City of Edgewood, City of Santa Fe, and there was one in 1997 between the City and the County and an applicant. I forget who it was. Maybe it was Verizon. I don't remember. Unfortunately, in most cases the communities lose. And I'll tell you why momentarily.

But there is some good news in the big picture of the 1996 act and this is the FCC's interpretation of the act and they say, and I quote them, what is left for state and local governments to regulate. They say generally applicable building, structural, electrical and safety codes and other laws and ordinances codifying objective standards reasonably related to health and safety. So those are the thumbs-up. So all the underlined language in those 22 pages in your materials in some way or another address those areas. Maybe not all but we tried to be spot on.

CHAIRMAN CHAVEZ: What about the height of these antennas? These towers? Do we have any way to regulate the height of those?

MR. BROWN: Commissioner Chavez and Commissioners, we do. On page 10-4 we do regulate heights and we have further limitations on which zoning districts and even ham radio towers – well, I don't have the page number in my notes, but we do regulate heights. So whether or not that would stand up, we don't know but we did it to keep them at reasonable limits. Because some towers, according to my research, they can be 600 feet high. Those are usually like television towers.

The second law that Congress enacted, and this is really the heart of my presentation is what they call the Spectrum Act. The Spectrum Act was part of a larger law that was passed. It was called the Middle Class Tax Relief and Job Creation Act of 2012, and that went into effect on February 22, 2012 and probably many people don't even know about that act. And it's very substantive what they did. It was codified in Public Law 112-96. The actual law was about 70 pages long, the greater law, what that did, but the Spectrum Act was only about a page and a quarter so very little language became the Spectrum Act.

Now the Spectrum Act has long-reaching effects in the area of wireless communication and result in the FCC doing three things. First, it issued a brief guidance in 2013. Secondly, and this was significant, they issued a 155-page interpretation of the act on October 2014 and that was challenged by a consortium of cell wireless communication providers, and it went into federal court. It went all the way to the Supreme Court. The Supreme Court upheld the FCC interpretation and a lot of what I read I took from their interpretation. And then they did something else in January of this

year. They went into rulemaking and they enacted federal regulations. The regulations, although they went out for proposed rulemaking in January they became effective in April. And sort of the big picture, according to the FCC and the Congress in this area is that these enactment affecting wireless communications are to remove barriers to wireless infrastructure. So they're making it less and less easy for communities to make it difficult for us to use cell phones by obstructing changes to tower.

Now let's get a little bit deeper into what the Spectrum Act did. One clause in particular, and it's a very brief act, this is the one that when I read it it's fingernails down the blackboard. This is what it says: "A state or local government may not deny and shall approve any eligible facility's request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." So if you heard me, yes, we have to – communities must approve non-substantially changing modifications to an existing facility, and there's a lot of regulatory language in what that means, and that's why there's 22 pages in this area.

So one thing that is also left, and this came out in the FCC interpretation is that state and local governments still get to determine if a proposed modification does not substantially change the physical dimensions of such tower or base station. So that's still left. So when an applicant comes and they say that it's a minor change we can challenge and we can look into if it's in sync with what the regulation and the ordinance change says.

And then also, the new regulations, they impose very strict timelines for state and local governments to process applications. So anything about completeness that we already have in the code is kind of out of the window. So this chapter, Chapter 10.7, has its own timelines and I'll quickly mention them. So there's four applicable new timelines. The first one is for a new wireless communication facility. The County has 150 days to approve one or disapprove one, I guess. The second one is for a modification of a wireless communication facility that does not substantially change. This is the essence of the Spectrum Act where it must be approved. The County has 60 days to turn around an application. And the consequences in the federal regulations for not turning it around in 60 days is then the application is deemed approved. So we really have to get on the stick and do our due diligence and look at those applications.

And whether you can say no – I'm not aware when I was doing the research it had yet been litigated because it's just been April since the FCC came out with the regulations.

The next timeline is for modification that does not increase a substantial increase in size. And that one the County has 90 days. And lastly the modification that will substantially change the physical dimensions of an existing tower or base station, the County has 150 days, so that is treated like a new tower, essentially, or new facility. In the mix of what a modification is there is a subset of modification. It's called co-location. And I'll read our definition which comes from the federal regulations. Co-location is the mounting or installation of transmission equipment upon an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

Now, as I've just indicated, co-location is kind of a special kind of a modification

and the typical co-location, you've seen them on towers. It's those triangular platforms and there's things on those platforms. You might have whip antenna. You might have a femtocell, which are those flat panels you'll see on them. You might have a satellite dish. Those are the standard co-locations but they can be standalone. They don't have to be on a platform. They can be attached to the side of a tower. A modification is sort of the broader picture. It can be a new transformer, new building, new things, new structures on the compound. Those are generally the modifications that include co-locations.

