



**QUICK INFO**

Santa Fe County is in the process of developing a new land development code known as the Sustainable Land Development Code (SLDC) which will replace the current land development code. The SLDC contains detailed regulations to guide future growth and development in the County in accordance with the Sustainable Growth Management Plan (SGMP) which was adopted in 2010.

**SLDC Public Review Draft, September 2012**

The development of a final adopted SLDC will include extensive public participation and members of the public are highly encouraged to provide feedback on the Public Review Draft.

*Series II Frequently Asked Questions (To be completed)*

**Has the County adopted a funded and prioritized CIP?** No

**Is an adopted CIP required for the implementation of Adequate Public Facilities regulations, Development Fees and Levels of Service?** Yes

**How are Levels of Service (LOS's) established?** LOS's were established in the SGMP and will be refined as part of the CIP.

**Will the County impose development fees for the impact of new development on community facilities, infrastructure and services?** Yes, the code establishes the framework for development fees but they will not be imposed until land assumptions associated with service areas determined by the CIP are completed and adopted.

**Are the Official maps in the SGMP the same as the Official Map referred to in the code?** No the official in the SGMP are preliminary. The Official Maps referred to in the SLDC are in the process of being developed.

**What does concurrency mean in relation to growth management?** Basically, the purpose of the adequate public facilities regulations ( 12.3) is to ensure that new development only occur when there are adequate public facilities and services.

**Why does the draft SLDC include a "Hearing Officer"? And how will that position affect the review process?** The Hearing Officer is being recommended for the review of quasi-judicial reviews of discretionary land use applications. The position has powers resembling those of a court of law or judge. Discretionary review is the authority of the Planning Commission and Board of County Commissioners to review projects that comply with the Code. The Hearing Officer will make written findings of fact, conclusions of law and recommendations and establish the public record based on those findings and conclusions. The Hearing officer will conduct "Public Hearings" in which the public will be duly noticed and have an opportunity to speak and to provide written testimony as to a specific development application.

**Will family transfers be allowed to go below the minimum density of the base zoning district?** No, the draft SLDC does not have provisions for "Small lot Family Transfers" and family transfers will no longer be allowed to go below the maximum density of the base zoning district.



# Santa Fe County

## SLDC Public Review Draft September 2012

### SERIES II Public Meetings September/October 2012



<b>Series II: Chapters 1-4, 6,12,14: Administrative, Procedures, &amp; Financing</b>			
<b>Hondo Fire Station 2</b>	<b>Nambe Community Center</b>	<b>Edgewood Senior Center</b>	<b>Nancy Rodriguez Center</b>
Wed., Sept. 26 4 p.m. – 8 p.m.	Thurs., Sept. 27 4 p.m. – 8 p.m.	Tues., Oct. 2 4 p.m. – 8 p.m.	Thurs., Oct. 4 4 p.m. – 8 p.m.

**Series II Meetings** will provide information and discussion on specific topics and chapters from the public review draft of the Sustainable Land Development Code (SLDC PRD). This review includes the following chapters:

- Chapter 1 – General Provisions
- Chapter 2 – Planning
- Chapter 3 – Decision-Making Bodies
- Chapter 4 –Procedures
- Chapter 6 – Studies, Reports and Assessments (SRAs)
- Chapter 12 – Growth Management

## SLDC PRD SERIES II PUBLIC MEETING TOPICS

### Implementing the County Sustainable Growth Management Plan 2010 (SGMP):

The purpose and intent of The SLDC is to implement and be consistent with the goals, policies and strategies of the SGMP and protect and promote the health, safety and general welfare of present and future residents of the County. The SLDC, once adopted, will replace the existing Land Development Code with the exception of existing district ordinances, community planning ordinances and the Oil and Gas Ordinance.

**Planning:** The SLDC PRD establishes requirements and procedures for adopting and amending other County land use plans, including the SGMP and Area Plans, District or Community Plans. These include:

- Area Plan covers a defined geographic area of the county and provides planning, design and implementation strategies consistent with the SGMP.
- District Plan provides specific planning and design for single and mixed use development around a predominant activity.
- Community Plan provides specific planning, design and implementation for an identified community in accordance with the community planning process.

The community participation provisions of the SLDC are in accordance with the SGMP and are designed to maximize public input in important decisions that affect the County, a community or neighborhood. Procedures and requirements are provided for the creation of Community Organizations and Registered Organizations.

**New** **Decision Making Bodies:** The SLDC establishes the authority and responsibilities of the Board, **Planning Commission**, Administrator and **Hearing Officer** to initiate legislative amendments, to approve, approve with conditions or deny development applications and agreements, adopt and amend Official Map and CIP and to establish assessment and public improvement districts. The SLDC identifies a new body, the Planning Commission, which will replace County Development Review Committee (CDRC). The Planning Commission will be a body of 7 members appointed by the Board-one for each district and 2 at large members. The Planning Commission will take final action and issue development orders on variances and conditional use permits. The Hearing Officer is identified for the purpose of assisting in the adjudication of quasi-judicial applications for discretionary development approval and to establish the public record.

The SLDC and all amendments are required to be consistent with the SGMP and applicable Area, District or Community Plans, the CIP and the Official Map.

