SLDC, Public Review Draft, Public Comments

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/22/2012	Timothy	Nolen	Pinon Hills Homeowners Assoc.	web		8	I am strongly, STRONGLY opposed to any development of the King Ranch into commercial and densly populated housing developments! Any development of this sort is wildly irresponsable and hateful to residents of Pinon Hills.
10/23/2012	Amanda	Evans	New Mexico Energy $mart Academy	web	Central	7	"I would like to comment about the proposed HERS requirement for new county residential construction. I am very much in favor of this for two reasons. 1. It helps take the energy burden off homeowners by lessening the energy bills for them. 2. It provides some parity with builders in the city. I was a HERS rater in the city for several years before becoming the Director of the Center of Excellence for Green Building and Energy Efficiency and the New Mexico Energy$mart Academy at Santa Fe Community College. The additional expense to pay for the building upgrades and the HERS rating have been estimated on average to add an additional 3 - 5% to the construction costs and that has been my experience. My husband, as a general contractor working in the city, also has had this experience. The benefits to the future homeowner are excellent. Their lower energy bills more than offset the additional expense for construction. The fact the Homewise and Centex/Pulte are still frequently building affordable houses in the city attests to the fact that it can be easily done. In fact, Homewise is usually building homes that have a HERS rating around 56, which is much lower than the required 70. As an educator, I find that the response from contractors that this will be too expensive or too difficult is usually from a lack of awareness and education of how to build an energy efficient house. Many of the techniques such as advanced framing and avoiding thermal bypasses adds no extra cost to the job (in fact, advanced framing saves the builder money) but many builders are unaware of these new skill-sets. When I was a HERS rater in Santa Fe I would often have builders come to me for their first house with the new HERS 70 requirement with a very disgruntled attitude. By their second house it was an easy process and they were suddenly embracing the idea that they too were truly building efficient homes, using it in their marketing and in their outreach to homeowners. There is a 4-hour curriculum that we have developed (in English and Spanish) to address this lack of education which is freely available Energy efficiency is important on so many levels and it has been consistently shown that the energy burden on low income families is disproportionately high. I think that by requiring a HERS 70, the County will be enabling those who are looking to live in an affordable home a better opportunity to do so.

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10/23/2012	Douglas	Patrick		web	South	Appendix B	"Appendix B : Is there a legend for this spreadsheet? I don't understand it what do the numbers in the columns refer to ? what does a p,c,x,a denote? Any hints …."
10/23/2012	Douglas	Patrick		web	South	8	"I have a vacant 9.25 acre lot in the proposed rural residential zone (RUR-R) that I am planning on building on soon.It was part of a approved subdivision for residential use in the 1980s. I purchased the lot in 2006. This proposed zoning (RUR-R)has a density of 1 dwelling per 10 acres: Does that mean that I have to apply for a variance in order to build a Single Family home since my lot is just under that 10 acres?"
10/23/2012	Steve	Bradley	Green Building Associates.com	web		7	A HERS rating on every new house in the county gives a buyer the ability to compare energy performance between Samta Fe City and County homes. The additional costs to the owner-builder in the county will provide information leading to wiser decisions and lower energy bills repaying the cost of the HERS many times over the life of the mortgage. The cost to the production builder using the performance path will be minimal and provide a marketing tool.
10/23/2012	Steve	Bradley	Green Building Associates.com	web	Central	7	Requirements for a certain HERS rating or better do not address the issue of Indoor Air Quality. Requirements for ventilation systems providing the requirements of ASHRAE 62.2-2010 would be a good start. Further education of the virtues of Heat Recovery Ventilators, energy recovery and quality of fresh air should be provided with any requirement for ventilation. For example, fresh air entering through cracks is not the same quality as fresh air through the ERV. Then the issue of depressurization of a home to gain fresh air should be discussed with the unintended consequences of unstable pressures.
10/22/2012	Timothy	Nolen		email	El Centro	8	I am strongly STRONGLY opposed to any development of the King Ranch into densly populated housing or commercial properties. This sort of thing will be met by our organization with strong opposition, both legal and political. Do we want to turn Santa Fe into another slum like Albuquerque??

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10/22/2012	Joseph	Eigner	SERA (Sustainable Eldorado Residents Alliance)	email		7	SERA (Sustainable Eldorado Residents Alliance) has a strong commitment to energy efficiency. In the recent past we have offered local homeowners free energy audits and we have promoted the installation of photo-voltaic electric generating systems at private homes and businesses. Although The Eldorado Subdivision is largely built out, we strongly support energy efficient construction in all new homes throughout Santa Fe County. For this reason we are delighted with Section 7.14 of the Sustainable Growth Management Code as presented in the September 2012 draft posted on the County's web site. The HERS 70 standard called for in Section 7.14.2.3 has been shown to produce energy savings greater than the monthly increase in mortgage payment due to the modest extra cost of meeting this standard. This was demonstrated in the October 24, 2011 study submitted by Erik Aaboe, the county Energy Specialist, done in collaboration with local construction experts. The standard clearly makes new homes in all price categories more affordable over the life of the initial mortgage, and more importantly, over the lifetime of the home. With energy prices predictably increasing over time the savings resulting from HERS 70 (compared to HERS 89, as shown in the Aaboe study) will rise every year. Another advantage of this standard is that the Santa Fe City green building code also stipulates HERS 70. Adoption of this standard for the portions of the County outside the City will mean that builders will have a single, uniform energy efficiency requirement throughout the entire County - always a plus from their point of view. With the wasteful energy systems of older buildings being one the largest contributors to man-made carbon emissions with their impact on global warming and climate change, we believe it is imperative that our Sustainable Growth Management Code does all it can to insure that our future building practices reduce such emissions. Thank you! This statement of support for Section 7.14 of the September 2012 draft was authorized by unanimous vote at the meeting of the SERA Steering Committee held on Oct. 20, 2012, the following attending:
10/22/2012	Dennis	May		email			Because of the impending SLDC and its UN Agenda 21 designs, I have sold off my property and divested myself of my other interests in Santa Fe County rather than get stuck with useless dirt due to the SLDC. Before any further action or approval, look to Florida and the east coast to see the damage that SDLC has done to those counties and to the effort to finally repeal those SDLC regulations. Good luck and I'm glad to be out of it.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/22/2012	Caroline; Gregory	Messer		email		8	Dear Sir/Madam, I am writing to protest the county's proposed re-zoning of my property under the proposed new sustainable land development code. My husband and I purchased our land parcel 1-042-124-259, tax id 79000703 in 2007 which is currently zoned Rural residential. The county now wishes to re-zone our property as agricultural/ranch as part of the sustainable land development code which we feel will be a financial detriment to us and to our property. The property is located at 215 Rogersville Rd, Cerrillos NM 87010 and we began the process of developing the property in 2009. We built a 1200 sq ft guest house (which we are currently occupying), a horse barn and a storage structure, all fully permitted, on this lot and we have been resident here full time since 2010. We have also spent over $50,000 in local architects plans and surveys to design a 3,000 sq ft main house on this property which will require us to apply for a mortgage to cover the cost of building. If the county were to re-zone the property from Rural residential to agricultural/ranch this would severely limit our mortgage lender options and increase the mortgage rate vs that available through a traditional lender. We feel it will also devalue the land value when time comes for us to eventually sell, which was valued at $577,500 for 275 acres i.e. $2,100/acre by the county in 2010. It seems unfair that other vacant and developed land parcels immediately bordering our parcel to the east, west and north on Rogersville will be allowed to remain Rural residential and thus remain sub dividable into much smaller 40 acre Rural Residential lots while we, the only developed lot of all the proposed Rogersville properties to be re-zoned on Rogersville as ag/ranch, could never subdivide since the lot size would need be 160 acres for Ag/ranch. Several of my neighbors properties are currently used for agricultural grazing and in 2012 we also re-instated the agricultural grazing tax exemption on this lot which the county assessor's office incorrectly removed after we purchased the land. We have no plans to subdivide, in fact we own 4 additional lots to the south and north of this lot ranging from 20-210 acres that we purchased to prevent them from being developed and we plan to continue to use the property for grazing purposes. However, we are very concerned of the negative de-valuation and financial limits for any future mortgaging the re-zoning the 275 acre property to AG/Ranch will bring. This is not a high development growth area, no other property has been built on Rogersville Rd (which is over 6 miles long!) since we built in 2009 and only 1 other house in addition to ours, has been built on Rogersville Rd in the last 10 years during the peak of the property market!! The properties here are remote and all off-grid (i.e. require solar power) and accessed by a private dirt road making it difficult and expensive to build so we think the re-zoning is unnecessary. We therefore hope you will re-consider removing the proposed re-zoning of this property and allow it to remain rural residential. We look forward to hearing back

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10/22/2012	Caroline; Gregory	Messer		email		8	from you. Kindest Regards,
10/22/2012	Heidi; Derek	Cunningham		email	El Centro	8/7?	I am writing to oppose SDA-1 planned for the King Ranch adjacent to Pinion Hills. As a resident and association member of Pinion Hills, I do not feel this change is in the best interest of homeowners. Other SDA-1 zones in the plan are generally located well away from existing residential developments. The designation of the King property as SDA-1 is anomalous and inappropriate.
10/22/2012	Marco; Irene; Erik	Wekhoven; PluimMentz; Wekhoven		email	El Centro	8/7?	With this e-mail we want to present our opposition for an SDA-1 development near our Piñon Hills neighborhood. This type of development is inappropriate use of scheduling land development near the type of residential neighborhood like the Piñon Hills where lot sizes range from 2.5 acres and up. We hope that our opinion as tax payers will be taken into consideration and that the plans will be changed to more appropriate planning.
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	Should add reference to Section 106 of the NHPA of 1966 as amended. Replace "worthy of preservation" with “significant” ie: eligible for listing on State of Federal Registers. Replace "and those cultural properties not yet known or identified as" with "potentially eligible for listing on State… and Federal…”. Instead of specifying that resources should be analyzed and treated at the planning stage, state that these actions should occur "early in the planning stage".
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	7	Provisions should apply to any subdivision which creates two or more lots. Three or more lots is too much of a loophole.
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	Section should read, "A report that conforms with US SOI Standards for Documentation of Historic Properties…The report shall include a treatment plan which provides methods by which the property will be protected, preserved or salvaged AND and which identifies and develops a research plan and an historic context…” see http://www.cr.nps.gov/local-law/Arch_standards.htm”
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	What are Admin’s qualifications? Should have CRM board or Board of Archaeological Standards (to be formed under the supervision of Admin, and shall include 2 archeologists or one archaeo and one historian, one architectural historian, and one or two community members.
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	The exemption for permits for construction of single dwelling units, accessory structures, agricultural facilities, roads, utility installations and family transfers which do not alter a Registered Cultural Property and lands which have been previously surveyed by a professional archaeologist and accepted by the Code Administrator is not good. Indications of cultural material may become visible via erosion… this section should provide for an “Updated Survey”

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10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	There needs specific definitions throughout this section that delineates “reconnaissance” from “intensive” survey… This should be “intensive survey”. ie: use SOI guidelines…” Survey techniques may be loosely grouped into two categories, according to their results. First are the techniques that result in the characterization of a region's historic properties. Such techniques might include "windshield" or walk-over surveys, with perhaps a limited use of sub-surface survey. For purposes of these Guidelines, this kind of survey is termed a "reconnaissance." The second category of survey techniques is those that permit the identification and description of specific historic properties in an area; this kind of survey effort is termed "intensive." The terms "reconnaissance" and "intensive" are sometimes defined to mean particular survey techniques, generally with regard to prehistoric sites. “ http://www.cr.nps.gov/local-law/Arch_standards.htm
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	7	IMPORTANT: intensive pedeatrian survey should limit sub-surface trowel tests, shovel tests to 0.5% of site area. If not a site then 0.5% of project area. Next step would be subsurface testing.... then amybe data recovery.
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	7	Treatment and mitigation plan usually a second report, different than “results of intensive survey” report, which may recommend a Treatment Plan and must include a current, dated ARMS map indicating sites..”
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Add language: "And Within a one-mile radius of the proposed undertaking."
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	7	Regarding linear transects, they should be used where appropriate, otherwise contour survey or variation that is supported by appropriate reasoning in the survey report.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	add "and verified by the project PI"
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Add "in compliance with NAGPRA"
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	Qualifications per the NM HPD consultant list. In addition, verification of consultant’s CV should be conducted by Administrator or Board of Archaeological Standards (to be formed under the supervision of Admin, and shall include 2 archeologfists or one archaeo and one historian, one architectural historian, and one or two community members.
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	7	This must emphasize Tribal notification and consultation as spec under NAGPRA. Procedures should indicate in detail, the sequence of events that must occur from the very first discovery of human remains or funerary objects. Sequence starts with a call to the State or County Medical examiner and SHPO, and goes on for there. A treatment Plan would provide detailed procedures for such discovery…
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	include historic aerial photographs
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	include a provision for monitoring by qualified archaeologist as a treatment
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	7	Who will mark it received and forward to the Archaeo Review Committee, or what ever name you want to give the Board/committee – this should be kept at County level since NM HPD is short-staffed and overwhelmed by review of its own.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Substitute "reconnaissance survey" for "intensive survey".

