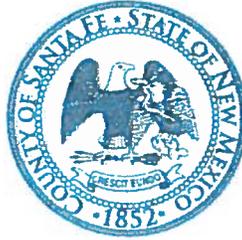


Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: November 25, 2015

TO: Board of County Commissioners

FROM: Vicki Lucero, Building and Development Services Manager *PEG FOR VL*

VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director *PEG*

RE: Ordinance No. 2015-_____, An Ordinance Establishing Development Permit And Review Fees For Projects In Santa Fe County, New Mexico; And Repealing Ordinance 2008-12 And Section 9.A (Fee Table) Of Ordinance No. 2010-6 (Motion Picture and Television Productions).

BACKGROUND:

On October 27, 2015, the BCC granted authorization to publish title and general summary of the proposed ordinance establishing development permit and review fees for projects in Santa Fe County. This ordinance was presented to the BCC at several meetings prior to the October 27th meeting in order to obtain feedback and direction from the Commission on the proposed fees.

On November 10, 2015, the BCC held its first public hearing on this Ordinance. There were no public comments provided at that meeting.

Since the November 10th BCC meeting, staff has received a couple of comments regarding the proposed fees (Exhibit 4). The first comment regarding fees for SLDC Text Amendments (\$3,000), Zoning Map Amendments (\$3,000) or Overlay Zones (\$2000) stated that these fees should be eliminated due to the concern that, a community planning committee or a civic organization, or an individual who discovers a flaw in the code would not be able to bring a request for an amendment forward without paying the fee(s). The SLDC Ordinance includes a provision that there will be a review of the SLDC 6 months after its implementation. During this review period, staff will look into any concerns or issues brought to our attention and recommend changes to the BCC as deemed appropriate. At any time in the future, if an issue or concern is brought to staff's attention and we determine that a change is necessary we will take the proposed the change(s) to the BCC without the need for formal application and fees. Also, if there is direction given to staff by the BCC or

Planning Commission (PC) to make changes to the SLDC or Zoning Map based on public comments or changes the Commission deems necessary, staff will bring forward an amendment without the need for submission of an application and fees. If a request to amend the text in the SLDC does not come through the direction of the BCC or PC or without staff support, then an application may be submitted for an SLDC Amendment in which a fee consistent with the fee ordinance will be imposed. Staff does not support reducing or eliminating the proposed fees.

The second comment we received was in regards to film permit fees and states that charging these fees puts Santa Fe County at an economic development disadvantage when compared with other counties that do not charge these fees. If we charge any fees at all they should be based on the production's impact and the possible resource draw from the County, not the size of productions. Increasing film permit fees will send a negative message to the industry that the County is not interested in the business.

The proposed film permit fees for Small Scale productions are the same as what is in the existing film ordinance. The proposed fees for Episodic TV productions are actually decreasing over the long term, as currently most production companies do now know where they will be filming in 2-3 months, so they elect to submit a new application each month which results in a fee of \$325 per month. We are proposing a weekly fee of \$70 in addition to the base fee of \$100. The fees for Major Productions are proposed to be doubled from what is in the current film ordinance (from \$400 to \$800 for 30days). The increase in fees for Major Productions came at the direction of the BCC. Staff does not propose any changes to the film permit as proposed.

Based on the comment that we received regarding fees for amendments to the SLDC and Zoning Map, staff is proposing changes to the fee ordinance to clarify that fees will apply to the submission of a development permit application or any other miscellaneous request outlined in the SLDC, which includes text amendments, zoning map amendments, etc. These changes have been incorporated into the Fee Ordinance (Exhibit 1) and are shown in redline format in Exhibit 2.

We have also received some additional proposed changes to the fee schedule from Commission Robert Anaya as follows:

- There shall be no fees for Agricultural Structures
- There shall be no fees for movable structures under 250 sq. ft.
- Permits shall not be required for carports
- Permit fees for addition structures with a valuation of less than \$10,000 shall be \$50
- Permit fees for veterans and seniors over the age of 62 shall be reduced by 25%

Staff has confirmed with the State Construction Industries Division that a permit is required for any accessory structure regardless of whether it is permanent or moveable, unless the structure is 120 sq. ft. or less and is used only for storage. As currently shown in the proposed fee ordinance, a carport less than 400 sq. ft. in size would be subject to a \$25 permit/review fee.