And I've already indicated that we have in the matrices height limitations by types of zoning district, so we've pretty well much limited where you can put what in the county. And with that I stand for questions.

CHAIRMAN CHAVEZ: Questions, comments. Thank you, Willie. Thank you, Mr. Brown.

MR. BROWN: Surely.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I was going to run through the rest of the SLDC things really fast.

COMMISSIONER STEFANICS: I have a quick question.

CHAIRMAN CHAVEZ: Go ahead.

COMMISSIONER STEFANICS: Page 10-1, first of all Willie was kind of disheartening. But on 10.3.2.3, this section is only related to businesses?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, no. This is the section related to accessory structures, so someone building a barn or an art studio or something like that. Remember that in the accessory – in Chapter 10 we already have accessory dwelling units. And this language was written in to try to be consistent with our existing definitions of accessory structures so people don't end up living in the accessory structure. They have to identify it as an accessory dwelling unit so we don't get multiple kind of art studios that are turned into dwelling units.

COMMISSIONER STEFANICS: Well, Mr. Chair, you brought up exactly the type of dwelling I would have concerns about. If somebody uses a structure as an art studio and they go in there at first light and they don't leave there until dark, I could see where all facilities might be useful. So I thought we had laid some of this to rest and I understand that there's a different chapter on dwellings but I need to think about this one. Thank you.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, if we pick up on page 10-25, this is the small-scale sand and gravel extraction. And recently you approved the DCI ordinance for the larger-scale sand and gravel extraction. So this is the small scale, less than ten acres, less than 20,000 tons, and doesn't include blasting. Many of the standards that we put into the DCI ordinance are relevant whatever size sand and gravel extraction you're doing. So like reclamation, fugitive dust, erosion control, things like that, they do of course have a lesser review process, so a lot of these standards you're going to see are similar to the standards in the DCI ordinance for the larger scale sand and gravel.

Moving right along to Chapter 11, this is the DCI ordinance. So this is what you previously approved. It does for oil and gas drilling, it does still reference the existing ordinance and the mining and resource extraction which is known as hard-rock mining

still references Article III, Section 5 of the current code. We're hoping to be able to bring those sections in with our six-month review of the SLDC. We just didn't have the timing to do them right now. But pretty much this entire section is exactly as you approved in the DCI ordinance.

CHAIRMAN CHAVEZ: Give us a page, Penny.

MS. ELLIS-GREEN: Sorry. That's on page 11-1.

CHAIRMAN CHAVEZ: Got it. Okay. So it's all Chapter 11.

MS. ELLIS-GREEN: That's correct. It includes the conditional use permit, the overlay, the findings, the review criteria, and then goes on to the standards for landfills, junkyards and large-scale sand and gravel.

Chapter 12, I think Vicki handed you out a new Chapter 12. [Exhibit 2] There are a few changes in this. This is our transfer of development rights section, Section 12.14. Robert touched on it a little bit as he was going through some of the community districts, and what this is designed to do is to preserve some areas, areas for example for agricultural preservation or preserving sensitive environmental lands. And also to identify receiving areas where the development would go. It sets up a transfer of development rights bank. You allocate a development right based on each base density. So if you're in, for example, a traditional community and you wanted to preserve ag land, for each $\frac{3}{4}$ of an acre that you preserve you would get a TDR, a transfer of development right.

On page 12-3 you'll see that for each of those development rights Robert had used a similar table I think the La Cienega area. If you're a sending site you may get one TDR certificate for selling, one TDR for your $\frac{3}{4}$ of an acre. But for a receiving site you would then be able to build three dwelling units in a receiving site for each TDR that you purchase. For non-residential you could increase your non-residential by 5,000 square foot for each TDR that you purchase.

Receiving sites would be in mixed-use areas, planned development districts, industrial and commercial general, and if you noted when I went through the Chapter 8 changes, a lot of those tables have the base allowable density, lot size and then had the with TDR column as well. So that would be how you can increase or where you can increase your development right.

So the couple of changes that we had on the handout was on 12-1, requiring that if you're a sending site and you're getting a TDR that you actually plat that. We need to know that you are saying, okay, I'm going to preserve maybe three acres of agricultural land in a traditional community, then that plat would identify that as an agricultural easement or a conservation easement and that means from here on out that's what you need to use it for, because you are actually selling your right to develop into the TDR bank.