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10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Subsistute "along with the survey and report" with "with the report."
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Use Archaeo review board instead of state.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Sub "reconnaissance" with "intensive"
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	test excavations at first, then if necessary, data recovery.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Sub "Applicant" with "Consultant"
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Sub "plan of excavation" with "testing plan and a data recovery plan as necessary"
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Specify depth ie: 30 cm below modern ground surface
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	7	Sub "directed at recovering information" with "Directed at limited/intensive testing or data recovery of artifacts, archaeological features, etc."
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Sub "applicant" with "consultant"
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Sub "plan of excavation" with "testing plan and a data recovery plan as necessary"
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	7	if development MAY adversely affect … then archaeological monitoring may be best mitigation
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	follow NAGPRA
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	7	Provide specific quantitative buffer for determining potential endangerment to cultural remains , ie 10 meters
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	7	Sub "determine the significance" with "determine the potential for significance--determining actual significance usually comes in the recommendations section of the results of survey report, testing report, or data recovery report."
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	7	Sub "shall temporarily cease" with "Shall cease until potential for significance can be assessed by PI."
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	7	Initiate legislation for more severe penalty. Cite NAGPRA.
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	7	Try to work in a provision for protection of significant sites on private land, ie the Santuario…
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	8	Should be reviewed by a Review Committee. A committee consisting of archeologists or one archaeo and one historian, one architectural historian, and one or two community members must be created.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	specify that archeological resources include historic architecture
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	define term "applicant"
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Location data should be based on sub-meter equipment
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	8	Who in the County will be the one to make this determination? If there is no technical/professional basis for this it could easily become political subject to administrative approval
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Sub "may" with "will"

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10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	8	This information should also be obtained from the applicant and best available information/maps.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Should buffers be a minimum distance to begin with?
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Who determines what is reasonability appropriate?
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	8	Be specific about the level of restoration, and limit this mandate since some resources are too big or cannot be restored. Also, consider the terms “restoration, renovation, replication etc, as defined in SOI standards and guidelines
10/23/2012	Doug	Clark	Chimayo Citizens for Community Planning	email	El Norte	8	This should be carefully worded in detail because it is touchy… permission to go on private, state, county, or federal land should be obtained… if not, site boundaries must be determined by property lines, even if they do not include the while site… consultant must infer boundaries that are off the project area.
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	8	must consult Review Committee. A committee consisting of archeologists or one archaeo and one historian, one architectural historian, and one or two community members must be created.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Should the visual context of an area be established in a map?
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Consider SGMP directives for Chapter 5
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	8	The language "To be designated as an O-HP zone, the site or area must be accepted for listing on the National or State Registers of Historic Places" is vague. Many sites may compose the zone.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	The site or area could be considered a cultural landscape as per NPS criteria
10/23/2012	Doug	Clark	Chimayo Citizens for Community	email	El Norte	8	Sub "accepted for listing" with "must be eligible for listing or listed on the NRHP". What if site is not accepted for listing but is a critical historic resource in the community?
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	Add language on boundaries
10/23/2012	Doug	Clark	Chimayo Citizens for	email	El Norte	8	Consider adding more specific language referenced to design review process rather than vague or incomplete design standards.
10/23/2012	Doug	Clark	Chimayo Citize	email	El Norte	8	These standards only serve to determine eligibility of a specific site.
10/23/2012	Lawrence; Zana	Renner		email	El Centro	8/7?	We feel that the preposed change to increase density, commercial & industrial use of the area including the King property, which is currently 2.5 to 10 acre single family lots, is inappropriate. The King property is adjacent to the Pinon Hills subdivision (which is 4-6 acre lots). Our land is very desirable because of it's size and its proximity to town. This proposed action by the county is NOT a desirable action, especially the COMMERCIAL & INDUSTRIAL uses. These areas should be located further from residential / rural living areas. Please seriously reconsider the proposed action

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10/23/2012	George; Helga	Ancona		email	El Centro	8/7?	As a resident of Pinon Hills and a member of the West Santa Fe Association, I am opposed to the rezoning of the adjoining King Brothers Ranch property to Sustainable Development Area (SDA-1). The current zoning would be more appropriate. Keeping it zoned for 2.5 to 10 acre single family lots would be more in keeping with our own residential neighborhood. I would not like to live next to increased density, commercial and or industrial area. I'm sure it would reduce the value of our homes.
10/23/2012	Philip	Crump		email		4	As a longtime Santa Fe resident as well as longtime facilitator in the City of Albuquerque Land Use Facilitation Program (see http://www.cabq.gov/legal/legal/adr/luf), I have been following with great interest the emergence of the County's Sustainable Land Development Code. County Commissioners and planning staff are commended for taking on this important and monumental task and seeing it through to completion. In my dozen or more years as a facilitator in the Albuquerque program, I have experienced the value in allowing neighbors and interested organizations review and comment upon development applications that will impact them. Often, early review allows for changes in plans that make projects more suitable for their locations and uses. Indeed, the more savvy private planners and agents often voluntarily request meetings with affected neighborhood associations prior to submittal. For "big box" projects, the City requires significant pre-application effort. With regard to the SLDC, I propose inclusion of a "Facilitated Public Meeting" column in Table 4.1, immediately following "Agency Review;" this allows for a facilitated meeting if the reviewing staff or officials (or, indeed, the developer or affected ROS or COs) deem such as necessary to resolve issues in the application. This would be in addition to the Pre-Application meeting. (I am not entirely clear with regard to the sequence of events in the County process--whether the Pre-app neighborhood meeting takes pace far enough along in the conceptual design phase to allow detailed review.) I would be honored and delighted to express more of my perspective and experience, if such would be helpful as the Code moves toward its final form.

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10/23/2012	Louise	Pape		email	El Centro	7	I wish to give strong support for the many improvements in sustainability of the Draft Sustainable Land Development Code (SLDC). Climate change, Peak Oil, depletion of aquifers, and other broad issues are going to have an increasingly powerful impact on the lives of people in Santa Fe County, and the more we prepare, the easier it will be for our citizens. Most of these impacts are known to be more serious for low-income people because prices will be rising. For example, with the extreme droughts we have had in our nation and across the world this past summer, the price of food will be rising. The energy efficiency section of the Code (7.14 ENERGY EFFICIENCY) in particular is critical to protect low-income households. Prices for power and fuel will be rising significantly, and the lower the usage of energy, the lower the financial burden for families. Some would say that these energy standards could even be stronger- there are "Net Zero" houses being built right now in Santa Fe by numerous people where families will either pay NO utilities or even receive payment back because their solar puts more energy into the grid than it uses. The more a home is energy-efficient, the more a low-income family will never have to choose between paying high heating bills or buying food or school clothes for their kids. While it does cost a bit more to build a house well, with the reduced monthly energy bills, the slight increase in the mortgage payments is countered by the fact that the monthly utility bills are less. From the very beginning, energy efficiency of a well-built home pays for itself- and more! Thank you for working to make our county more sustainable. Please support this plan.

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10/24/2012	Cathy; Chuck	McManus; Eggers		email	The South	Zoning map	After reviewing the Proposed Zoning Districts 10-4-12 we are not in agreement with the zones laid out for the Cedar Grove area. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. This area is up for sale and the zoning had been changed to Community Services Facility in Nov. 2010 from Ag/Ranch. Our understanding is that if this land was not developed within 5 years this land zone designation would revert back to Ag/Ranch. This land is currently not officially a Community Services facility zone either until development has occurred so it is still pending. Since it is up for sale at this point, we believe it makes more sense to return it to its original zone of Ag/Ranch or Rural which is compatible with the surrounding zones.. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. Any public or institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. I am sure that when the rest of the community gets wind of this zoning you will receive lots of feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.
10/24/2012	Diana	Thatcher		email	El Centro	8/7?	I oppose re-zoning the King Brothers Ranch to SDA-1.

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10/24/2012	Nancy	Burton		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and should show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land's use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will likely be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

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10/24/2012	John	Barnes		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

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10/25/2012	Mike	Ashcraft		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 I oppose the zone labeled Public/Institutional (blue) on your map laid out for the Cedar Grove area. This particular "blue" piece of property on your map has been zoned Ag/Ranch. This is a rural neighborhood of sparsely populated homes. The people who have decided to purchase and build homes and lives here did so because of the rural setting - to get away from the noise and businesses. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. I do not understand how any reasonable public officials would decide to rezone land in our rural neighborhood as Public/Institutional. I feel that county officials are being influenced by special interests rather than looking at what would be in the best interest for the residents here in Cedar Grove. I would appreciate any explanations you may have for this zoning designation within Cedar Grove.
10/25/2012	Jennifer	Schlesinger -Hanson		email	El Norte	Zoning Map	I am writing to comment and let you know that I feel the zoning for the Chupadero area should not allow for parcels smaller than 160 acres due to the lack of water, access and rough terrain. I live in Chupadero and we have already been dealing with a water shortage due to the lack of runoff, and low precipitation- the aquifers are drying up. Please do not allow more water usage! We will run dry!!! Thank you for your time,

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10/25/2012	Paula; Martha	Sprigg; Voegtle		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CSF use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		6	If the County or public water connections are being utilized then no AFPA is required. Clarification: If County or public water connections are being utilized, is a WSAR (6.5) required? We believe it is necessary in order to monitor accumulated water demand & usage. State this clearly in 6.4.2.3.
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	why are there distinctions between residential units for required connections to County Utility Water/Sewer vs. within a designated # of feet? If the County utility is there shouldn’t all units be required to connect? If it is a concern over additional cost factors for individual homes couldn’t an incentive be offered at time of installation?
10/25/2012	Robert	Taylor	Santa Fe Basin Water	email		7	Why does lot size and/or No. of lots make a difference in exemption or inclusion of Community Water System Requirement for Developments?

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10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	What constitutes a “reconnaissance report”? How and where in the Code is it defined? If it is the “Reconnaissance survey” as noted in the Appendix, it is not sufficient
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	If a home has complete water sustainability eg. Grey & black water systems & catchment, does not utilize well water, and does not require water from an external supply, it is exempt from any requirement to hook up to a public utility or a local mutual
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	Suggestion to include language which would require rainwater catchment systems for existing housing undergoing renovations/remodeling whose roof surface is 2,500 square feet or greater (tie this to a square footage of renovation as stated in the permit)
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	Suggest: structures with roof sizes between 500 sq.ft. and 2500 sq.ft or more are required to install water cisterns, pump controls & irrigation systems if the lot size allows for such installation
10/25/2012	Robert	Taylor	Santa Fe Basin	email			Inadequate definition/description of berms, swales and tree wells
10/25/2012	Robert	Taylor	Santa Fe Basin Water	email		7	Suggest/question: rainwater catchment can be used for indoor use within given health standards &/or filtration systems?
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	Suggest: include option (as an alternative to the requirement rain barrels, water cisterns, etc.) of water diversion irrigation methods for beneficial use such as personal or traditional community acequias, landscape irrigation channels etc
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		6	A BIG concern: what formula/assumptions are used to determine “99 year water availability”? Is the formula being used as up to date as it needs to be – does it account for reduced rainfall & reduced re-supply in the aquifer? Climate change modeling? What are the contingency plans for periods of less re-supply? How to save more of the existing water supply? Who controls this – maybe a County Hydrologist or the OSE? What is the appeal process for the community/citizen?
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	Suggest: The upfront “bond” required of a developer – how long does it stay in existence? Should this be an Escrow account with conditions related to longer-term water availability? If an AFPA and/or WSAR are required, why not maintain such a “guarantee” bond over a period of years with return of the funds linked to the accuracy of the AFPA and/or WSAR?
10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	Moving everyone to Public Utility pipelines and Mutuals is a good step, but assumes that the water is there. If homes must migrate to a public utility and are currently on a well, how are the infrastructure costs covered? Where are the incentives for using less water?