Staff has proposed changes to the fee schedule in Exhibit 3 in accordance with the other changes proposed by Commissioner Anaya.

REQUESTED ACTION:

Staff recommends the BCC approve the proposed Development and Review Fee Ordinance. If the BCC chooses to incorporate the changes recommended by Commissioner Anaya, staff would recommend that the changes in the fee structure of Exhibit 3 be incorporated into the motion.

EXHIBITS:

1. Fee Ordinance
2. Redline changes to the Fee Ordinance
3. Proposed changes by Commissioner Anaya to the Fee Schedule
4. Public comments
5. Public Comments database

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**
Permit and Review Fee Ordinance
Ordinance No. 2015-_____

AN ORDINANCE ESTABLISHING DEVELOPMENT PERMIT AND REVIEW FEES FOR PROJECTS IN SANTA FE COUNTY, NEW MEXICO; AND REPEALING ORDINANCE NO. 2008-12 AND SECTION 9.A (FEE TABLE) OF ORDINANCE NO. 2010-6 (MOTION PICTURE AND TELEVISION PRODUCTIONS)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

ARTICLE I. GENERAL PROVISIONS

SECTION 1. SHORT TITLE.

Articles I to III herein may be cited as "The Fee Ordinance of Santa Fe County"

SECTION 2. APPLICABILITY AND EFFECTIVE DATE

This Ordinance applies to any application for a Development Permit or authority to proceed under the Santa Fe County Sustainable Land Development Code ("SLDC"), as amended. This Ordinance shall become effective concurrent with the effective date of the SLDC.

ARTICLE II. APPLICATION, RECORDS AND REQUIREMENTS

SECTION 1. APPLICATIONS.

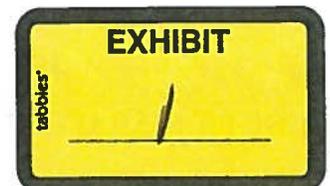
All requests for a development permit or any miscellaneous request under the SLDC, such as a text amendment, shall require the payment of a non-refundable application fee pursuant to Exhibit A herein, together with the submission of a completed application ("Application"). The Application shall be submitted to the Building and Development Services Division for review and processing in accordance with the SLDC.

SECTION 2. RECORDS.

A record of all permits shall be maintained by the Building and Development Services Division.

SECTION 3. ISSUING PERMITS.

Permits will not be considered issued until picked up from the Building and Development Services Division of Santa Fe County. Permits not issued within thirty (30) days of approval shall be deemed void; permits thus voided will require re-submittal of the application and repayment of fees.



ARTICLE III. APPLICATION FEES

SECTION 1. FEE SCHEDULE

The fee schedule is hereby attached as Exhibit "A".

SECTION 2. PERIODIC REVIEW OF FEE SCHEDULE.

The fee schedule shall be periodically reviewed in conjunction with updates to the SLDC as needed, but every five years at a minimum.

SECTION 3. PAYMENT AND REFUNDS.

Unless otherwise stated in the fee schedule, fees are due at the time of application and are not refundable. Any application received without payment of fees due will not be reviewed. If a particular Development requires more than one approval, the applicant shall pay the cumulative review fees for each review and approval sought.

SECTION 4. ADDITIONAL FEES FOR PROFESSIONAL SERVICES:

The Building and Development Services Division may require information beyond that contained in the Application. In such instances, the Applicant may (i) provide the information requested at the Applicant's sole expense, (ii) pay an additional fee to cover the cost of the Department staff obtaining and reviewing the information, or (iii) withdraw the Application provided that no such withdrawal shall be entitled to a refund of fees. In addition, some Applications may require specialized reviews by outside sources, the cost of which shall be paid by the Applicant in advance.

