

Sustainable Land Development Code, Public Review Draft

Galisteo Informational Open House

Meeting Summary
September 18, 2012

Duration: 4:00 – 8:00 pm

Present:

County Staff

Robert Griego, Planning Manager

Vicki Lucero, Building & Development Director

Vicente Archuleta, Development Review Specialist

Sarah Ijadi, Senior Planner

Eric Aune, Senior Planner

Community Members

16 participants from the Galisteo GMA.

Meeting summary compiled from staff notes pertaining to one-on-one conversations and flip charts used during the discussion period

General overview

4:00- 4:30 one-on-one discussion among staff and community members.

4:30-6:00 a dynamic discussion with 8-12 participants, facilitated by staff.

6:00-7:45 one-on-one discussions with individuals who participated in the group discussion and with individuals who dropped in after the discussion.

Meeting concluded at 8:00.

Key Issues

A. List serve e-mails

The last e-mail did not provide enough information and many community members thought the county would be presenting for 4 hours and stayed home. General agreement and discussion on getting the word out.

Participants' Recommended Actions: E-mail reminders on public meetings should include how meetings will be organized. Staff has committed to including language encouraging community to drop in at their convenience and proposing times for short county presentations and group discussions.

B. Timeline for approval:

End of the year is too rushed since the code is far from complete, does not communicate procedures and in many sections does not reflect the time and money already put towards developing it. General agreement- staff stated that there was a push earlier for approval by the end of the year but there currently there is no timeline or schedule for formal public hearings required for approval.

Participants' recommended actions: Prioritize staff time for review/ analysis and revisions rather than getting public involved at this time.

C. Rules are not clear, do not provide a rational and in many cases just don't work.

The review process is all over the place and in many cases are different than what is stated in the plan (SGMP). Examples:

Developers must produce a report but it is not clear how and when the public can review the report or how long the public has to review the report.

Who interprets and reviews reports? Initially the understanding was that the County would be responsible for producing the Studies, Reports and Assessments, (SRA's) now it is up to developers. Strong agreement, staff needs more information address change from County generated SRA's to developer generated SRA's.

Participants' recommended actions: clarify the rational for developers producing SRAs versus the County and spell out in the code how the public will be notified and able to access SRA's and timeline for public review.

D. Does not adequately communicate the review process for applicants or communities.

The lack of a flow chart showing steps – Table 4.1 is not complete, also minor subdivision final plat is a concern – seems like no notification is required. Strong agreement, staff needs to communicate/ address procedures for various application types, including public notices, access and review time for SRA's.

Participants' recommended actions: Flow charts will be helpful. Conduct a few case studies involving different application types and communicate results to the public.

E. The public draft is premature; a thorough review by staff should have been completed before the public review.

Has the code been reviewed using recent court cases or precedents set by legal outcomes? Lawyers should be involved in the review and in the public meetings. General agreement, fear that a code that implements SGMP will be bogged down in confusion and without supporting background information. What about the zoning map? We support a new code- we want it done right-and want it to perform. We want it done soon. However, maybe the current code is good since the 285 corridor through Eldorado and past Lamy still retains its rural quality.

Participants' recommended actions:

Make the code a priority at the County, make revisions, include missing pieces and then engage a public review.

F. Community Plans Section: Why aren't Galisteo and San Marcos not listed?

Discussion on the fact that they have adopted plans that are ready for codification and should be listed- they are planning districts!

Participants' recommended actions:

At least list them in chapter nine and get planners to work on community overlay districts for both as the code goes forward so they are part of the overall adoption.

G. Community Plans Section: Conflicts in code with adopted community plans & ordinances:

Example Accessory dwelling units are treated differently in various community plans and ordinances and with SLDC.

Participants' recommended actions:

Produce a clear list of what community overlays can control and what they can't.

H. How is the SLDC different from current code? What sections are the same?

There are significant differences! Regulations dealing with water have substantially changed but it doesn't clearly communicate rational. The code must be defensible; Commissioners will need rational for the significant changes in order to approve. Example regulations pertaining to SDA's- garbage pick up is required in SDA-1.

Participants' recommended actions:

Summarize significant difference between current code and SLDC- what is new? , explain why and communicate.

I. Will the process of adopting this code include the Zoning Map?

The zoning map should be a part of the adoption although it may shift focus and cause the code to be derailed. The SGMP FLUM has been in the public's view for over a year-people have a sense of what to expect.

Participants' recommended actions:

Include zoning map in adoption process.

J. Where are the maps and documents referenced in the SLDC PRD?

Many regulations refer to maps and documents not included in the code so it is difficult to review. DO they exist? Yes some do, many of the maps were adopted as part of the SGMP and may be amended as a part of this process. What's the logic of withholding documents and Maps? We won't get the code past without them.

Participants' recommended actions:

Provide all reference documents and maps with the SLDC PRD.

K. The code may be too complex.

The code should be simplified and reorganized. IS there a need for it to be so complex? Review the code from various locations for example why so many "no's" pertaining to the SDA's? Many parts seem irrelevant to the county. Language of the code is geared to "new Big development". It lacks direction/ clarity for individual lot owners. Why so much language on sexually oriented business? Not enough on sand and gravel!

Participants' recommended actions:

Simplify code, consider incentives rather than limits. Communicate how code affects individual lot owners and small developments.

L. Communicate a timeline for code completion and adoption:

Set a timeline and prioritize. Without a timeline it may stall. Staff should look for wholes and inconsistencies – get it as good as it can get and set a timeline for approval.

Participants' recommended actions:

Complete code, conduct public review and set dates for public hearings.

Additional notes from written comments and discussion with individual participants:

- "I would rather have a warehouse next to me than a gravel mine!"
- "Make sure agriculture including livestock raising is allowed everywhere in the county"

- The code is rushed.
- Reasonably acceptable as it relates to the SGMP but far too many questions which will not lead to effectively regulate development and leaves communities without protection.
- It's not the rules- it just does not communicate the process.
- Who will review the water report? A hydrologist?
- How do I get a variance?
- Why aren't minor subdivisions required to do the SRA's?
- What do I need to do to get the zoning I want?
- Legal precedents need to be vetted.
- Keep zoning along parcel lines!
- Process for creating and adopting zoning map must be outlined. How will county "assign" zoning?
- Include name of chapter on tabs.
- Are permits required for agricultural uses? Not required in current LDC.
- When this is adopted will the SLDC Use list apply to properties or will existing Community overlay district use list apply?
- Are existing uses grandfathered in?
- Does county limit number of livestock on a parcel?
- What are performance requirements for water? Including fire suppression?

Summary submitted by:

Sarah Ijadi