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10/25/2012	Robert	Taylor	Santa Fe Basin Water Association	email		7	Well metering is an important inclusion. Suggest: require a depth monitoring gauge & reporting in order to track water table; whats the process for collecting, monitoring & enforcing water usage? OPTIONS: •Major Developments which are connected to public utilities and/or private mutuals: Developers could be required to advance a non-returnable escrow account/fee for a certain period to pay for meter monitoring & reporting. •Private wells: new construction of properties with private wells – monitoring & reporting should be covered thru a Bond Issue or built-in upfront fee.
10/26/2012	Walter	Wait		email		2	See attachment regarding community plan.
10/26/2012	Walter	Wait		email		2	“procedures set forth above”... does that mean procedures in 2.1.4?
10/26/2012	Walter	Wait		email		2	How does the administrator determine completeness. What process permits report review? Is the review done by TAC? the Public? Expert written testimony? For all parties, the adequacy of studies and reports must be determined in order to avoid costly and lengthy legal appeal. Where in the SDLC does it specify what attachments must be submitted in order for a determination of "completeness" to be made? How will the public access this information? Will records of pre-application meetings be included in pre-application meetings? There is no code language to permit the rejection of submitted studies or reports. There is no process to return ap-pealed applications to the administrator. The code should indicate that when a development order is overturned by an appeal to the planning commission and a development order is deemed incomplete, that the application must be returned to the administrator. What happens if the reason for rejection is inadequate or inaccurate studies or reports? Who would pay for the re-write or re-draft of a new report? Would it be the County's obligation? I would be concerned about inadequate or incomplete reports and studies being passed as "complete"... without some sort of appeal. Poor studies might easily form the basis for most of the appeals that reach the courts. Here is the kind of legal language one could expect: The development Order should be overturned because it was predicated upon false, forged, fraudulent and/or inaccurate documents.
10/26/2012	Walter	Wait		email		4	copy of the TAC report to the applicant should also be included.
10/26/2012	Walter	Wait		email		4	There is no reference in this chapter to “vested rights” as defined in Chapter 1.11.3. The definition of vested rights can be found on page 342 of the draft.
10/26/2012	Walter	Wait		email		4	Abandonment clause needs further clarification. For example, if a house that is considered nonconforming, as left unlived in and on the market for over one year, is it considered “abandoned”. Does this paragraph mean that it could no longer be occu-pied? If a piece of property that is considered non-conforming and sits undeveloped for more than one year, can it no longer be built upon? The term “abandoned” does not appear in Appendix A. You need a very clear definition

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10/26/2012	Walter	Wait		email		5	5.4.3.3 raises some interesting questions. Specifically, how does vacant land factor into this. If I have a parcel that I wish to claim as “ranch land” because I allowed my horses to wander on it for three years, does that mean that I can claim an exemption to the subdivision rules? If I own a 4000 acre tract in a RUR zone and wish to divide it into 100 forty acre tracts, I would be exempt from any subdivision requirements under 5.4.2 and 5.4.3.3. What rules WOULD I be required to follow? Would reports and studies still have to be created? Since it would not qualify as a subdivision, it does not appear in Table 6 and according to Table 4-1, the only requirement is an “approval” by the Administrator. This land division would therefore not be subject to any of the growth management requirements found in Chapter 12, would not require any public input, and would not require any public meetings. Is this what the County wishes? Is this what the citizens of the county want?
10/26/2012	Walter	Wait		email		5	If the sale or lease of apartments within a building are “exempt” from subdivision rules” , and apartments are defined in Appendix A as Dwelling, Multifamily, what is the process needed to approve these “conditionally”. Table 4-1 and Table 6-1 seem to be in conflict depending on whether or not the apartment sale or lease is considered “exempt” or requires a “conditional” approval.
10/26/2012	Walter	Wait		email		5	Are there any time limits associated with this? How long does a parcel have to “remain as farm or grazing land in order to qualify? Can the new owner immediately turn around and sell the divided parcels for some other purpose? If there is a waiting period, where is it found in the Code, how is it documented and registered
10/26/2012	Walter	Wait		email		5	I divide my 240 acres into two parts, each 140 acres. I give one to my brother. this division would not be subject to any rules in Section 5? What happens when the 140 acre parcels are sold? If each of us divides them as a class 5 subdivision, where I create 28 ten acre parcels, I would qualify for “minor subdivision” status. This appears to mean that the application would not require WSAF,FIS or EIS reports, and woiuld not require “discretionary review, pre-neighborhood meetings or any hearing what-so-ever. The application would have to be deemed complete within five days and the administrator would have to approve the application within thirty days. Assuming that the 14 ten acre plots are within an appropriate zone... what chance does anyone have to oppose the subdivision and on what grounds?

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10/26/2012	Walter	Wait		email		5	Table 5-1 lists “minor subdivisions” in a manner consistent with State Law? The County “version” of minor subdi-vision needs a stricter interpretation. This is especially true when you consider how much real property has been divided into 12 acre tracts in the past. In an are zoned RES-E, I could divide the 12 acres into three 4 acre tracts as a minor subdivision, or split the proper-ty into two as a family transfer , or as an exempt 5.4.3.13 subdivision subject to a five year penalty. Or I could make application for a planned development zone change for two six acre parcels, which if approved, would permit ads many as ten lots to be created. This would require a quasi-judicial review, where the applicant would have to demonstrate substantial changes to the underlying base zoning had occured that warrant a PD-Z status. I am concerned that there are substantial areas in the county that have many non-conforming subdivisions that could easily subvert the intent of the new zoning laws to permit such PD-Z applications to be approved.
10/26/2012	Walter	Wait		email		6	Is there an appeal of this decision? Is the Administrator’s decision written and is the decision made available to the public? If so, at what point in the process; before or after a pre-ap neighborhood meeting?

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10/26/2012	Walter	Wait		email		6	There is an inherent problem in 6.2.1 where the county indicates that the method where-by SRA's will be evaluated include engaging consultants. If the county intends to hire consultants to evaluate SRA's then the time frames built into the process are inadequate. The County will not be able to contract expert reviewers without going through the complex contracting process. The draft does not indicate the process by which contract specifications would be written, who determines the estimated costs, or the kind of contract the county would need. Would, for example, a firm be placed on retainer for a certain fee? Would that company then bill the county a fee (based on it's contract), for various types of services? For example, when would the county need the services of a hydrologist to review a submitted report? How long would a review by a consultant take? Who is responsible for informing the applicant and billing the applicant for these services. Where are these processes outlined? When would a fee schedule be created? Is it in the Code? If there is no fee schedule in the code, what happens to the process while such a fee schedule is ironed out? There needs to be some method for independent determination that an applicant created report is adequate. Adequacy must be carefully defined. What is the process by which an applicant prepared SRA is judged. Who gets to review the submission. At what point is the submnission made available for public review? After the application is approved? If this is the case, then public finding of an inadequate report is limited to a five day appeal process.... This needs to be given a great deal more thought. See 4.4.6. If the administrator determines that an application is complete (4.4.6.23) then determines that the reports are inadequate (based on community or other input) what happens? 4.4.6.4 states that a final development order has been received by the applicant under 4.4.6.2. Does the order have to be appealed by the Administrtaor in order to stay or reverse the original development order?. When does an application "completeness" become "final", when there is a provision under 4.4.6.3 to "take back" the approval. SRA's are a required part of the completeness review, yet there is no provision for public input until after the application has been declared complete (see public access 4.4.5.4) 4.4.5.4 appears to limit public input to the process of determining "completeness" and thereby eliminating public review of the adequacy of an applicant's reports.
10/26/2012	Walter	Wait		email		6	Again, who is to determine "actual administrative costs and consultant fees" prior to the issuance of a contract for these services. Who administers the fees collection, service, and management? Does the applicant pay for these County services as well? Where is this outlined? If the County is responsible for producing the SRA's what mechanism will be put in place to support any arguments that the SRA's are inadequate or inaccurate (either by the applicant or by protestants). Who reviews a County "produced" SRA. Section 12.11. Development fees, does not appear to address any fees or process associated with the requirement to produce and evaluate SRA's.

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10/25/2012	Frank	Katz		email		1	"higher" standard should be "more stringent" standard.
10/25/2012	Frank	Katz		email		1	Last sentence, the first "approval" should be deleted.
10/25/2012	Frank	Katz		email		1	Any time limit on recording?
10/25/2012	Frank	Katz		email		2	Rights of COs. Shouldn't the next eight paragraphs be denominated as 1 through 8 as with ROs? Should COs and ROs right to appeal be specified?
10/25/2012	Frank	Katz		email		4	"materials submitted . . . are" not "is".
10/25/2012	Frank	Katz		email		4	The first sentence would appear to go more properly at the end of §4.4.9 or §4.4.11. Where it is--under Findings and Conclusions--implies that findings and conclusions are necessary only for approvals since that reference is what commences the section. We need to be consistent with the use of the word "filed" and recorded" as what is done with the Findings and Conclusions and what triggers the Appeal time limits.
10/25/2012	Frank	Katz		email		4	There should be clarification what the "final action" is: the "written notice of decision" or the "Findings of Fact and Conclusions of Law?" And there does seem to be a multiplicity of terms, final decision, final development order, findings of facts and conclusions of law.
10/25/2012	Frank	Katz		email		4	I propose a rewrite as follows: Any party with standing may appeal a final decision of the Planning Commission to the Board. The [strike out: application seeking an] appeal of a decision of the Planning Commission must be filed with the Adminstrator. [strike out: An appeal from a decision of the Planning Commission must be filed] within thirty (30) working days of the date of the [strike out: decision and recordation] filing of the final development order by the Planning Commission. [strike out: The application shall be submitted to the Adminstrator.] . . .
10/25/2012	Frank	Katz		email		4	§4.9.7. states that variances allow deviation from dimensional requirements " but in no way shall it authorize the owner to establish a use of land that is otherwise prohibited in that zoning district." In §4.9.7.3 which allows the planning commission to "grant a zoning variance from any provision of the SLDC" you might want to make clear that this does not allow a variance from zoning use provisions.
10/25/2012	Frank	Katz		email		4	My experience on the CDRC and the City Historic District Review Board applying the "hardship" criteria leads me to plead for a more precise definition. Hardship has come to mean any inconvenience or cost suggested in any sob story an applicant can present. It surely must require more than that.
10/25/2012	Frank	Katz		email		5	It is unclear which tribes are being asked for what information under what circumstances. I think what is intended is that the administrator shall request opinions from those tribes that meet the prerequesites set forth in §5.7.5.5 for the information in §5.7.5.5.b. I don't understand why a tribe would be submitting the information asked for in §5.7.5.5.a—that should be for the agencies identified in those paragraphs to provided.
10/25/2012	Frank	Katz		email		5	4 [lest you think I am not reading carefully] section should read "it is unlawful to sell,. lease …"

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10/25/2012	Frank	Katz		email		6	The use of the acronym “DCI” left me lost. Not in acronym list at the back nor identifed anywhere nearby here. [I did stumble across it later.]
10/25/2012	Frank	Katz		email		7	I am so glad you prohibit “Flag lots.” It would be really nice to know what flag lots are.
10/25/2012	Frank	Katz		email		7	“setback at least twenty-five (25) feet of [from not of] Tribal Lands.”
10/25/2012	Frank	Katz		email		7	You probably don’t mean “no plant material”. Better “minimal plant material”.
10/25/2012	Frank	Katz		email		7	Why allow electronic signs or message boards? Businesses love them. They are very effective. They are also very intrusive, obnoxious and do we really need to sell more things????? Okay, I am off my soap box now.
10/25/2012	Frank	Katz		email		8	Strike the word “via”
10/25/2012	Frank	Katz		email		10	In Table 10-3, no reference to what “**” signifies.
10/25/2012	Frank	Katz		email		10	“unlawful sexual activities, including prostitution and sexual liaisons of a casual nature;” Are sexual liaisons of a casual nature unlawful?
10/25/2012	David	Romero		email	El Centro	7	Me and my family have lived in the Pinon Hills community for over twenty years. I do not neccesarily oppose growth, but I want to maintain the aesthetic quality of life that me and my family enjoy. This means being able to enjoy the openness, since we like to hike and bike ride often. When the Travis family moved in, they were able to deny access to some of my favorite trails. I want to have trails available for the entire community to enjoy, and not just a few wealthy individuals. I'm afraid that profit margins will deny us this opportunity. Please, if growth is going to happen, do it in a way that allows all of us enjoy a favorable quality of life. Thank you.