The other change that we proposed was on page 12-5 and this was after meeting with the County Assessor. Number one, they wanted to ensure that that was noted on a plat so you can always find that information in the future and not in 10, 15 years come in and get building permits for that. And also a reference to the statute for their valuation as far as how often they do their valuation.

So that's really – this is a new TDR program so what we did is in our mixed use and in our industrial areas we kind of lessened the amount that you can do automatically

and allowed you to do more if you purchase a transfer of development right.

The other sections, Chapter 13 was just some small changes to be in accordance with Ordinance 2-1. We found some errors. Chapter 14, we did add in a new section about revoking a permit. That's on page 14-1 and our ability to revoke a permit if development is not being done in accordance with the permit, and we did add in a procedure for conceptual plans. And again, this is phasing and approval criteria, kind of based on our existing master plan that we have.

And our only real changes in the appendices is some changes to the definitions. A few things were added into the use table that we didn't have before like retreats, movie ranch. We did make some changes to the wireless based on Willie's wireless section, the modifications with substantial changes and without substantial change. And a few of the maps changed the SDA map and the open space map in accordance with the growth management plan presentation, and we added in our four Community College District and Media District maps. And those are all of the changes.

CHAIRMAN CHAVEZ: I guess I'm going to go first this time and then we'll go around and make final comments. I think this was very productive. I hope that we can finalize all of this relatively soon because I think there's a lot of work that's gone into it and I would hate to see that slip away. So that's just a general kind of comment. But then I have a concern about the affordable housing cash-in-lieu-of. I'm not sure that buying your way out of anything is the best way to do it, because not everyone can afford that luxury. And there's a statement here that does trouble me a little bit. Dedicating property suitable for construction of affordable units outside the project but within the central and northern Santa Fe County. It just doesn't sit really well because I think that if they have an affordable housing component and I'm a developer and I know that that's one of my requirements I think we should be willing to invest in our community and not push that off somewhere else. So I'm not sure that cash-in-lieu-of is the best way to go. I need to study that a little bit more and really understand how it's going to work before I'm ready to buy into that.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I would add that this is just the way that the existing ordinance reads but I think the Commission has asked us to look again at the affordable housing ordinance and possibly come back and specifically talk about that ordinance and how you want that to continue.

CHAIRMAN CHAVEZ: I'm kind of responding to what's in front of me now and I know we may have said that before but I wanted to take this opportunity to just express that concern. Commissioner Holian, do you have any closing comments?

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, other than I'm exhausted now. In any event, I just want to thank staff. I think that you did an excellent job of putting the materials together so we could understand what changes are being proposed to the previous drafts that we had of both the Sustainable Growth Management Plan as well as the Sustainable Land Development Code, and it was easy to understand what is being added as well as what is being changed. And so as Commissioner Chavez said, I'm looking forward to this being implemented as soon as possible. I think that there will be changes going on into the future but I think that we have to get started with the new code, see how it works out, see what needs to be changed. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I have raised the concern already about the accessory structure not having both a kitchen and a bath. That concerns me. I would agree with Commissioner Chavez on affordable housing to an extent but I also would think that we might want to expand from north and central and maybe come south central – you might not want to do full south but I'm not sure why we're saying some portions of the county. Everybody argues that we have affordable housing in some places in the county but there might be a day when we don't. So that's another concern.

And then for the residents of Highway 14 that the industrial area be zoned light industrial. And that's all. And thank you, thank you, thank you for everything. Even the disheartening.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I realize also that this is going to be a living document and we'll be making changes as we go along but I really want to say thank you to the staff. You guys did a great job. Every meeting that we approved district plans it seemed like we had a lot of positive feedback from the constituents out there in the different districts. So I just want to applaud you and thank you again for your hard work. Thanks.

CHAIRMAN CHAVEZ: So to the public here I want to thank you for your patience and dedication and commitment. Anything – any parting words that you want to leave with us before you all go? Kyle, don't be shy. And we have the zoning map real quick. Go ahead.

KYLE HARWOOD: Thank you, Commissioners. I just wanted to observe that the development of the TDR program is an exciting development for the SLDC. I don't know whether or not the process for identifying particularly sending sites is particularly clear and so before this matter goes to notice and publication and public hearing I would urge the Commissioners to consider directing staff to lay out a little clearer process. We know that within the community districts those communities got a change to identify sending and receiving sites within their communities, but how you identify sending and receiving sites outside of the community districts is not entirely clear and I know Penny mentioned that Vicki had handed out a new draft that I don't think anyone has seen, perhaps, before today, that invoked a platting element and I don't know if that answers it in part but the process for doing and finding a sending area outside of community districts I don't think is clear.

CHAIRMAN CHAVEZ: I think that's duly noted. Do we have the document that Penny issued earlier? Can we leave one with Kyle?