PASSED, APPROVED AND ADOPTED, on this _____ day of _____, 2015.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
ROBERT A. ANAYA, Chairperson

ATTEST:

GERALDINE SALAZAR, County Clerk

APPROVED AS TO FORM:

Willie R. Brown
for: _____
GREGORY S. SHAFFER, County Attorney

**SANTA FE COUNTY
GROWTH MANAGEMENT DEPARTMENT
DEVELOPMENT REVIEW FEES**

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Permits		
Development Permit Residential & Agricultural Uses & Community Service Facilities	\$200	Valuation Fee
Development Permit Residential & Agricultural Non-Habitable Accessory Structures of 400 Sq. Ft. Or Less	\$25	
Project Valuation		
\$0 - \$25,000		\$75
\$25,001 - \$50,000		\$150
\$50,001 - \$100,000		\$350
\$100,001 - \$200,000		\$550
\$200,001 - \$250,000		\$950
\$250,001 - \$300,000		\$1,150
*Each Additional \$100,000 in construction value or part thereof:		\$500
Development Permit Non-Residential, Mixed Use & Multi Family	\$700	Valuation Fee
Project Valuation		
\$0 - \$999		\$175
\$1,000-\$4,999		\$600
\$5,000-\$49,999		\$1,100
\$50,000-\$149,999		\$1,500
\$150,000-\$499,999		\$2,500
\$500,00-\$749,999		\$3,500
\$750,000-\$999,999		\$5,000
\$1,000,000-\$1,999,999		\$7,000
\$2,000,000 and above		\$10,000 for first \$2 Million
*Each Additional \$1,000,000 in construction value or part thereof:		\$1,000 (\$20,000 max)
Conditional Use Permit	\$1,000	
Medium Impact Home Occupation	\$500	
Site Development Plan for Permitted Uses	\$200	
Sign Permit	\$245	
Burial Permit (For Human Burial)	\$150	

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Film Permit		
Small Scale Production	\$25	\$10 per day
Major Production	\$500	\$10 per day
Episodic Television Production	\$100	\$70 per week
Demolition Permit	\$100	
Demolition Permit Due to Natural Disaster	\$15	
Blasting Permit	\$1,000	
Grading & Clearing Permit-Single Family Residential or Community Service Facility (Not Required if part of a Development Permit)	\$100	
Grading & Clearing Permit-Subdivision/ Non-Residential/Mixed Use/Multi Family	\$750	
Road or Driveway Cut Permit	\$200	
PV Solar-Private Residential	\$100	
Temporary Use Permit	\$125	
Itinerate Vendor Permit	\$150	
After the Fact Permit	2X the base permit fee	

Subdivisions and Other Plat Reviews

Minor Subdivision	\$350	\$25 per lot
Major Subdivision	\$1000 Prelim \$500 Final	\$100 per lot \$50 per lot
Exempt Land Divisions & Other Plat Reviews	\$200	
Plat for creation of a TDR sending area	\$25	
Non-Residential/Mixed Use Subdivision	\$1,000 Prelim/\$1,500 Final	\$100 per lot
Vacation of Plat or Easement	\$300	
Plat Amendment/Replat	\$300	
Boundary Survey	\$250	
Time Extension	\$300	

Zoning/Re-Zoning/Text Amendments

Planned Development District	\$3,000	\$10 per acre
Zoning Map Amendment	\$3,000	
Overlay Zone	\$200	
SLDC Text Amendment	\$3,000	
Zoning Statement or Residential Condominium Confirmation Statement (No charge for confirmation of zoning district)	\$150	
Conceptual Site Development Plan	\$3,000	