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10/25/2012	Barbara	Holden		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

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10/25/2012	Carla	Riepe		email	Estancia	Zoning map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	James	Alley		email	El Centro	8	As a resident for the past 47 years of the rural residential area bordering the Old Santa Fe Trail, I want to give you my basic comments on the density and related zoning provisions currently appearing in the draft County development code applicable to our area between the city limits and La Canada de Los Alamos. I have every reason to believe that most of the residents in our area generally concur with my comments on density and related matters. The preliminary draft zoning map for our area on both sides of the Old Santa Fe Trail east of I-25 shows the following applicable proposed zoning districts: Rural Fringe (1 dwelling per 20 acres) Rural Residential (1 dwelling per 10 acres) Residential Fringe (1 dwelling per 5 acres) Residential Estate (1 dwelling per 2.5 acres) I have attached a copy of the zoning map showing our Old Santa Fe Trail area between the city limits and La Canada de Los Alamos together with the color code for each district. The basic problem I see with the map is that it proposes a lot of spot zoning in our area based on dominant, current land use. Rather than having all that spot zoning, I would recommend that the entire area be zoned Residential Fringe (1 dwelling per 5 acres) or Rural Residential (1 dwelling per 10 acres) and that the rest of the land in the area whose current uses are more dense be shown as legal non-conforming uses. That would, among others, keep the zoning simpler and biased in favor of preserving the rural residential living in this area adjoining the Santa Fe National Forest. It would also make a more compatible transition to the National Forest. On the related issue of height I think the maximum height for a building in the area, as well as its accessory structures,should be limited to 16’ which roughly is the height of the dominant trees in the area – pinon and juniper. Such a limitation would prevent the construction of more two-story buildings which rise above the dominant tree line and create eyesores for neighbors. As you know, the maximum height in the current Mountain Special Review District is 14’ and outside of it I think is 24’ which is too high and allows second story houses. On the related issue of lighting, I think the whole area should be blanketed with a lighting restriction which requires all exterior lighting to be shaded on the top and sides so that it is just visible on the land of the owner and not an eyesore nuisance to neighbors. We already have enough light pollution in the area in the adjoining City of Santa Fe which prevents a clear view of the night sky. Finally, on the related issue of setback, I think the proposed general boundary setback for structures on a lot of 25’ is reasonable although it might be increased to 50’ on all sides of a lot in the 10 acre Rural Residential Zone.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	James	Alley		email	El Centro	8	Aside from trying to protect the rural residential character on the east side of this entrance to Santa Fe, the foregoing zoning would help protect the natural beauty of the entrance and stop further urban and suburban sprawl and reflect some demarcation between the urban city and the rural landscape adjoining it.
10/26/2012	Kathy; Wendell	Minnich		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Amber	Kingsbury		email	Estancia	Zoning Map	After reviewing the Proposed Zoning Districts 10-4-12 I am not in agreement with the zones laid out for the Cedar Grove area. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. This area is up for sale and the zoning had been changed to Community Services Facility in Nov. 2010 from Ag/Ranch. My understanding is that if this land was not developed within 5 years this land's zone designation would revert back to Ag/Ranch. This land is currently not officially a Community Services facility zone either until development has occurred so it is still pending. Since it is up for sale at this point, I believe it makes more sense to return it to its original zone of Ag/Ranch or Rural which is compatible with the surrounding area's zone designation. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. Any public or institutional use of this land will be fought by the community of Cedar Grove and southern Santa Fe County for all of the same reasons for our resistance to the NM Boys & Girls Ranch Master Plan. I feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents in Cedar Grove and southern Santa Fe County. I am sure that when the rest of the community gets wind of this zoning you will receive lots of negative feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested help from the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.
10/26/2012	Susan	Hill		email	Estancia	4	§4.9.6.8 (2) reference to §11.17.11.1 is invalid. Section doesn't exist. Section ends with §11.3.5
10/26/2012	Susan	Hill		email	Estancia	5	§5.8.6 reference to §4.5.6 is invalid. doesn't exist - § ends with §4.5.5
10/26/2012	Susan	Hill		email	Estancia	7	§7.9.3 reference to is invalid. Numbering sequence is repeated and appears on 3 topics
10/26/2012	Susan	Hill		email	Estancia	7	§7.16.5.1(4) reference to §7.20.8 is invalid. Solid waste ends with §7.20.2
10/26/2012	Susan	Hill		email	Estancia	7	Missing reference
10/26/2012	Susan	Hill		email	Estancia	8	§8.3 reference to §2.25 of "SGMP" is invalid. doesn't exist – § ends with §2.2.3 unless SGMP is a different document
10/26/2012	Walter	Wait		email		6	6.5.2 says "all" applications. Table 6.1 says that minor subdivisions do not require the submission of a WSA report. Which is it?
10/26/2012	Susan	Hill		email	Estancia	10	§10.16.4.4(6) reference to §10.16.10 is invalid. doesn't exist – § ends with §10.16.5.8

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Susan	Hill		email	Estancia	10	§10.17.5.3 reference to §10.17.4.13 is invalid. doesn't exist – § ends with §10.17.4.12
10/26/2012	Susan	Hill		email	Estancia	10	§10.17.6.7 reference to §10.17.4.13 is invalid. doesn't exist – § ends with §10.17.4.12
10/26/2012	Susan	Hill		email	Estancia	10	§10.17.7.3 reference to §10.17.4.13 is invalid. doesn't exist – § ends with §10.17.4.12
10/26/2012	Susan	Hill		email	Estancia	10	§10.19.3.1(1.c) reference to §7.___ is invalid. Terrain Map should be 7.17?
10/26/2012	Susan	Hill		email	Estancia	12	Table 12-1 (water supply) reference to §7.5.2 is invalid. doesn't exist - § ends with §7.5 on fire protection
10/26/2012	Susan	Hill		email	Estancia	12	Table 12-1 footnote §10.2.2.2 on road levels reference to §10.2.2.2 of the "SGMP" is invalid. doesn't exist - § ends with §10.2.2 unless SGMP is a different document
10/26/2012	Pat	Mervil		email	Estancia	zoning map	After reviewing the Proposed Zoning Districts 10-4-12 I are not in agreement with the zones laid out for the Cedar Grove area. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. This area is up for sale and the zoning had been changed to Community Services Facility in Nov. 2010 from Ag/Ranch. My understanding is that if this land was not developed within 5 years this land zone designation would revert back to Ag/Ranch. This land is currently not officially a Community Services facility zone either until development has occurred, so it is still pending. Since it is up for sale at this point, I believe it makes more sense to return it to its original zone of Ag/Ranch or Rural which is compatible with the surrounding zones.. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. Any public or institutional use of this land will be fought by this community for all of the same reasons the community fought the NM Boys & Girls Ranch Master Plan. I feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents in Cedar Grove. I am sure that when the rest of the community gets wind of this zoning you will receive lots of feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup the community plan but were told to wait until this plan was complete. Now, without that community plan, we cannot protect the land use in this community. I would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Andrew	Hollander		email	Estancia	zoning map	I wish to enter my objection to the proposed zoning of the large parcel of land to be designated Public/Institutional in SW Santa Fe County directly North of the Tierra Encantada subdivision, one mile North of the intersection of Rt. 344 and Living Water Road. This designation indicates this property will be open to large levels of development in an area that has a fragile ecological environment, paleontological interest, limited water, and will have significant and negative impact on the neighborhood with regard to traffic, rain runoff, wildlife, aesthetics, and general character of the area. This kind of zoning and development is inconsistent with the local community and will be fought vigorously by those of us living in the effected area.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Linda	Auton		email	Estancia	zoning map	This letter is to OPPOSE the proposed zoning of "Public/Institutional" (blue area) in Cedar Grove area, rather the "blue area" should retain it's original Ag/Ranch zoning. During the 2009/2010 time frame, owners of that "blue" property requested county approval of a community services facility (CSF) development rezoning/master plan. Based on many technical and environmental issues, that development met with massive disapproval by residents of the Cedar Grove community as well as many Edgewood residents. When the Board of County Commissioners approved the rezoning/master plan request, the Cedar Grove community filed an appeal of that decision on the basis that the county did not follow legal process regarding rezoning of the property. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." And, therefore, the community's appeal was lost. Although the CFS use was approved, there was NO actual rezoning of the property. Therefore : 1. For the SLDC to change the zoning of the "blue" area to "Public/Institutional" from its current Ag/Ranch zoning would be to change the zoning without a request by the community or approval by the community to change the zoning. One of the arguments used during the community's appeal of the BCC decision was based on the case of Miller v. City of Albuquerque, 89 N.M. 503, 554 P.2d 665 (1976), in which the New Mexico Supreme Court confirmed that initial zoning determinations are presumed correct, but in cases involving interference with a zoning plan the burden of proof shifts to the local public body to show that a rezoning was necessary as a result of a mistake in the original zoning or a change in conditions in the neighborhood. Since there was no mistake in the original zoning of Ag/Ranch and there has not been a change in conditions of the neighborhood, the current zoning of Ag/Ranch should not be changed by the SLDC. 2. The Cedar Grove community was assured by Santa Fe county that if the Boys and Girls Ranches of New Mexico (The Ranches) did not develop their CSF within 5 years of approval of their Master Plan they would lose the CSF use approval and the property's use would revert back to Ag/Ranch. The Ranches have declared that they will not pursue development of their CSF and the property is currently listed for sale. Should a new owner want to develop a CSF on that property they would need to begin a new process for development approval. We are now 2 years into the 5 year period. It is extremely unlikely that development of the proposed CSF or a different CSF would begin in the next 3 years. Therefore, the original Ag/Ranch zoning should stay in effect for that "blue" area. 3. Changing the zoning to "Public/Institutional" (which is not defined) would be breaking faith with the Cedar Grove community. If the property is sold, and the new owner wishes to develop some kind of "Public/Institutional" facility, then they can begin the process of requesting a change of zoning. A reasonable development request, that would be in the interest of the community, would likely be approved by the community.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Linda	Auton		email	Estancia	zoning map	Therefore, this is to OPPOSE the proposed zoning of "Public/Institutional" (blue area) in Cedar Grove area, and to say that this "blue area" should remain as it's original Ag/Ranch zoning.
10/26/2012	Warren	Thompson	Univest-Rancho Viejo LLC	email		6	The Studi es, Reports, and Assessment s in Chapter 6 present several issues that should be carefully considered. First, the cost of housing will increase. These docum ents and the resultin g conditions impo sed by the approval process will necessarily be passed along to the consumer, in addit ion to the costs they will bear for affordable housing, ener gy effic iency, and impact fees. While all of the goals are admirable, the result could be a significant increase in the cost of housing. The net effect on dev elopment may not change much at all, but the cost will definit ely be higher. I know that the SLDP and the SLDC have been in the development phase for a numb er of year s and I'm sure there must be a desire to bring an end to th is process by approv ing the code, but the public review proc ess, comment period, and input process has go ne by in a flash. Plea se take the time necessary to think throu gh the implications of this document so that unintended consequences may be minimized.
10/26/2012	Warren	Thompson	Univest-Rancho Vieo LLC	email		4	The approving body' s broad discretion dramati cally increases the uncertainty and risk s of approval and creates a more politicized approval process. The net effect on dev elopment may not change much at all, but the cost will definit ely be higher. I know that the SLDP and the SLDC have been in the development phase for a numb er of year s and I'm sure there must be a desire to bring an end to th is process by approv ing the code, but the public review proc ess, comment period, and input process has go ne by in a flash. Plea se take the time necessary to think throu gh the implications of this document so that unintended consequences may be minimized.
10/26/2012	Ralph	Hill		email	Estancia		SLDC with 343 pages reminds me of "We have to pass it to see what's in it!" A quick review is not possible as all of the thoughts in the SLD Plan are intermingled throughout the SLD Code and in a totally different format. Trying to find our input during the planning process takes more than a few days, plus we are finding many added requirements that were not in the SLD Plan.
10/26/2012	Ralph	Hill		email	Estancia	5	."Board" should be identified is 'Board of County Commissioners (paragraph 3. 2.) subsequently referred to as the Board".
10/26/2012	Ralph	Hill		email	Estancia	5	5.7.8. conditions of approval cannot be delegated to a non-elected body or person because environmentally sensitive, pollution, negative fiscal impacts, and sustainability are not Clearly defined And are based on subjective judgment decisions to be made only by the Board.
10/26/2012	Ralph	Hill		email	Estancia	5	Isn't this defined by the drawing/plat itself?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ralph	Hill		email	Estancia	5/12	County has the capability of doing a title search itself. Why should the owner bear the expense for a title insurance policy when he is giving dedicated lands and improvements to the county?
10/26/2012	Ralph	Hill		email	Estancia	5	Chapter 12.11 has 16 pages of Development fees. There appears to be no cap on development fees nor limit to their scope. Present impact fees cover fire and rescue only. A recent example is a minor subdivision Lot split cost a $952 impact fee for a 3 acre lot valued at $35,000. The new provisions in the SLDC provide for the first seven years of capital Improvements on roadways, water, law enforcement, fire and rescue, Parks and Recreation areas, open spaces, trails, and trailheads. Cost could be enormous and destroy low income housing construction. This is especially onerous for the first developer in an area where subsequent developers are benefiting from his initial outlay. An example is Max Hill paving West Venus road and subsequently used by the Edgewood Middle School and First Choice health clinic. No reimbursement to Max Hill. Will there still be an impact fee on top of the development fees? Will fees come back to the contributing community and not lost in administration as currently occurs?
10/26/2012	Ralph	Hill		email	Estancia	5	Table 5 – 2 is misleading as it shows a minor subdivision plat taking 40 days for approval. Our experiences are that it can take up to six months just to meet the qualifications for the application process And all the signatories on the plant itself. The fire marshal was probably The slowest. An example is the cost for a minor lot as stated above the 3 acres was $3552, including survey and impact fees. One of the planner's initial goals was to clarify zoning regulations and streamline the development review process.
10/26/2012	Ralph	Hill		email	Estancia	5	5.13 and 5.12.appear to be Curious responsibilities for the Board of County Commissioners and the administrator. These are normally responsibilities of the Board of Realtors and the Attorney General. How does the Board intend to enforce these?
10/26/2012	Ralph	Hill		email	Estancia	7	7.13.16 regarding shared wells. Do we really need all these requirements for a shared well supplying only two houses? State Engineer's regulations should suffice.
10/26/2012	Lillian	McConnell		email	Estancia	zoning map	As a member of The South Mountain Neighborhood Association (Cedar Grove area) I oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (in blue) on your map. This particular piece of property has been zoned Ag/Ranch. The Board of County Commissioners approved the use of that land for a community service facility in November 2012; but after the South Mountain Neighborhood Association filed an appeal of that decision, it was ruled by Judge Singleton, District Judge of the First Judicial District of Santa Fe County, that the zoning had not been changed to Public/Institutional but remained as originally zoned: Ag/Ranch. I appreciate your careful attention to this zoning issue. I think that the Ag/Rural designation is the most appropriate one for the Cedar Grove area.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Michael	Wiese	West SF Association	email		8/7?	Representing the Piñon Hills neighborhood, immediately to the east of the King Ranch, we are most concerned about the designation of that ranch as SDA-1. The close proximity to our established, semi-rural community is inappropriate and unlike other SDA-1 designations in the plan. We would strongly recommend a Rural Residential (1dwelling per 10 acres) to Residential Estate (1 dwelling per 2.5 acres) zoning designation for this area, in keeping with the surrounding community.
10/26/2012	Michael	Wiese	West SF Associ	email		4	Notification should include email
10/26/2012	Michael	Wiese	West SF Association	email		4	Materials needed for pre-application meeting. Add “trails and open space, water sources, expected water usage”
10/26/2012	Michael	Wiese	West SF Associ	email		4	Any attendee should be able to provide comments.
10/26/2012	Michael	Wiese	West SF Association	email		4	All items on table should require notification of RO/COs (Registered Organizations and Community Organizations). Mediation/facilitation should be part of the process, in pre-neighborhood meetings and later in the process.
10/26/2012	Michael	Wiese	West SF Association	email		4	In general all types of appeals should be at least 30 days rather than just 5 days. RO/COs should be notified of final actions by email and mail.
10/26/2012	Michael	Wiese	West SF Association	email		4	Appeals time (5 days should be 30 days). Notification of ROs/Cos by mail/email immediately.
10/26/2012	Michael	Wiese	West SF Association	email		4	In general all type of notice should be 30 days. RO/COs should be certified mail and email notification rather than “reasonable effort”. The following is an attempt to cover all section where this applies but we might have missed some.
10/26/2012	Michael	Wiese	West SF Associ	email		4	Notice time (15 days should be 30 days)
10/26/2012	Michael	Wiese	West SF Associ	email		4	Notice time (15 days should be 30 days)
10/26/2012	Michael	Wiese	West SF Associ	email		4	Certified mail (should include RO/Cos)
10/26/2012	Michael	Wiese	West SF Association	email		4	First class mail (should include second layer of adjacent landowners, i.e. the near neighbor and neighbors adjacent to the nearest neighbors or 200’, whichever is greater)
10/26/2012	Michael	Wiese	West SF Associ	email		4	(Reasonable notice to RO/Cos should be certified mail
10/26/2012	Michael	Wiese	West SF Associ	email		4	Notice time (21 days should be 30 days)