MR. HARWOOD: And just one other comment, Commissioners, and that is that there is a provision in 12.14.4, under sending sites, that invokes how to add protections to areas that have water rights, and as you may know, that's a particular passion of mine, water law and water rights. This provision in particular says that the water must have been used five years prior to the effective date of this ordinance and as we know, we've been in a drought, and so I would urge the Commission and I don't want to get into too much detail because I know you'll have hearings on this in the future but

before this goes out for public comment that perhaps it's some period before whatever the process is for identifying a sending site. So there's lots of reasons why people haven't been using their water rights in recent years, even though the State Engineer's Office may allow them to be used. And so this seems unnecessarily restrictive. So I'll just leave you with those two comments for your consideration.

CHAIRMAN CHAVEZ: Okay. Were those clear enough, Penny?

MS. ELLIS-GREEN: Yes.

CHAIRMAN CHAVEZ: I'm sure you can meet with staff in the interim too if you need to clarify that.

MR. HARWOOD: I'd really like that. Thank you.

CHAIRMAN CHAVEZ: Okay, Penny, Robert, you have one more piece to go through.

VII. 2015 Zoning Map: Presentation and Possible Direction

MS. ELLIS-GREEN: Mr. Chair, Robert is really going to briefly go over the zoning map and then I can be as quick as just handing out the proposed schedule. It's the same as I read at the last BCC meeting. So I'll do that while he is prepping for the zoning map.

CHAIRMAN CHAVEZ: You're on, Robert.

MR. GRIEGO: Mr. Chair, Commissioners, we are going to bring the zoning map on the screen up but we'll also have the hard copies of the zoning map. Just a brief summary of the process that we undertook last year. In March of last year the Board released the draft zoning map which then initiated a process for the zoning map adoption process, which included a series of public meetings, public hearings in front of the Board, public hearings in the community, significant public comments that we received through our website and through County staff. We received over 800 public comments. Within each of those public comments that we received we went back to the Board and recommended changes based on staff analysis.

What you see before you today is the result of the changes that we brought forward to you last year. We also are proposing changes to the map based on the 13 community districts that were completed. Other changes were identified in your staff memo. The major changes were identified in your staff memo included the changes to the 330-acre area along New Mexico 599 and Camino La Tierra. That area was previously identified or mixed use. That was a mistake from staff's perspective, which it is now identified as residential estate. We also have added some planned development districts based on the criteria, the zoning map criteria for approved master plans.

We made some changes to a traditional community in Cuarteles. They did not develop a plan but their area did meet the criteria for a traditional community so we did include that as a traditional community. We also established a resource protection overlay on New Mexico 14 which we previously discussed this afternoon adjacent to the Community College District or south of the Community College District. We made the changes specifically that we presented to the Board last year in the series of meetings that are also reflected on the map. If you notice on the map, if you've got a large copy of the

map in your packet, within each of the zoning maps – I think it would be easier to review it on here – it identifies the changes to the zoning map.

So there is a little provision here that identifies what the changes were so that way you can identify the differences between the map that was last year and that's what you're seeing right here, staff proposed revisions in the white outline of that. So last year we provided you a series of maps. Within those maps you can find some staff recommendations. We've made those recommendations in addition to the recommendations that are outlined on your staff memo.

So the other change to the previous map is we've identified specifically what those planned development districts are and those are related specifically to approved master plans that fit into another zoning district. So those are outlined and the majors changes we reviewed last year with the Board which are incorporated onto this map.

CHAIRMAN CHAVEZ: Great. Thank you, Robert. Any questions of Robert? No? Penny?

VIII. Notice, Public Hearing, Adoption and Implementation Schedule

MS. ELLIS-GREEN: Mr. Chair, if there's no more questions on that I did hand out a timeline for hearings. [Exhibit 3] The next meeting will be on October 27th when we would propose bringing back the entire resolution of the amended SGMP, and again, that would be a 2015 SGMP.

CHAIRMAN CHAVEZ: Okay, so Penny, October 27th, that would be adoption hearing on resolution. That would be at the BCC meeting?

MS. ELLIS-GREEN: That's correct. The regularly scheduled. All of these are regularly scheduled BCC meetings. Also we would be requesting to public title and general summary of the fee ordinance, the ordinance for the SLDC amendments and the ordinance for the zoning map. We would then have the first public hearing on the fee ordinance and the SLDC changes on November 10th. November 24th we would have the first hearing on the zoning map adoption and December 8th we would have the second hearing and adoption of the fee ordinance, the SLDC changes and the zoning map. And again, we had talked at the last BCC meeting of a possible morning start and it was agreed upon that that should be the administrative business in the morning, keeping land use cases light on that agenda and starting these hearings maybe at 4:00 in the afternoon.