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Supplemental Uses/Other		
Home Occupation/Registration:		
No Impact	\$50	
Low Impact	\$100	
Wind Energy Facilities		
Large Scale	\$1,500	
Single Parcel Use	\$100	
Wireless Communication Facilities		
Substantial Modification/ New Facilities	\$3,000	
Non-Substantial Modification, Roof/Surface Mounted, or Stealth Amateur Radio Antennae	\$1,000 \$100	
Sexually Oriented Businesses	Initial - \$5,000/Renewal - \$1,500	
Beneficial Use		
Determination	\$500	
Development of County Wide Impact		
Overlay District	\$7,500	
Conditional Use Permit	\$3,000	
Inspection	\$250	
Business Registration (When Site DP not req'd)	\$225	
Swimming Pool	\$545	
Utility Authorization		
Residential/Agricultural/ Community Service Facility (Not req'd if part of a Development Permit)	\$200	
Non-Residential/Mixed Use Multi Family (Not req'd if part of a Development Permit)	\$300	
Well Only	\$100	
Franchise Review /Expansion/ Renewal	\$600	
Inspections during construction (incl. SWPP and grading)/Final Inspections for release of Financial Guarantee	\$250	Per Inspection
Courtesy Inspection (Will be credited at time of Development Permit)	\$100	
Floodplain Determination Letter (No Application Fee Required)	\$50	
Variance	\$300	
Appeal	\$200	
Review of Special Reports (ie. Traffic Impact Analysis, Geohydrologic Report)	\$500	
Liquor License Transfer	\$220	

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
3rd Party Reviews		
County Reviewed SRAs (TIA, APFSA, WSAR, FIA, EIR)	Full Cost of Review by Outside Consultant In An Amount Not To Exceed \$10,000	
Specialized Review if Needed	Full Cost of Review by Outside Consultant In An Amount Not To Exceed \$10,000	

* See Section 6.2 of the SLDC

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
Permit and Review Fee Ordinance
Ordinance No. 2015-_____**

AN ORDINANCE ESTABLISHING DEVELOPMENT PERMIT AND REVIEW FEES FOR PROJECTS IN SANTA FE COUNTY, NEW MEXICO; AND REPEALING ORDINANCE NO. 2008-12 AND SECTION 9.A (FEE TABLE) OF ORDINANCE NO. 2010-6 (MOTION PICTURE AND TELEVISION PRODUCTIONS)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

ARTICLE I. GENERAL PROVISIONS

SECTION 1. SHORT TITLE.

Articles I to III herein may be cited as "The Fee Ordinance of Santa Fe County"

SECTION 2. APPLICABILITY AND EFFECTIVE DATE

This Ordinance applies to any application for a Development Permit or authority to proceed under the Santa Fe County Sustainable Land Development Code ("SLDC"), as amended. This Ordinance shall become effective concurrent with the effective date of the SLDC.

ARTICLE II. APPLICATION, RECORDS AND REQUIREMENTS

SECTION 1. APPLICATIONS.

All requests for a development permit or any miscellaneous request under the SLDC, such as a text amendment, shall require development within Santa Fe County requires a Development Permit and the payment of a non-refundable application fee except where otherwise indicated pursuant to Exhibit A herein, together with the submission of a completed application ("Application"). All Development Permits require the completion and approval of a Development Permit Application ("Application"). An Application shall be completed according to the requirements in the SLDC and The Application shall be submitted to the Building and Development Services Division for review and processing in accordance with the SLDC. The Building and Development Services Division shall submit these Applications to the appropriate County Departments for additional review as required. Exhibit A provides fee reductions for Veterans and Seniors over 62 years of age in applying for permits associated with single family residences, additions and accessory structures.

SECTION 2. RECORDS.

A record of all permits shall be maintained by the Building and Development Services Division.

SECTION 3. ISSUING PERMITS.

Permits will not be considered issued until picked up from the Building and Development Services Division of Santa Fe County. Permits not issued within thirty (30) days of approval shall be deemed void; permits thus voided will require re-submittal of the application and repayment of fees.

EXHIBIT

ARTICLE III. APPLICATION FEES

SECTION 1. FEE SCHEDULE

The fee schedule is hereby attached as Exhibit "A".

SECTION 2. PERIODIC REVIEW OF FEE SCHEDULE.

The fee schedule shall be periodically reviewed in conjunction with updates to the SLDC as needed, but every five years at a minimum.

SECTION 3. PAYMENT AND REFUNDS.

Unless otherwise stated in the fee schedule, fees are due at the time of application and are not refundable. Any application received without payment of fees due will not be reviewed. If a particular Development requires more than one approval, the applicant shall pay the cumulative review fees for each review and approval sought.