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Margie	Krebs-Jespersen		email	Estancia	zoning map	I am very concerned about the new zoning category for a tract of land located near Cedar Grove to "Public/Institutional". The property is in blue on your proposed zoning map. This vacant, rural property also went through re-zoning to another fuzzy category (Community Services Facility) just two years ago. I think there are several serious problems with proposed change 1. Lack of definition of the Public/Institutional designation, 2. Requirements for length of time before a property can be re-zoned, 3. Fact that the property is for sale (is there a financial interest and should the County reveal this?), and 4. A strong neighborhood group that wants to see that property revert to its original/protected zoning designation. Please remove this zone change from the plan.
10/26/2012	Michael	Wiese	West SF Associ	email		4	15 days should be 30
10/26/2012	Michael	Wiese	West SF Associ	email		4	(Reasonable notice to RO/Cos should be certified mail
10/26/2012	Michael	Wiese	West SF Association	email		4	Minor amendments – these should all require a 30 day re-notification. They are not minor to anyone who lives near them. In general, after all actions are complete RO/COs should be notified by mail and email.
10/26/2012	Michael	Wiese	West SF Association	email		4	Hearing officer interventions: any citizen should be allowed to intervene in a hearing. Depending on the land use it could effect people far away. This is extremely important and denies people the right to speak!
10/26/2012	Michael	Wiese	West SF Association	email		5	Take out "per tract". Add "in any five year period" as follows: Family transfer: "no more than one parcel per tract of land per immediate family member" should be changed to "no more than one parcel of land per immediate family member in any five year period"
10/26/2012	Michael	Wiese	West SF Association	email		5	Agency reviews: Should include Open Space and Trails Department Environment Department should review for air quality, erosion, toxic waste, and anything else that is environmentally unsound Also on the county web site, reviews shall be posted as they are provided.
10/26/2012	Michael	Wiese	West SF Association	email		4/5?	Not sure where this should go: The county web site will provide a summary status of the application, and all documents related to the application in a timely manner.
10/26/2012	Michael	Wiese	West SF Associ	email		5	Advertising standards – very good
10/26/2012	Michael	Wiese	West SF Associ	email		6	Overall we support increased reporting.
10/26/2012	Michael	Wiese	West SF Association	email		6	< 10'000 sq ' should be "as needed". For example a toxic waste storage building on a commercial property might be less than 10,000 sq '
10/26/2012	Michael	Wiese	West SF Association	email		6	Trails: should show trail connections to adjacent properties, that might be the result of subdivision