**New** **Administration & Procedures:** This SLDC includes requirements, standards and review processes by which development applications shall be evaluated, including the preparation of **Studies, Reports and Assessments** on environmental and fiscal impacts, traffic, water availability, emergency service and response, adequate public facilities and archaeological, historic, cultural sites and landmarks. Chapter 4, establishes review procedures, includes Table 4.1 which identifies the development review procedures by application type. A major change in procedures between the existing Land Development Code and the SLDC is that most applications that require a discretionary review must hold a **pre-application meeting** with the County Technical Advisory Committee and a **Neighborhood Meeting** prior to submittal.

The findings, conclusions and recommendations of the **Studies, Reports and Assessments** (Chapter 6) mentioned above, will become part of the public record and be used to determine impacts from the proposed development, detail measures to mitigate impacts and will be used to establish terms of the approval, approval with conditions and mitigation requirements or denial.

### Growth Management & Financing:

The SLDC establishes techniques to **ensure that new growth pays for itself** through the implementation of the County's growth management strategy identified in the SGMP. A key component of growth management is maintaining fiscal responsibility and fiscal health. Fiscal stability is a cornerstone of a sustainable community. Existing residents should not suffer a decline in the quality of their services or be unduly burdened by costs of new growth. New residents and business should pay their fair share of the costs associated with infrastructure and services.

The growth management strategy is intended to direct growth to areas most amenable to be efficiently served by adequate facilities and services. The strategy uses a wide range of techniques including a **Capital Improvement Plan, Official Map, the use of development fees and agreements, Level of Service requirements pertaining to Adequate Public Facilities and Services (Table 12-1) and required connections to County Utility Water/Sewer by Sustainable Development Areas. (Table 7-17 & 7-18).**

**New** **Capital Improvement Plan (CIP):** The County's CIP will be approved and amended by resolution of the Board. The CIP is the mechanism by which the County will provide for new public facilities and expansion of existing public facilities to address current deficiencies and accommodate anticipated future population and employment growth. Through the CIP, the County intends to use reasonable means to provide public facilities and services while protecting the County's solvency. Funds to implement the CIP will come from County general revenue, general obligation and revenue bonds, contributions and advances of capital improvements, public improvement districts ("PIDs"), County Improvement Districts, development and impact fees, public utility rates, and state and federal grants.

The CIP prioritizes the need for public facilities in suitable areas. It estimates the cost of public facilities; analyzes the fiscal capability of the County to finance and construct the facilities; determines which facilities are needed to address present deficiencies and which facilities are needed to support future growth; establishes financial policies to fund improvements; and provides a schedule for construction of improvements that ensures that facilities are available when needed.

**New** **Official Map (12.12)** The Board will adopt the Official Map of the County as an appendix to the SLDC which will be consistent with the SGMP, specifically Policy 4.1 and strategy 4.1.1. It will be used to ensure the coordination and connectivity by identifying the location of lands necessary for future public facilities. The Official Map will include up to date and accurate information on the following:

- Bikeway routes, Pedestrian ways and easements, (trails and along existing roads);
- Existing and Proposed ROW (streets, widenings, extensions, openings or closings);
- Proposed public parks, playgrounds, and open space reservations;
- Railroad and transit rights-of-way and easements including vacated or abandoned sites that have potential use as trails;
- Environmentally critical areas (such as unique and scenic areas, or endangered habitats);
- Flood control basins, floodways, and areas prone to flooding external of the FEMA floodplain;
- Stormwater management areas and drainage easements;
- Potential public well sites or groundwater resources areas;
- Historical and archaeologically significant areas;
- County Utility Service Area; and
- Sites planned for public facilities including law enforcement and fire stations, libraries, community centers, and schools.

The Official Map will be updated every two (2) years by the Board. Any public road, highway, storm water and drainage way, flood control basin or area, parks, trail, recreation area and scenic vista shown depicted on recorded final subdivision plat, final site plan or within an adopted PID shall constitute an amendment to the Official Map upon the date of recordation.

**New** **Adequate Public Facilities Regulations (APFR 12.3):** APFRs are regulatory measures established by the SLDC to evaluate applications for discretionary development approval against the County's adopted, funded and prioritized CIP and the adopted Level of Services. The purpose of the APFRs is to ensure adequate public facilities and services are available concurrently with the completion of new development. For a project to be approved it must meet the County's adopted LOS and shall demonstrate it will be maintained and not degraded by the impacts of the project for a period of 20 years. Data and information for applying the APFRs comes from the Adequate Public Facilities Assessment (APFA) and applicable SRAs described in Chapter 6.

The purpose of the APFRs are to ensure sustainable County growth by ensuring that infrastructure and services that are necessary to support proposed developments are adequate and available at the time an application for discretionary development approval is made.

Adequate public facilities and services will be evaluated at the time of application for discretionary development approval using the SRAs described in Chapter 6 of the SLDC. LOS and Facilities evaluated through the APFR process include water, sewer, storm water, emergency services, parks, open space and trails, and transportation.

**New** **Development Fees (12.11):** Development Fees will be established requiring all new residential and non-residential development to pay impact fees to contribute a fair and proportionate share towards the costs of capital improvements, the need for which is reasonably necessitated and generated by such new development. Subsection 12.11 fixes, imposes and provides for the assessment and collection of development fees pursuant to the Development Fees Act, NMSA 1978 § 5-8-1 et seq. The CIP will calculate and establish various development fees based on land use assumptions by service areas. Service areas are established in the CIP for roadways, water and wastewater, law enforcement, fire and emergency services, parks, open spaces and trails.

- To view the SLDC Public Review Draft review background information and provide feedback please visit: [www.santafecountynm.gov/sldc](http://www.santafecountynm.gov/sldc)
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