SECTION 4. ADDITIONAL FEES FOR PROFESSIONAL SERVICES:

The Building and Development Services Division may require information beyond that contained in the Application. In such instances, the Applicant may (i) provide the information requested at the Applicant's sole expense, (ii) pay an additional fee to cover the cost of the Department staff obtaining and reviewing the information, or (iii) withdraw the Application provided that no such withdrawal shall be entitled to a refund of fees. In addition, some Applications may require specialized reviews by outside sources, the cost of which shall be paid by the Applicant in advance.

PASSED, APPROVED AND ADOPTED, on this _____ day of _____, 2015.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____

ROBERT A. ANAYA, Chairperson

ATTEST:

GERALDINE SALAZAR, County Clerk

APPROVED AS TO FORM:

GREGORY S. SHAFFER, County Attorney

**SANTA FE COUNTY
GROWTH MANAGEMENT DEPARTMENT
DEVELOPMENT REVIEW FEES**

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Permits		
<u>Agricultural, Grazing and Ranching</u>		
<u>Accessory Structures where the principal use is Agriculture, Grazing or Ranching</u>	<u>No Fee</u>	
Development Permit Residential*, <u>residential accessory Structures over 400 sq. ft.* & Agricultural-Uses & Community Service Facilities</u>	\$200	Valuation Fee
Development Permit Residential Accessory Structures of 400 sq. ft. or Less* & Agricultural Non-Habitable	\$25	
<u>Residential Accessory Structures that are 120 sq. ft. or less and used only for storage</u>	<u>No permit or fee required</u>	
Residential additions with a valuation of less than \$10,000*	\$50	
* Seniors over 62 years of age and Veterans will receive a 25% reduction in fees for residential permits.		
Project Valuation		
\$0 - \$25,000		\$75
\$25,001 - \$50,000		\$150
\$50,001 - \$100,000		\$350
\$100,001 - \$200,000		\$550
\$200,001 - \$250,000		\$950
\$250,001 - \$300,000		\$1,150
Each Additional \$100,000 in construction value or part thereof:		\$500
Development Permit Non-Residential, Mixed Use & Multi Family	\$700	Valuation Fee
Project Valuation		
\$0 - \$999		\$175
\$1,000-\$4,999		\$600
\$5,000-\$49,999		\$1,100
\$50,000-\$149,999		\$1,500
\$150,000-\$499,999		\$2,500
\$500,00-\$749,999		\$3,500
\$750,000-\$999,999		\$5,000
\$1,000,000-\$1,999,999		\$7,000
\$2,000,000 and above		\$10,000 for first \$2 Million
Each Additional \$1,000,000 in construction value or part thereof:		\$1,000 ((\$20,000 max))

EXHIBIT

3

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APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Conditional Use Permit	\$1,000	
Medium Impact Home Occupation	\$500	
Site Development Plan for Permitted Uses	\$200	
Sign Permit	\$245	
Burial Permit (For Human Burial)	\$150	
Film Permit		
Small Scale Production	\$25	\$10 per day
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Demolition Permit	\$100	
Demolition Permit Due to Natural Disaster	\$15	
Blasting Permit	\$1,000	
Grading & Clearing Permit-Single Family Residential or Community Service Facility (Not Required if part of a Development Permit)	\$100	
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Vacation of Plat or Easement	\$300	
Plat Amendment/Replat	\$300	
Boundary Survey	\$250	
Time Extension	\$300	
Zoning/Re-Zoning/Text Amendments		
Planned Development District	\$3,000	\$10 per acre
Zoning Map Amendment	\$3,000	
Overlay Zone	\$200	
SLDC Text Amendment	\$3,000	
Zoning Statement or Residential	\$150	
Condominium Confirmation Statement (No charge for confirmation of Zoning District)		

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Conceptual Site Development Plan	\$3,000	
Supplemental Uses/Other		
Home Occupation/Registration:		
No Impact	\$50	
Low Impact	\$100	
Wind Energy Facilities		
Large Scale	\$1,500	
Single Parcel Use	\$100	
Wireless Communication Facilities		
Substantial Modification/ New Facilities	\$3,000	
Non-Substantial Modification, Roof/Surface Mounted, or Stealth Amateur Radio Antennae	\$1,000 \$100	
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Conditional Use Permit	\$3,000	
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Floodplain Determination Letter (No Application Fee Required)	\$50	
Variance	\$300	
Appeal	\$200	
Review of Special Reports (ie. Traffic Impact Analysis, Geohydrologic Report)	\$500	
Liquor License Transfer	\$220	