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10/26/2012	Michael	Wiese	West SF Associ	email		6	Public water supply: is a 40-year water supply sufficient
10/26/2012	Michael	Wiese	West SF Associ	email		6	Wells will probably be used in SDA-2 or even SDA-1
10/26/2012	Michael	Wiese	West SF Associ	email		6	Should include black-water as well as grey-water
10/26/2012	Michael	Wiese	West SF Associ	email		6	Sewer: Should include black-water as well as grey-water recycling
10/26/2012	Michael	Wiese	West SF Associ	email		6	Projected future use" – very important, strongly support
10/26/2012	Michael	Wiese	West SF Associ	email		6	County should have ability to override. Important
10/26/2012	Michael	Wiese	West SF Association	email		6	This implies there is an organized assessment or improvement district. Suppose there is none, but the project will generate the need for greater infrastructure at some point, like an interchange. Even small projects will contribute to that need.
10/26/2012	Michael	Wiese	West SF Association	email		6	What about a series of small lot subdivisions. Each one may be less that 10%, but cumulatively they can exceed 40 – 50%
10/26/2012	Michael	Wiese	West SF Association	email		7	Suppose someone is doing an artistic fence, that uses recycled materials in an interesting way. Like putting different hubcaps every few feet, or some other "found" object. This is Santa Fe for goodness sake. Creativity should not be a criminal offence!
10/26/2012	Michael	Wiese	West SF Association	email		7	In SDA-2 areas a sidewalk will probably be inappropriate, but a path is definitely appropriate. We support bike lanes as well.
10/26/2012	Michael	Wiese	West SF Association	email		7	There definitely needs to be a path in SDA-3 areas on highways or minor arterials. Have you seen people walking on the road along Highway 14 south? It's very, very dangerous. In general trails should accompany roadways. Off-road options should be encouraged if they can make the same connection.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	James	Siebert		email			Regarding County Costs: There needs to be a careful assessment of costs both for the County to implement the Code and for the applicants and residents to comply with the Code. The costs to the County would include a Hearing Office with a law degree, certified by the Bar Association, licensed in New Mexico with six years of experience, including soft and support costs. Extra staff will have to be hired to administer the Code, especially in light oflimited time schedule for review of the applications. For example, there is 30 day time period from BCC action to prepare and act on the "Findings of Fact and Conclusions of Law". This time period should be compared to the current time lag between the BCC action and the finalization of the "Findings of Fact and Conclusions of Law", which typically averages three months. Given the fact that current work load exceeds staff capacity the only way to shorten the review period is to add more staff. The same is true for other stages in the development review process. In addition to the shortened review periods and given the complexity of the development applications additional staffIn addition to the shortened review periods and given the complexity of the development applications additional staff will be required to comprehend and review the extraordinary submittals required by the Code.
10/26/2012	James	Siebert		email			Regarding Applicant Costs: Staff or consultants need to prepare an estimate of costs to comply with the application and submittal procedures and requirements of the Code. Such costs would include preparation of the "Studies, Reports, and Assessments", legal notice per the 500 foot radius standard and other extraordinary submittal standards. Although the actual costs for submittal of the various applications to the County are supposed to be developed later, it would be important to include these in the cost analysis. The review of costs needs to include the fiscal impact from the affordable housing requirements. The cumulative effect of the various costs may severely restrict residential development. There is a relevancy factor for the "Studies, Reports and Assessments" which although a recommendation in the SGMP needs further review to determine if the costs of preparing the studies adds value to the development review process. An exercise in costs might include an evaluation of the recently approved BTl application, and what financial impact would result from the draft: Code on this much warranted project. The cost evaluation needs to include the cost ofimpact fees to be imposed by the draft Code. Recommendation: The County needs to understand the real and substantive costs to be imposed on the community by enactment of the draft: Code and consider the deterrent this would have on future economic development in Santa Fe County.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	James	Siebert		email			There is an underlying tone in the Code that Business is not the most appropriate type of development for Santa Fe County. There is reference to targeting certain industries, such as film and cinematography, and the County has proven their commitment by guaranteeing the financing for this business. Although BTl does not fit neatly into the targeted businesses set forth in SGMP it shows the County's commitment to encouraging businesses with well-paying jobs. These businesses are a substantial economic asset to the County and will hopefully prove to be the foundation that supports local business to grow here and other businesses to relocate here. Given the fact that State and Federal government employs fewer workers than it has in the past (there are 14 percent fewer state employees than four years ago) it is not government that will bring us out of the current fiscal crisis. The best hope for improving our local economy will have to come from the private sector. The more impediments that government puts in the way of the private sector the less likely that our local economy will see any improvement. At a time that other communities are eliminating or reducing impact fees to encourage development, including Albuquerque, Rio Rancho and even Santa Fe, the draft Code is proposing to impose what looks like some of the most onerous impact fees ever enacted in the Southwest. Santa Fe County is heavily dependent on property tax revenue to support its annual budget. Along with a decrease in land and property values, that have been recently reassessed, there will be a decrease in revenues to the County. The County's ability to provide an adequate level of government services to its citizens is dependent on its ability to increase its sources of revenue. By its financial support of BTl and the movie studios, the County Commission has demonstrated it willingness to work cooperatively with the private sector. The draft Code is contrary to that policy and contrary to creating and economic foundation that provides jobs for our youth and stops the exodus of our trained professionals that are moving to other states for employment. Recommendation: Through the SLDC, seek ways to support the private sector, especially for businesses and developments that create employment.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	James	Siebert		email			The complexity of the SLDC draft will not only require additional staff to administer the Code but will necessitate the re-education of existing staff. Give the level of complexity it will most likely take several years for staff to understand the intricacies of the Code. During that time the implementation of the SLDC will run counter to what the County would like to achieve, which is consistency and uniformity of processing and enforcement. Given the complexity of the Code staff will have to interpret the standards and requirements resulting in greater discretionary action in the implementation of the Code. Recommendation: The SLDC needs to be simplified and made more understandable to the community and Land Use staff. The goal of the Code should be to ensure that all applicants are treated equally in its administration and enforcement.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Jim	Hannan		email		7	1. My comments pertain to Section 7.15, Open Space. 2. I agree with the sentiments expressed in 7.15.1, Purpose. Designated open space does add value to a development. 3. However, I believe that much more can be added to this section. The only real planning recommendation is to build a neighborhood park. There is no language in this section about preserving open space or creating trails. Given the detail in other parts of the draft SLDC, this seems to be an oversight. I strongly recommend that county staff add language to the final approved SLDC that will give much greater attention to both open space and trails, as this document will oversee land development for many years to come. 4. I would recommend that the county adopt a percentage open space requirement for new subdivisions. I believe there is history with such a requirement in the EZA. For subdivisions with 2.5 acre lots, a minimun of 30% open space might be appropriate. As the density decreases, the open space requirement could also decrease, perhaps to the point of 160 acre lots requiring no open space dedication. 5. It is unfortunate that there is absolutely no language at all in this draft regarding trails and access to trails. If the county does not act now, in this SLDC, we will find that much of the county will have been "locked up" in terms of trails and access. I think we all understand that our current transportation system of one car, one driver is becoming obsolete. Santa Fe County should be in the forefront of advocating for different travel options. As gas prices continue to rise, it is important that we keep our options open for lower cost ways to travel. Trails that connect that allow for pedestrian and perhaps bicycle movement are essential to this goal. In the draft SLDC there is section 7.15.3.3, Trails, which is an empty line. This is a subject that not only concerns large subdivisions, but also smaller parcels as well. If there are historical trails in place, the county should try hard to make sure that they are not ended by one or two property owners that decide to fence off access. 6. In some parts of the county, there may be a need for trailheads. I recommend language in the trails section that addresses the issue of trailheads, including providing parking for some amount of vehicles. I don't have a specific recommendation, but by inserting language about this now, the county will then have some standing to require this going forward.
10/26/2012	Jim	Hannan		email		12	My last comment relates to Table 12-1 and the Levels of Service for open space and trails. In my opinion, these levels of service are much too low. Right now there is not enough open space and trails in Santa Fe County. Given the value of both, as stated in 7.15.1, the county should be going for much higher levels. We all know that Santa Fe County will continue to add population. Without sufficient open space and a trails network, the quality of life in the county will be less than optimal.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Paul	Noble		email	Estancia	zoning map	After reviewing the Proposed Zoning Districts 10-4-12 we are not in agreement with the zones laid out for the Cedar Grove area. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. This area is up for sale and the zoning had been changed to Community Services Facility in Nov. 2010 from Ag/Ranch. Our understanding is that if this land was not developed within 5 years this land zone designation would revert back to Ag/Ranch. This land is currently not officially a Community Services facility zone either until development has occurred so it is still pending. Since it is up for sale at this point, we believe it makes more sense to return it to its original zone of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. Any public or institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. I am sure that when the rest of the community gets wind of this zoning you will receive lots of feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	Table 7-12 - Maximum grades for Minor Arterials are 8% in the current code, but the proposed urban standard in the SLDC is 5%; Collector roads have allowed a maximum grade of 10%, but in the revised SLDC they are limited to 8%; subcollectors have been 11% until now, but are proposed to be 8%; local roads are currently 11%, but are proposed to be 7% or 6% for alleys and driveways. With this set of changes, allowable road grades would be measurably reduced by the SLDC. Given Commonweal's experience with a "topographically diverse" site (i.e., the Galisteo Basin Preserve), restricting road grades could risk greater impacts on the surrounding landscape. Re-contouring steeper land areas in accordance with the SLDC road grade standards could cause unnecessary site disturbance (especially with 3:1 setbacks for re-vegetation) with little improved public safety. In a time of increasing climactic aridity, we believe that the County would be well advised to pursue development strategies that minimize site, soil and vegetation disturbance whenever possible. Accordingly, allowing road grades in the SLDC to match the current standards would be recommended. The Implications for Trenza are as follows: Given the potential impact of the SLDC's planning and development requirements on Commonweal's proposed mixed-use/mixed income community (i.e., Trenza), the impact of this section of the SLDC requires fuller discussion. This said, our immediate questions include: If Trenza is designated a Planned Development District, we assume that its roads would be considered Urban roads. Urban travel lane widths would be allowed to be narrower in new code: collector roads have been 12', as opposed to a proposed 11' width; local roads have been 10-12', and are now proposed to be 10'. Also ROW requirements are recommended to be narrower (i.e., local subcollector ROW was 50', whereas in the SLDC, the ROW width can be 34'-48'). Rural roads in the SLDC are also proposed to be narrower -- i.e., local road and cul de sacs will be allowed to be 10' in width, whereas in the current code, they are 10-12' wide. Given Commonweal's advocacy for cluster development strategies for Trenza and in other areas of Santa Fe County, allowing for narrower road and ROW widths represents a positive change.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	Curb and Gutter is required only when road is to be dedicated to the County and "where necessary for drainage". We regard this proposal to be a positive change relative to the current code.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	"Grades at approaches to intersections shall not exceed 5% of 100' linear feet from the radius return of the intersection, excluding vertical curve distance." This will be a good change from current code -- one that mandated that grades could not exceed 3%. Notwithstanding the more lenient grade allowance, staff should consider reducing the approach distance requirements. One of the variances afforded to Trenza's Phase I Preliminary Plat was a maximum grade of 5% at intersections with a 50' approach. In cases where topography and TND design strategies are better served by shorter approach distances (i.e., tighter neighborhood blocks, less grading impacts), the new code should provide for such design allowances.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	In the SLDC, cul de sac lengths are limited to 500 ft. Commonweal won administrative support for a variance request to have longer cul de sacs to serve Trenza's Phase I Preliminary Plat. While cul-de-sac lengths seem to be a fire access and safety issue, staff has supported administrative variances on longer cul-de-sacs in the past. Past allowances would seem to suggest that a relatively short (500 ft) length may be overly restrictive.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	1) "Driveways may not serve more than 2 lots." Is this a requirement in the current code? It would seem that the SLDC should support shared driveways as a means of reducing the construction area per lot. 2) "Driveways shall not be located within 150' of an intersection." This code provision supports – hopefully, unintentionally -- a development pattern that is largely of a suburban and/or rural residential quality. If one of the principal objectives of the new code is to promote denser, clustered development, then extended driveway set backs from intersections will make the creation of "traditional neighborhood development" and New Urbanist-inspired projects impossible. The current code prescribes driveways to be located not less than 100' from an intersection. The current Community College District Ordinance doesn't allow driveways within 75' of an intersection. By the standards of the SLDC, driveways are pushed further away from intersections than either regulatory standard. As noted above, this requirement would work against the County's stated goal of encouraging a mixed-use clustered development pattern. Trenza's Phase I Preliminary Plat plan has six instances where driveways are located closer than 100' to intersections. Each of the requested variances was approved by the BCC.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	"Multi-use paths shall be paved with a minimum of 2-inch thick asphaltic concrete top course placed on a 6-inch thick select granular sub-base with weed barrier." The County should allow other all-weather surface treatments to serve a “path-setting” purpose. Concrete and asphalt will impose significant expense and on-going maintenance requirements on homeowner associations. Their imperious quality will also exacerbate stormwater flows and management costs. The SLDC should provide more flexibility in the surface of multi-use paths depending on their location and context. The newly developed section of the Santa Fe/Lamy Rail Trail is an example of a rural multi-use trail that has a hard surface that is not concrete or asphalt. This all-weather trail can be used of bicyclists, pedestrians, equestrians and disabled people.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	Maximum water usage per dwelling unit is 0.25 acre feet/year for planning purposes. While this standard maintains the current allowance for a main home, it is unclear as to whether the same standard will be required for guest homes (i.e., will 0.5 ac/ft be required for a lot that includes a home and guest home?). In Planned Development Districts wherein water and wastewater systems can be centrally managed, it would seem appropriate for the County to encourage lower per unit water standards. In the case of Trenza, water use is limited to 0.16-0.17 acre feet/year.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	"...if any part of the development is within the distance where connection to the County water utility is required, than the entire development must make the connection when the utility is ready, even if the development is phased." By the language of this section, it is unclear whether a project that has access to local water supplies (i.e., a substantial, proven local aquifer) could pursue a conjunctive use strategy wherein a portion of the project’s water is locally supplied and a portion is supplied by the county system. It is also unclear whether this regulation would require more than a “master meter” at the junction of the county water system and a smaller community system. Furthermore, the regulation seems to require that a project’s entire water infrastructure be constructed in advance of a phased development program. Such an infrastructure development requirement would be cost prohibitive for larger-scale projects. It would also preclude any design flexibility in a project that is scaled to be constructed over multiple business cycles wherein the demand for various home typologies and businesses may evolve. (This same language is used in Section 7.13.2.1 for community wastewater systems.)