CHAIRMAN CHAVEZ: Good. Thank you, Penny. Thank you to all the staff and public that's participated in this project long before me. Any other comments, Commissioners?

COMMISSIONER STEFANICS: Mr. Chair, do we have to adopt this? It says action item. Do you want us to move to adopt this?

CHAIRMAN CHAVEZ: The timeline and the schedule?

MS. ELLIS-GREEN: It looks like Legal says yes.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, I move that we adopt the notice, public hearing and the adoption and implementation schedule.

CHAIRMAN CHAVEZ: So this the SLDC schedule for October, November and December.

COMMISSIONER STEFANICS: That's correct.

CHAIRMAN CHAVEZ: Okay. There's a motion to adopt this schedule.

Do I hear a second?

COMMISSIONER ROYBAL: I'll second.

CHAIRMAN CHAVEZ: There's a second.

The motion passed by unanimous [3-0] voice vote. [Commissioners Anaya and Holian were not present for this action.]

IX. Adjournment

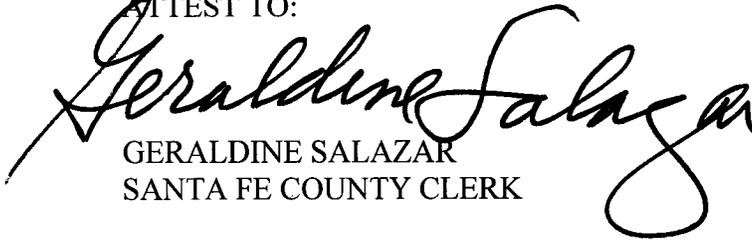
Having completed the agenda and with no further business to come before this body, Vice Chair Chavez declared this meeting adjourned at 1:20 p.m.

Approved by:

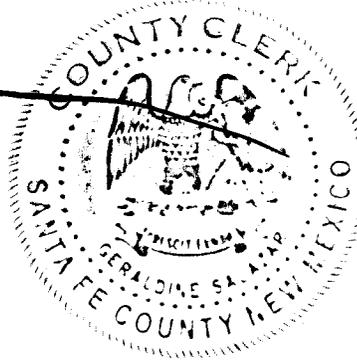


Board of County Commissioners
Robert A. Anaya, Chair

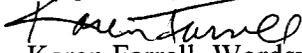
ATTEST TO:



GERALDINE SALAZAR
SANTA FE COUNTY CLERK



Respectfully submitted:


Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 55

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of November, 2015 at 08:52:20 AM
And Was Duly Recorded as Instrument # **1779435**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy  County Clerk, Santa Fe, NM

8.9.4. Base Density. The base density permitted in the MU zone is one (1) dwelling unit per acre for residential use. A minimum of ten percent (10%) nonresidential development is required with a maximum of 15% non-residential development allowed. Development at densities above the base density requires the Transfer of Development Rights in accordance with 12.14 of this SLDC.

8.9.45. Dimensional Standards. The dimensional standards within the MU district are outlined in Table 8-18.

8.9.6. Review/approval procedures. All MU developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A conceptual plan shall be required for all phased development in accordance with procedures outlined in Chapter 4.

Table 8-18 shall be changed as follows:

Table 8-18: Dimensional Standards – MU (Mixed Use).

MU Zoning District	If residential uses only Base	If at least 10% commercial use With TDRs
Density (minimum/maximum, Number of dwelling units/ per acre)	21 /5	15-2 /12
Non-residential (Min required, percent/Max permitted, percent)	<u>10/15</u>	<u>5/50</u>
Multi Family Residential Density*	45	20
Frontage (minimum, feet)	50	50 <u>25</u>
Lot width (minimum, feet)	50	50 <u>25</u>
Lot width (maximum, feet)	n/a	n/a
Height (maximum, feet)	36 <u>27</u>	48
Lot coverage (maximum, percent)	60 <u>40</u> %	70 <u>80</u> %
Setback where existing residential uses adjoin property (ft)	<u>50</u>	<u>50</u>
Setback where existing residential uses adjoin property (ft)	<u>100</u>	<u>100</u>
Setback from adjoining community district (ft)	<u>1000</u>	<u>1000</u>

*Multi Family Residential shall comply with supplemental use standards in Chapter 10

A final version of Table 8-18 depicting all technical changes follows:

Table 8-18: Dimensional Standards – MU (Mixed Use).