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
3rd Party Reviews		
County Reviewed SRAs (TIA, APFSA, WSAR, FIA, EIR)	Full Cost of Review by Outside Consultant In An Amount Not To Exceed \$10,000	
Specialized Review if Needed	Full Cost of Review by Outside Consultant In An Amount Not To Exceed \$10,000	

* See Section 6.2 of the SLDC

DRAFT 11.25.15

Web form results:

Walter Wait
48 Bonanza Creek Road
Santa Fe, YT 87508
Email: waltwait@q.com
Phone: 471-0645

Comments:

THE SAN MARCOS ASSOCIATION
November 18, 2015

THE SAN MARCOS ASSOCIATION
P. O. Box 722
Cerrillos, NM 87010

Re: A Request to Eliminate the Zoning Map, Overlay Zone, and SDLC Text Amendment clause from Exhibit A of the Proposed Fee Ordinance of Santa Fe County

Dear County Commissioners & Staff,

Executive Summary

We are concerned that Exhibit A of the proposed Fee ordinance of Santa Fe County might be interpreted to require any public request to change a portion of the SDLC to submit an application for a development permit and pay a \$3000 fee to do so. We would suggest that these fees be eliminated altogether. If the planning staff can offer a reasonable argument as to why these fee's appear, then the fee's should be limited to those developers that require a development permit and are submitting broad changes to the code for financial gain. The ordinance should be explicitly clear that the Fee Ordinance of Santa Fe County does not apply to submissions for SDLC text amendments, zoning changes, and Overlay changes that are not associated with a specific proposed development.

The proposed Fee Ordinance of Santa Fe County states that it is an ordinance establishing development permit and review fees for projects in Santa Fe County. Section 2 states that "this ordinance applies to any application for a development permit under Santa Fe County Sustainable Land Development Code (SDLC) as amended.

Page four of the proposed fee schedule of Santa Fe County ordinance (Exhibit "A") lists the following application type:

Zoning Map Amendment..... \$3000
Overlay Zone Amendment...\$200
SDLC Text Amendment.....\$3000

As we understand the proposed ordinance, the fee schedule is for those proposed applications that require a development permit. We would argue that a request to amend the SDLC does not require a development permit, should not, be subject to a fee, and should not, therefore, appear in this proposed ordinance.

There is, to our knowledge, no portion of the SDLC that requires a fee to submit a request for changes to the SDLC, an overlay zone amendment or the Zoning Map.

We are afraid that Exhibit A of the proposed ordinance might be interpreted to require any public request to change a portion of the SDLC to submit an application for a development permit and pay a \$3000 fee to do so.

We are concerned that should a community planning committee or a civic organization, or even an individual who



discovers a flaw in the code - wishing to bring a change to the code that might correct or improve the code - would not be able to bring it forward without paying out a \$3000 fee. This, to us, is onerous, and builds in a prohibitive function in the ordinance that would deny the public any real opportunity to go before the BCC to suggest changes to the code.

For example, if the San Marcos Association wishes to submit an alteration to the San Marcos District's geographical boundaries as found on the zoning map, it would have to pay the County \$3000 before it could submit the idea to the County.

The fee for changes to the SDLC would appear to directly affect the public's ability to make changes to their developed community and district plans - as they are now part of the Code. The proposed ordinance appears to both require the fee, require a development permit and requires that the request be heard, not by the BCC, but by the Building and Development Service Division (Article II).

To our concern, the fee appears to limit the proposals for alterations to the SDLC to the County Planners. It does not detail whether or not the fee is for each proposed change (paragraph by paragraph) or for wholesale changes that might affect an entire section of the code.

We would suggest that these fees be eliminated altogether . If the planning staff can offer a reasonable argument as to why these fee's appear, then the fee's should be limited to those developers that require a development permit and are submitting broad changes to the code for financial gain. The ordinance should be explicitly clear that the Fee Ordinance of Santa Fe County does not apply to submissions for SDLC text amendments, zoning changes, and Overlay changes that are not associated with a specific proposed development .