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	2) Community water systems must meet standards of NMED, CID and OSE. By referencing state requirements without identifying their specific provisions sets a developer or landowner on the (endless) hunt for relevant agency rules and requirements. Perhaps this is unavoidable, but a more comprehensive appendix noting those standards and rules (or web links) would be very helpful. 3) Water wells supplying a community water system must be individually and collectively capable of serving the water needs of development for at least 99 years. If a project is designed with multiple wells to serve a community of say 20-30 lots, it is not reasonable to mandate that a single well be capable of supplying water for entire community's needs for 99+ years. While it is conceivable that a single well could serve a larger community on a short-term basis, this standard is unlikely to be demonstrable to the satisfaction of the County hydrologist. Integrated, distributed wells should be the standard for community water systems wherein the whole of the system can supply, say, 120% of the project's daily needs for 99+years. 5) When is proof of a water right required in the County approval process under the new code? 6) Distribution lines for a community water system must be 8" in diameter. This is a dramatic increase from the current code that requires community water system distribution lines to be a minimum of 6" in diameter. Trenza's water supply plans for the community water system call for 6" distribution lines. The requirement for 8" lines would excessive for small community systems and prohibitively expensive for developers. Although an 8" line may be an appropriate guideline for commercial development, it is not a reasonable standard for residential development. 8) Public Utility Act Articles 1 -6 and 8 - 13 of Chapter 62 NMSA 1978 shall be met. See our comment under 2) above. What do these rules cover? Where can they be found? 13) Financial security shall be deposited to secure construction of a new or expanded community water system. Is this currently required? What is the form of the guarantee (i.e., performance bonds, letters of credit, cash)? For small neighborhood development projects, this provision could prove a prohibitive cost burden. 14) Any community water system that uses ground water in whole or in part shall perform a geohydrologic report. Isn't this already required in the water supply plan regulations?
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	2) Shared and individual wells shall meet or exceed the standards of NMED, CID and OSE. Is this currently required in the code? 8) Financial guarantee is required for construction of shared well system. Is this currently required in the code?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	2) "Where development is not required to connect to County utility, the development must provide tertiary sewer treatment with full grey water capture, treatment and re-use and shall provide for the laying of capped lateral sewer lines so that connection can be made when the County sewer area encompasses the development and appropriate covenants shall be provided to retire the tertiary system or transfer ownership to the County." The wastewater plans for Trenza do not currently include provisions to connect to a future County wastewater utility. Would this provision – on a retroactive basis – mandate that Trenza be "connection ready" to link to a County system? Alternatively, if the project has already won approval from NMED for a wastewater permit, could it be pursued as a stand-alone system? Among the many concerns we would have regarding a centralized wastewater management requirement is the risk that the county would take treated wastewater away from its point of origin and pipe it miles away to a duplicative treatment facility. If a project's treatment strategy is one that would allow treated wastewater to be available for public parks, agriculture, wildlife habitat, etc., requiring county connection would cause this water to be lost to a local development. In Trenza's case, our investment in a habitat serving wetland facility would be completely lost. More generally, this code requirement sets a standard for treatment (tertiary level), grey water capture and reuse that is so ambitious and so unproven as to its engineering and economic feasibility that most new development projects would be unable to meet the standard. Although Trenza has sought to establish a high bar for its local wastewater treatment, capture and re-use methodology, comparable projects have not been able to demonstrate that this collection of purposes is feasible or appropriate. While we celebrate the spirit of this regulation relative to its water conservation ambitions, it is too broadly stated and prematurely required. Instead, these sorts of requirements should be called out as "preferred design strategies" wherein a development capable of manifesting them could be eligible for fee reductions, density bonuses, county financing assistance, etc.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	County staff could consider adding sections for dishwashers and washing machines. Dishwashers should have a maximum of 5 gallons/cycle with cycle adjustment to reduce flows for smaller loads. Washing machines should have a maximum of 18 gallons/cycle with adjustment to reduce flows for smaller loads. At a minimum, the code should require that dishwashers and washing machines (and other appliances) should be Energy Star certified that demonstrate a reasonable standard of water conservation.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	7.14.2.2 -- County staff could consider developing a scaled HERS ratings standard for different size and types of new construction. Mirroring the City of Santa Fe's green building code, the county may want to require that larger homes (i.e., larger than 3,000 sf) be required to meet a more stringent HERS rating standard (i.e., HERS standard of 60 or lower).
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	7.15.3.2 -- Open Space and Trails sections are "Reserved." When will these standards be available for review by the public?
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	7.17.5.2 -- Single family residential can install a retention/detention pond(s) or check dams with a minimum volume of 600 cubic feet, if proposed development site, including patio, garages, accessory structures, driveways and other development that decreases the permeability of infiltration of pre-development surfaces is no more than 6,000 square feet and total impermeable surfaces (roofs, paved areas, patios, etc.) do not exceed 2,500 square feet. Otherwise the development would be required to have a larger drainage plan. How does this compare with the existing code? In clustered development projects where there is an interest in developing at a zero-lot line scale (a scale that is walkable and pedestrian oriented), this standard of retention and detention may push up lot sizes unnecessarily. Relative to Trenza's plans, Commonweal would be concerned that this standard would inflate lot sizes (and block sizes). By increasing the size of lots and blocks, many of the benefits of TND design would be compromised (i.e., traffic speeds, eyes and ears on the street, sidewalk and street shading). As an alternative, the code should allow for neighborhood-scale retention and detention ponds as a means of channeling storm water to centralized catchment systems that could serve small neighborhood parks and open spaces. Additionally, a storm water management strategy could be designed to support a bifurcated approach wherein a portion of a homesite's storm water flow could be retained on site, and a portion could be allocated to a neighborhood system. Providing for a mix-and-match approach would seem to allow for public safety to be served, without forcing a every-house-as-an-island mentality.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	2) The HOA...shall be operated with a financial subsidy from the developer prior to the sale of an adequate number of lots or units within the development to effectively operate the HOA. Is it reasonable to expect that a developer should subsidize the operations of an HOA, or does it make more sense for the developer to continue to own the improvements until an adequate number of lots have been sold? More generally, this requirement seems overly broad and open-ended. Is the County planning to set subsidy standards for different size neighborhoods? Do we have good data on what it costs to manage neighborhoods in Santa Fe County with wildly divergent improvements and amenities? Although we applaud the County's concerns regarding HOA sustainability, this provision, as written, is certain to invite confusion and a substantial cost burden on developers. We would prefer that developer contributions to an HOA (or the lack thereof) be included, instead, in a disclosure statement so that buyers are aware of the neighborhood's resources. By allowing buyers to independently assess and evaluate the viability of a community in all of its capacities and facilities, we feel that the public interest will be fairly served.
10/26/2012	Ted	Harrison	Commonweal Conservancy	email		7	The narrative associated with this section seems incomplete. Is there quite a bit more text coming with the next draft?
10/26/2012	Jeremy	Cave		email	Estancia	zoning map	I reviewed your proposed SF county zone map, and I am fully opposed to the zoning designation "public/institutional" you have given the "Ranches" property on Sandoval Rd. It was my understanding that the property owners have 5 years to complete the preliminary and final development plans for their project and start building on this land to receive a rezoning designation to a "community service facility". Failing this, the zoning is to revert back to "ag/ranch" for this property. This property is currently under the "ag/ranch" zoning designation, and should remain as such. Your zoning designation to "public/institutional" appears fraudulent and perhaps illegal.
10/26/2012	William	Mee		email	El Centro		The County's public review process should have used an MSWord document opposed to a PDF file. This makes the 'cut and paste' function much easier for citizens.
10/26/2012	William	Mee		email			In the County's database of comments, I would prefer to list comments as received and not consolidate them because sometimes the subtlety of the comments is lost. There can however, be a compilation/summary of comments that is made and released to the Board of County Commissioners.
10/26/2012	Michael	Wiese	West SF Associ	email		7	In general we support the water conservation requirements in 7.13.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Michael	Wiese	West SF Associ	email		7	In general we support the energy conservation requirements in 7.14.
10/26/2012	Michael	Wiese	West SF Association	email		7	In our area, when we were governed by the EZA, we had a 30% minimum open space requirement. This worked very well where it was included. We asked developers if this was a problem for them and they said no. Even if the open space is private, if there is a public trail through it, it makes for an excellent area wide trail system. We strongly support and open space and trail system, in areas where density is 2.5 acres – 5 acres. It can also be used to protect wildlife corridors or archaeological areas. When the density is greater, the open space should increase up to 50%. When the density is smaller, the open space in a subdivision should decrease. For example at 160 acres (maybe even 80 or 40), there is no need for open space. So there should be a gradual decrease in the percentage.
10/26/2012	Michael	Wiese	West SF Association	email		7	7.15.3.3? (this section should be 3). The goal of the code should be to create a multimodal transportation system. If this can be accomplished off-trail, so much the better. If it can overlap with a recreational trail system, better still.
10/26/2012	Michael	Wiese	West SF Associ	email		7	There should be some requirement for trailheads. Even if there is one or two cars.
10/26/2012	Michael	Wiese	West SF Association	email		7	This says 50 years. If someone is doing an addition, and there is some left over garbage, that could prevent them from building. This seems excessive. Perhaps 100 or 200 years?
10/26/2012	Michael	Wiese	West SF Association	email		7	Is a 99 years till water dries out, sustainable? What about incremental new development? Should the neighboring areas be considered in calculations? How do we guard against a crooked hydrologist?
10/26/2012	Michael	Wiese	West SF Association	email		7	Greywater treatment is good. Should blackwater also be included? In general there are no requirements or incentives for individual greywater or blackwater recycling. Instead of rooftop capture, if the greywater can be shown to be equal, it should be allowed. Maybe for certain size houses required. In general there are no requirements or incentives for greywater or blackwater recycling. Instead of rooftop capture, if the greywater can be shown to be equal, it should be allowed. Maybe for certain size houses required.
10/26/2012	Michael	Wiese	West SF Associ	email		7	Faucets can be 1.5 gpm or less these days instead of 2.5 as shown.
10/26/2012	Michael	Wiese	West SF Associ	email		7	Faucets can be 1.5 gpm or less these days instead of 2.5 as shown.
10/26/2012	Michael	Wiese	West SF Association	email		7	One of the purposes should be to promote permaculture. Any retained water should be encouraged to water outdoor landscaping
10/26/2012	Michael	Wiese	West SF Association	email		7	Many people have to grade their driveway or internal roads yearly, to maintain them. They own their own tractors. It is ridiculous to require them to get a permit to do this. Some reasonable sense of scale needs to be introduced here. Laws that make criminals out of average citizens are inappropriate.
10/26/2012	Michael	Wiese	West SF Association	email		7	Tin roofs age over time and cease to be reflective. They are a traditional northern New Mexico building material. They should be allowed. This should be modified to include a period of time.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Michael	Wiese	West SF Association	email		7	7.21.3 We think by “average conditions” you mean “average ambient conditions”. That would be good and should be clarified. It appears that you mean no noise should exceed these levels. That is good. If this is an average of noise throughout the day, that is useless, because someone could start a jet engine every hour, but the average would be low.
10/26/2012	Michael	Wiese	West SF Association	email		7	It appears that in a worst case scenario a developer could set up an HOA, then get the owners to finance all sorts of improvements that weren’t originally outlined. There needs to be some form of protection for members.
10/26/2012	Michael	Wiese	West SF Association	email		8	Evaluation criteria should include “contain infrastructure to lessen the overall number of automobile trips in the area, compared to if the PD was not implemented” also “Contain internal open space and trails”
10/26/2012	Michael	Wiese	West SF Association	email		8	Table 8-15. There is nowhere in the county where densities of 5 or 12 make sense. This is inappropriate for PD or MU districts. The maximum should be 3.
10/26/2012	Michael	Wiese	West SF Association	email		8	In the community college district there is approximately 50% open space. This should be the standard where there is high density.
10/26/2012	Michael	Wiese	West SF Association	email		8	. Similar concerns as 8.10.2. PD should minimize overall traffic and contain open space. Otherwise they should not be allowed.
10/26/2012	Michael	Wiese	West SF Association	email		10	Home Based Occupations: In our area we had a problem because someone opened a roofing company that was not approved by the BCC. It required the adjacent property owner to go to court, as apparently the county was powerless to stop it. It cost over $10,000. The code needs to provide a regulatory framework to close down a non-compliant business. In addition the number of trips and associated annoyance factor is not necessarily related to the number of employees. For example, in the roofing business the same few employees made numerous trips, all day. In a service business that has three employees, if they give haircuts every ½ hour, they could have 48 customer trips, plus three employee trips. The code simply does not address the potential impacts.
10/26/2012	Michael	Wiese	West SF Association	email		10	Even small farmers should be allowed to sell their own produce. They may not be in an agriculture district.
10/26/2012	Michael	Wiese	West SF Association	email		10	Windmill Noise: This should include ambient noise and otherwise conform to the noise ordinance in 7.21.3. Measure should be from at the property line, not a structure on the property.
10/26/2012	Michael	Wiese	West SF Association	email		10	This should include ambient noise and otherwise conform to the noise ordinance in 7.21.3. Measure should be from at the property line, not a structure on the property.
10/26/2012	Michael	Wiese	West SF Association	email		10	Signal interference. This should be included for all wind turbines, not just large scale.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Michael	Wiese	West SF Association	email		10	Table 10-3. What does CUP mean? Assume it means Conditional. It should be in Residential Districts with towers 30-49', instead P.
10/26/2012	Michael	Wiese	West SF Association	email		10	Why are the requirements for a gravel mine, less stringent than a sexually oriented business?
10/26/2012	Michael	Wiese	West SF Association	email		12	The Open Space and Trails LOS are absurdly low. Our county is currently very underserved by County Trails and Open Space. The levels should be 5-10 times greater.
10/26/2012	Michael	Wiese	West SF Associ	email		10	We support the affordable housing requirements.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	François-Marie	Patorni	glorietamesa.org	email		8	Our main comments concern the County's zoning proposal for an area of Glorieta Mesa, located approximately from mile 6 to 9 on CR51 (Ojo de la Vaca Road). The Ojo de la Vaca area is unique in its natural beauty, its archeological history, its strategic location on a major wildlife corridor, and its lifestyle which preserves the traditional rural values in New Mexico. It is sparsely populated and those who live here are sensitive and respectful of its fragile ecology. This was recognized on the maps supporting the Sustainable Development Plan (2009), as the land was designated as "Agriculture, with 40+ acres per dwelling". In the Preliminary Draft Zoning Map dated October 4, 2012 which supports the Sustainable Development Code draft dated September 2012, the zoning of some areas has been changed to "rural fringe" (1 dwelling per 20 acres), as shown is the image below. It should be noted that the concerned area is not on the fringe or a less populated area, rather it is embedded in the "rural" areas (1 dwelling per 40 acres) and public lands as shown on the Draft Zoning Map. The implications of this new zoning proposal include the following, in addition to others resulting from the Use Table in Appendix B: -existing 40+ acre parcels within the concerned area could be split. This could almost double the number of dwellings which could be constructed in the area. -owners of 40 acre and larger parcels in the concerned area would be subject to the more restrictive rules applicable to 20 acre parcels as tabulated in Appendix B. For instance some of their traditional livestock activities would become subject to conditional approval by the County. We are not aware of any rational basis for the County's change of zoning in this area of Glorieta Mesa. Increasing housing density on the mesa will have negative impacts on the environment, lifestyles and cultural values on the mesa, it will favor encroachment and weaken its identity, and is contrary to the objectives of the Land Development Plan. We are therefore asking the County to revert to its previous zoning proposal of "rural". Representatives of glorietamesa.org will be happy to discuss the matter further with you if more clarifications are needed.
10/26/2012	François-Marie	Patorni	glorietamesa.org	email		7-17	We have concern regarding the treatment of water connections (such as the obligation to connect to community systems if within 2,640 feet of a residence),
10/26/2012	François-Marie	Patorni	glorietamesa.org	email		5	We have concern regarding the lack of coverage of possibilities to consolidate parcels to reduce the footprint on the land (only subdivisions and land divisions are addressed),
10/26/2012	François-Marie	Patorni	glorietamesa.org	email			In general we have concern regarding an over-regulation and boilerplate standards applying indiscriminately to the whole County