MU Zoning District	Base	With TDRs
Density Number of dwelling units per acre)	21	15
Non-residential (Min required, percent/Max permitted, percent)	10/15	5/50
Frontage (minimum, feet)	50	25
Lot width (minimum, feet)	50	25
Height (maximum, feet)	27	48
Lot coverage (maximum, percent)	40%	80%
Setback where no existing residential uses adjoin property (ft)	50	50
Setback where existing residential uses adjoin property (ft)	100	100
Setback from adjoining community district (ft)	1000	1000

Note: All numbering for the remainder of §8.9 affected by the amendments will be renumbered accordingly.

The following changes shall be made to newly renumbered § 8.9.7.2:

8.9.57.2. Services. Mixed-use developments shall at a minimum include public water and wastewater, garbage and recycling pickup, walkways and parking area lighting. In addition, the following performance standards shall be met:

1. Adequate safe pedestrian walkways shall be established within the development;
2. Street lighting shall be provided along walkways adjacent to and within the development;
3. Security lighting shall be provided in parking and designated outdoor recreation areas;
4. Garbage, maintenance, and recycling facilities shall be screened; and
5. Pedestrian connections to adjacent development shall be provided, in public rights-of-way, or along designated trail corridors.

CHAPTER 12 – GROWTH MANAGEMENT

12.14

The following changes shall be made to § 12.14:

12.14. TRANSFER OR PURCHASE OF DEVELOPMENT RIGHTS.

12.14.1. Purpose. The purposes of the Transfer of Development Rights (“TDR”) section are to:

12.14.1.1. promote countywide preservation of agriculture, rural open space and character, scenic vistas, natural features, areas of special character or special historic, cultural or aesthetic interest or value, and environmental resources for the benefit of the residents of Santa Fe County. This section will also authorize an applicant or owner of any estate or interest in property to obtain a development order granting Transfer of Development Rights (“TDR”) relief pursuant to a beneficial use and value determination, to transfer or sell one or more TDRs or PDRs where the development order authorizes relief in the nature of TDRs;

12.14.1.2. minimize the economic impact of environmental restrictions on property owners in designated sending areas, and allow increases in development potential in receiving areas that maintain the County’s overall environmental carrying capacity; encourage the conservation, preservation and protection of environmentally sensitive lands and lands or structures of cultural, architectural, and historic significance;

12.14.1.3. ensure that owners of land to be preserved, conserved, or protected have reasonable use of their property by permitting a transfer or development rights to other properties;

12.14.1.4. provide a mechanism whereby development rights may be reliably transferred; and

12.14.1.5. authorize donations of development rights to the County or to the County Land Development Rights Bank.

12.14.2. Applicability. The procedures and regulations in this Chapter apply to the transfer of development rights from land qualifying as sending sites to land qualifying as receiving sites and/or to a transferee.

12.14.32. General Rules.

~~12.14.2.1. A transfer or purchase of development rights for a specific parcel, tract or lot or to the County Land Bank may be authorized by the Board, consistent with a development order granting BUD relief. The County shall require that public notification be given to record owners of any areas that are subject of a TDR.~~

12.14.2.1. Development Rights may be sent:

1. from designated sending sites, agricultural preservation areas, sensitive environment lands; e. g. riparian habitats, endangered or threatened species habitat, and

2. through a transfer of development rights as part of a development order granting BUD relief.

12.14.2.2. Development rights may be used on receiving sites to provide additional density.

12.14.3. Allocation of development rights.

12.14.3.1. A development right shall be transferred only by a Development Right Certificate to which Santa Fe County is party. A conservation easement shall be placed on the sending area limiting future construction to the total number of development rights established by the zoning of the property minus all development rights previously transferred in accordance with this Chapter, any development rights previously extinguished or limited as a result of a recorded covenant against the property, the number of development rights to be transferred by the proposed transaction, and the number of existing single-family dwellings or square footage of development allowed on the sending site. ~~The conservation easement shall be created and identified on a survey plat clearly noting the development rights being sent from the parcel and the development restriction on the property. A survey, or plat, shall be attached to the conservation easement along with digital location data.~~

12.14.3.2. Each transferor shall have the right to sever all or a portion of the rights to develop from the parcel in a sending site and to sell, trade, or barter all or a portion of those rights to a transferee.

12.14.3.3. Any transfer of development rights pursuant to this Chapter authorizes only an increase in maximum density and shall not alter or waive the development standards of the receiving site, nor shall it allow a use otherwise prohibited in the receiving zoning district, unless otherwise provided in the regulations applicable to the receiving site.

12.14.3.4. Transfer of development rights shall not be available for land restricted from development by covenant, easement or deed restriction.