Walter Wait
President
San Marcos Association

From: Santa Fe County
To: Amy M. Rincon
Subject: SLDC Public Comments Form Submission
Date: Thursday, November 19, 2015 12:20:57 PM

Comment on SLDC Comment, Zoning Map or Fee Ordinance
Fee Ordinance

Comment Type
General Area

Comments

I am a location scout/manager in the New Mexico film industry. Since 2006 I have been the Contract Locations Coordinator for the New Mexico State Film Office.

Several years ago I spoke at a public hearing when the film permit fees were first proposed. The points I am about to make are actually the same points I made then and I believe them to still be relevant:

1. I fully recognize the county's right to impose a fee structure for film permitting if sufficient evidence exists that such fees are justified. The first and most important point I would like to make (and which I made several years ago) is that, to the best of my knowledge, Santa Fe County is the only county in NM which currently charges any fee at all for film permits. My point has always been that charging these fees puts Santa Fe county at an economic development disadvantage when compared with other counties that do not charge fees. The Film Industry is notoriously tight fisted when it comes to budgets. If it comes down to shooting a scene in a gas station in Santa Fe vs one in Bernalillo County (for example), you can be sure that most often the production will head south and save the additional fees charged by SF county. I believe if you polled other NM counties they would express that they consider a "no fee" permit as a way to invite film money (and it's enormous economic impact) into their areas.
2. When these fees were initially proposed some years ago, the fees being considered were more in line with what the community of Beverly Hills CA - a community known for it's exorbitant film permit fees. While not in the same cost ballpark as Beverly Hills, when compared to the no fee costs of other NM counties the SF county fee structure could be seen as "exorbitant". Historically, large film permit fees have been seen as a way to send the message to the industry that "we don't want you here" - as is certainly the case in Beverly Hills.
3. I want to make a distinction between "permit fees" vs charging for actual hard costs of resources. If a production requires such things as SF County fire department support, or a county employee site monitor - a production would expect to pay such costs. This is different from a blanket, per day "we're going to charge you for being here" permit fee. The current proposal also outlines charging more for larger productions vs smaller ones. If you are going to charge anything at all, it should be based on what the production will do, it's impact and the possible resource draw from the county - not strictly the size of the productions. In my experience with the industry, the smaller productions often need more attention than the larger ones given the budget and expertise disparities between the two.
4. There has been a lot of chatter lately in the area about how to increase the amount of filming in the Santa Fe area. It is my firm belief that increasing film permit fees will send a negative message to the industry that, in spite of the rhetoric, the county is not interested in the business. Conversely, one of the best, positive messages the county could send to the industry would be an elimination of the permit fee - sending a clear and positive "film friendly/open for business" invitation to the industry at large.

Thank you

Don Gray

Parcel ID (You can find the parcel ID on the letter you received)

(No value)

Property Owner (First Name)

(No value)

Property Owner (Last Name)

(No value)

Physical Address of Property

(No value)

Email address:

don489@earthlink.net

Zoning Classification on Adoption Draft Zoning Map

(No value)

Requested Zoning Classification

(No value)

Additional Comments

(No value)

Fee Ordinance 2015 Public Comments1

ID	First Name	Last Name	Comment Summary	Staff Response
1	Don	Gray	Believes that no other county in New Mexico has film permit fees and this will keep filming from occurring in the county. Proposed fees can be seen as exorbitant. Proposes that fees be based on resource draw and not size of production.	Small Scale productions cost is the same. Episodic TV productions are decreasing over the long term. Major Productions are proposed to be doubled (from \$400 to \$800 for 30 days). The increase in fees for Major Productions came at the direction of the BCC. No change.

2	Walter	Wait	Would have fees removed from zoning map, overlay zone and SLDC text amendments.	Most of these changes will come from staff or at the direction of the planning Commission or Board, therefor no fee will be charged. They will only be charged where the staff, Board and Planning Commission does not support and directs staff to make a change. No change recommended.
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