12.14.3.5. Any transfer of development rights shall be recorded among the land records of Santa Fe County, New Mexico.

12.14.3.6. Value of transferable development rights. The monetary value of transferred development rights is completely determined between the seller and buyer.

12.14.4. Sending Sites

12.14.4.1. Calculation of development rights. The size of the sending areas shall be the size of the allowable base density of the zoning district. Sending areas must not be occupied by a habitable structure. The number of development rights associated with a sending property shall be the larger of:

1. One development right for each residential dwelling that could potentially be constructed on the sending property;
2. Sending areas shall meet the criteria for a sending site established by this Chapter 12.
3. Sending sites which have deliverable agricultural water rights in an annual average amount of 1.5 acre feet per acre or more attached to, available for use on,

or used on 90% of the sending area, for at least 5 years prior to the effective date of these regulations, shall receive an additional unit of density for each area of irrigated land equivalent to the base density. This additional unit shall be made available only if the owner agrees to a restriction on the transfer of water rights acceptable to the County.

4. If the sending site already has development on it, then the calculation of development rights pursuant to subsections 1 and 2 above shall be reduced to reflect such existing development, so that the resulting calculation reflects only additional potential development available on the property.

12.14.5. Right to Transfer.

12.14.5.1. A development right can be severed from an approved sending site only after a conservation easement for each right from an eligible sending site is placed on the property excluding any future development and requirement for preservation of the land for its sending value; or in the case of a property with multiple rights, limited future development reduced by the number of units transferred. The Development Right Certificate may be transferable from one person or entity to another.

12.14.6. Receiving Sites. In order to be eligible as a receiving site, a property must be located in one of the following zoning districts:

1. MU – Mixed Use District;
2. PD – Planned Development District;
3. Industrial (I),
4. Commercial General (CG),
5. Designated receiving area, or
6. A district rezoned to a higher density.

12.14.6.2. The receiving site must be served by public water and wastewater systems.

12.16.6.3 The receiving site must be accessible by public roads.

12.14.6.4 TDR Unit equivalencies. TDRs may be used on the receiving site per the table below, or in combination with increases to height, lot coverage, and percent of nonresidential use.

Table 12-2 Increased Units Allowed per TDR

<u>Use</u>	<u>Additional Unit per TDR</u>
<u>Residential</u>	<u>3</u>
<u>Nonresidential</u>	<u>5,000 sf</u>

12.14.6.5 A property is not eligible as a receiving site if the transfer of development rights to the property would adversely impact regionally or locally significant historical

resources or naturally sensitive areas.

12.14.6.6 If a receiving site has any outstanding code violations and/or unpaid taxes, the owner shall resolve these violations, including any required abatement, restoration, or payment of penalties or taxes, before the property may be qualified as a receiving site in the transfer of development rights program.

12.14.7. Development Approval Procedure. The procedures for review and approval of an application including the use of transferred development rights shall be the same as those procedures that would apply if no transferred development rights were being used. A rezoning of the receiving site shall not be required for use of development rights consistent with the provisions of this Chapter unless it is part of a rezoning to a qualifying district. If the County approves the proposed development, the documentation of the approval shall include the numbers of the development right certificates necessary to support the number of residential dwelling units or nonresidential square footage in the development.

12.14.7.1. Development Right Certificates shall be acquired prior to recordation of a final plat .

12.14.7.2. The Development Rights Certificates will be extinguished at the time of the plat recordation.

12.14.7.3. A conceptual plan shall establish the number of TDRs required for the development. A receiving site may be established by a conceptual plan, including location, size and general development parameters. The normal subdivision and rezoning processes, if needed, will be required following the conceptual plan approval.

12.14.8. Reinstitution of development rights. Reinstitution of development right on a sending site is prohibited.

~~12.14.2.2.~~ Once a transfer or purchase of development rights is approved, the Administrator shall issue to the owner of the receiving parcel a certificate assigning to the receiving parcel, and to all present and future heirs, successors and assigns, the development rights that the receiving parcel is entitled to through the transfer or purchase of development rights. The certificate shall be promptly recorded with the County Clerk. Such certificate shall describe the development rights transferred, refer to the deed transferring the development rights, and shall have a copy of the deed attached.

~~12.14.2.3.~~ Once a transfer or purchase of development rights is approved, the owner of the sending parcel shall record a certificate prepared by the Administrator in the chain of title of the sending property a certificate that clearly states that all development rights inherent in the sending parcel have been voluntarily transferred to the receiving parcel in perpetuity. Such certificate shall include a copy of the certificate transferring development rights to the receiving property.

~~12.14.2.4.~~ **Application.** A TDR shall be processed together with the underlying application.

~~12.14.2.5. Application to DCIs.~~ Owners or lessees of property applying for an overlay zoning district classification for a development of countywide impact (DCI) shall only be authorized to transfer or sell development rights to another approved DCI. No property shall be designated as a receiving or sending property for a TDR from or to a DCI, unless the Board has concurrently granted transfer or purchase authority to both the sending and such receiving properties by development order.

~~12.14.2.6. Jurisdictional Boundaries.~~ Pursuant to NMSA 1978, § 5-8-43(D) of the Development Fees Act, a TDR that crosses jurisdictional boundaries may be implemented pursuant to a joint powers agreement.

~~12.14.3. Receiving or Sending Properties.~~

~~12.14.3.1.~~ Receiving areas within the County for receipt of development rights are properties located within SDA 1 and SDA 2.

~~12.14.3.2.~~ Sending areas shall be limited to properties that have been classified by the Hearing Officer and the Board upon the issuance of a development order in a beneficial use determination proceeding. Sending areas may also consist of areas earmarked for preservation or sensitive lands such as agricultural land, wetlands, wildlife preservation areas, conservation areas, areas requiring cultural preservation, areas within traditional communities, open space, and other significant preservation areas identified on the Official Map. Sending areas are also those identified in Ordinance No. 2001-07, as amended. Sending Areas may also include areas in Traditional Communities and preferred open space areas as indicated on the Official Map.

~~12.14.3.3.~~ A property identified as a sending area may develop the property consistent with then applicable zoning regulations, or record a permanent easement preserving it without development in perpetuity.

~~12.14.3.4.~~ Receiving areas shall be located in approved areas and shall be an SDA 1 or SDA 2. Receiving areas shall be entitled to a bonus incentive of three (3) dwelling units per acre, or three (3) EDUs (equivalent dwelling units) per acre for non-residential sites. The receiving area shall, as appropriate, apply to amend its final subdivision plat or final site plan to accommodate the TDRs.

12.14.4.9. Notification of the County Assessor. The Assessor ~~shall~~ may review and adjust the valuations in accordance with NMSA 1978, Art. 35 - Art. 38, Chapter 7, "Property Tax Code" for purposes of the real property tax of the sending parcel and of the receiving parcel or parcels, if any, appropriately for the development rights extinguished or received. The County shall notify the County Assessor of the transfer or purchase of development rights within thirty (30) days of any of the following:

~~12.14.4.1.~~ 12.14.9.1. the approval of a TDR;

~~12.14.4.2.~~ 12.14.9.2. the issuance of a certificate for the TDRs;

~~12.14.4.3.~~ 12.14.9.3. purchase of development rights by the County for the County Land Development Rights Bank;

~~12.14.9.4.~~12.14.9.4. the receipt by the County or the County Land Development Rights Bank of a donation of development rights; and

~~12.14.4.5.~~ 12.14.9.5. the sale, lease or conveyance of development rights by the County Land Development Rights Bank.

12.14.5.10 Establishment of the County Land Development Rights Bank.

12.14.510.1. The Board may establish a development rights bank, ~~otherwise referred to as the "County Land Bank," to be administered by the Administrator,~~ subject to approval by the Board.

12.14.5.10.2. The County Development Rights Bank Administrator shall have the power and authority to negotiate a purchase of development rights, subject to the approval of the Board.

12.14.5.10.3. The County Land Development Rights Bank may, for conservation or other purposes, hold indefinitely any development rights it possesses.

12.14.611. Funding, Management. The County Land Development Rights Bank may receive funds from the proceeds of a voter approved open space bond issue; from the general fund of the County, whether through issuance of general obligation bonds or from general fund revenues; from the proceeds of the sale of development rights by the ~~TDR~~ County Development Rights Bank or any revenue from a public improvement district bond issue; or grants or donations from any source. A separate interest bearing trust fund shall be established for the County Land Development Rights Bank, ~~supervised by the County Manager,~~ into which all receipts shall be deposited and from which payments shall be made.

SLDC Schedule

October 13 (morning study session)

- presentation of amendment of the SGMP, Fee Ordinance, SLDC amendments and Zoning Map

October 27

- Adoption hearing on Resolution to approve the amended SGMP
- Request to publish title and general summary of Fee Ordinance, SLDC amendments and Zoning Map

November 10

- 1st public hearing on Fee Ordinance and SLDC changes

November 24

- 1st hearing on Zoning Map adoption

December 8 (Possible morning start for administrative business, keep land use cases light and start these hearings at 4pm)

- 2nd hearing and adoption of Fee Ordinance
- 2nd hearing and adoption of SLDC changes
- 2nd hearing and adoption of Zoning Map