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	François-Ma	Patorni	glorietamesa.or	email		10	We have concern regarding regulations concerning accessory structures
10/26/2012	Theo	Andres		email	El Centro	8/7?	I strongly object to the rezoning being proposed in the SLDC for the property owned by the NM Boys and Girls Ranches, namely the 968 acre tract in the Cedar Grove area of southern S F County. This parcel, shown as blue on your proposed zoning map, is zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility (CSF). The residents of this area, via the South Mountain Neighborhood Association of the Cedar Grove area, so strongly objected to the intrusion of an entirely out-of-place institution in the midst of our very rural area, that we filed an appeal of that BCC decision to them followed by another to the judicial system. [And note that people here put up their own money for legal representation, so strongly did they feel.] Judge Singleton, District Judge of the First Judicial District of Santa Fe County, ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Hence that parcel is still zoned as before, Ag/Res. The application to build that institution sits idly, the applicant has stated publically that he has abandoned his plan to build it and the land is currently for sale. While none of us in the area has managed to find the proposed zoning's definition(Public/Institutional), we still, as in 2010, find it altogether inappropriate to plunk down any "institution" or any other non-residence into the middle of a rural residential area That would forever change the nature of this area as quiet, peaceful, and very rural. Most of us carefully checked the zoning of our parcels before purchasing, as we understood that the zoning gave us the right to presume that new construction would also have to abide by the very same zoning we ourselves did, unless there were really strong reasons to do otherwise. That is how important it is to us to keep the nature of our area this way. Are there two sets of rules at play in who influences the new zoning map? One for the residents, another for businesses and "institutions"? I have trouble not suspecting that a possible purchaser, one requiring the land be rezoned for the sale to go through, has arrived on the scene. We know none of the residents is pushing for this rezoning. Another point against zoning for the like of institutions: to what extent have you considered the water use by such entities? Do you have data regarding that question for this area? Is it recent? It would be foolhardy and derelict of duty for the County not to weigh that issue based on solid numeric data and reasonable modelling for projection into the future. There is a level of idealism in the notion of citizen input being solicited in the design and construction of the SLDC. It suggests that we citizens should have a big say in what happens in our neighborhoods. Please do not forget that. I can identify no good reason to change the zoning of this parcel surrounded by residential development. It would be quite inappropriate and way out of character with its peaceful surroundings. Do not change the zoning.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	François-Marie	Patorni	glorietamesa.org	email		Appendix B	We have concern regarding many details included in the Use Table in Appendix B, and lack of clarity concerning rules on “grandfathered” parcels
10/26/2012	François-Ma	Patorni	glorietamesa.or	email		4	We have concern regarding the absence of a mediation clause in case of disputes
10/26/2012	Toby	Gass		email			Regarding the Public input process 1. I do not think 30 days is sufficient for the public to digest nearly 400 pages of proposed code. I would like to suggest an extension of the public comment period. The 30 day time period favors business interests with legal divisions or attorneys on retainers that can devote their working days to reading and analyzing the document. I have many comments below on specific provisions but I definitely did not have time to thoughtfully evaluate the broad effects of the code. These comments address the trees, but not the forest. 2. The public meeting on zoning and standards at the Nancy Rodriguez Center never addressed standards. The meeting was entirely about the zoning map. The standards are a critical aspect of this document that will profoundly affect current and future residents. I know the public meetings demand a lot from the staff but I feel there needs to be an additional public meeting for discussion of the proposed standards.
10/26/2012	Toby	Gass		email		4	1. P. 31: Anyone with “standing” may appeal. How will standing be defined?
10/26/2012	Toby	Gass		email		4	There should be some requirements here and elsewhere for notifications to be electronically accessible. This plan retains the traditional methods of certified mail, first class mail, newspapers, etc., but does not incorporate newer methods.
10/26/2012	Toby	Gass		email		4	2. P. 33: There should be some requirements here and elsewhere for notifications to be electronically accessible. This plan retains the traditional methods of certified mail, first class mail, newspapers, etc., but does not incorporate newer methods.
10/26/2012	Toby	Gass		email		4	3. P. 33: For changes in zoning, I would like to see a larger required notification area than within 100’. 100’ might only be one neighbor on either side, depending on the area
10/26/2012	Toby	Gass		email		5	4. P. 52: I think a subdivision of 24 lots, even with large acreage, is too large for purely administrative review.
10/26/2012	Toby	Gass		email		5	5. P. 57: I think the standard for roads – changes that affect connectivity – should apply to trails.
10/26/2012	Toby	Gass		email		6	6. P. 72: If minor subdivisions can include 24 lots with a minimum of 10 acres, therefore covering a minimum of 240 acres, then they should be subject to the EIR requirement. The fact that the density is low does not necessarily mean that are no significant effects, particularly when large acreages are involved.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Toby	Gass		email		6	7.P. 75: The criteria “any and all effects on climate change” is meaningless and unenforceable. Everything has effects. More specific criteria are needed. Any and all effects include both positive and negative so the phrasing would not do what is intended. Standards such as zero-net require a great deal of analysis before you know whether or not the standard will kick in, so this one will be difficult to address. 8.Also in this section is a reference to inefficient and unnecessary consumption of water. This phrase has the same problem as “any and all effects on climate change”.
10/26/2012	Toby	Gass		email		6	9.The EIR criteria follow the exact template of a typical federal NEPA document. If you were designing the assessment, never having seen a federal NEPA document, is this the design you would come up with?
10/26/2012	Toby	Gass		email		6	10.Regarding the components of a traffic assessment, I would like to see analysis of how the proposed roads would affect existing use by bicyclists, pedestrians, and equestrians.
10/26/2012	Toby	Gass		email		5	11.Somewhere in the evaluation process for new subdivisions, I would like to see analysis of effects on what might be termed “traditional use trails” that are in the path of the new development. Such trails should either be preserved or replaced with an equivalent. There might be language on this issue in the TAP community plan.
10/26/2012	Toby	Gass		email		7	12.There are quite a few standards regarding planting of trees. Trees are aesthetically pleasing, effective screens, and can often have a cooling effect. Trees also consume large amounts of water. Many urbanizing areas in the Interior West that have planted trees in greater density than they naturally existed are seeing their water tables drop, specifically as a result of urban tree planting programs. Even if the trees are irrigated with roof water, much of that roof water will be lost to transpiration by the trees rather than ending up recharging groundwater supplies. The amount that would be lost to transpiration can be estimated.
10/26/2012	Toby	Gass		email		7	13.P. 104: I would like to see broader application of Dark Skies criterion for outside lighting. There are too many exemptions in this section. 900 lumens, for instance, is too bright to be unshielded. Numerous studies are showing deleterious effects of outside lights on a wide variety of nocturnal animals; this is not just a question of being able to see the Milky Way.
10/26/2012	Toby	Gass		email		8	14.The zoning predicts increasing “urbanization” of SDA2, but it also seems to promote increasing urbanization of SDA2. I’d like to see a greater attempt to preserve more of the rural character, however much remains, in SDA2.
10/26/2012	Toby	Gass		email		7	15.The road standards for SDA1 and SDA2 should differ. Many of the road standards seem questionable, such as requiring 2 4’ wide sidewalks on roads with 0-300 trips per day. Further, bike lanes might be advisable on collector roads, depending on speed limits, amount of traffic, etc.
10/26/2012	Toby	Gass		email		7	17.P. 139 It is not clear to me why plants being irrigated for sale need to be watered in the middle of the day. These businesses, if anyone does, should have the capability to water automatically during the cooler hours.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Toby	Gass		email		7	18.P. 143 I'm all for water conservation but have doubts about requiring cisterns and drip irrigation systems on all construction. Depending on the landscaping, a drip irrigation system may be completely unnecessary. Local landscapers routinely install cisterns that automatically switch to domestic water if the water level in the cistern is low. I'm guessing that most people who water from cisterns have no idea when they are using rainwater as opposed to domestic water. My personal anecdote is that I recently interviewed several landscapers regarding construction of a fairly simple rainwater and gravity based system on my property. Several of them tried to push the whole house cistern+drip on me. I finally found someone who did not do that. I will be installing a much simpler system that will use rainwater to meet my water needs at a savings of $15,000 compared to the cistern+drip system.
10/26/2012	Toby	Gass		email		7	Putting all roof water into cisterns eliminates groundwater recharge by the total roof surface are in future developments.
10/26/2012	Toby	Gass		email		7	Are there provisions for gray water use?
10/26/2012	Toby	Gass		email		7	21.P.146: It is my understanding that the County Attorney concluded that the bulk of the recommendations of the Open Space and Trails group constituted "takings". Clearly, other communities throughout the state and throughout the country are finding ways to incorporate open space requirements into their development plans. I expect the County Attorney's office, rather than simply ruling out Open Space, to do the appropriate legal research to find out how open space requirements can be incorporated into the Code without triggering "takings" issues.
10/26/2012	Toby	Gass		email		7	22.P. 152 A 25' setback from the natural edge of streams, etc. does not seem adequate protection from a 100 year flood. The setback should be from the edge of the 100 year floodplain, which will vary greatly according to the topography. Or perhaps the intent is to protect any existing riparian vegetation, which will help limit flood effects. If that is the case, then protection of riparian vegetation should be specified.
10/26/2012	Toby	Gass		email		7	23.P. 155 The reference to the Wildland Interface Code probably belongs in the earlier section where the other code requirements are listed. The Wildland Interface Code is not an Appearance Standard.
10/26/2012	Toby	Gass		email		7	24.P. 165 Air quality – Air quality is primarily a state issue. To whatever extent the county is involved, I'd like to see the county establish policies appropriate for maintenance of the Class I Air Quality standard that is federally mandated in the Pecos Wilderness, part of which lies within the County. This can include, for instance, emissions from hydrocarbon extraction or other industrial practices.
10/26/2012	Toby	Gass		email		8	. 173 8.1.4: The portions of SDA-2 "where adequate public facilities and services presently exist" should be addressed separately in the Code from the areas where such facilities and services do not presently exist. And should have been addressed separately in the SGMP.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Toby	Gass		email		8	27.P. 175 Obviously, a copy of the zoning map should have been part of this draft so people could comment appropriately. The map is not currently available in a form that is adequate for most people to see precisely where the boundaries are, which is another reason to extend the comment period.
10/26/2012	Toby	Gass		email		Appendi	28.P. 176 A copy of Table 8-4 should be included in Appendix B.
10/26/2012	Toby	Gass		email		8	29.Regarding the residential zoning districts, is the stated density for each district a minimum?
10/26/2012	Toby	Gass		email		8	30.I'm surprised by the maximum allowable building height in the RUR and RES categories. These heights seem inappropriate for many of the areas included in these zones. Take a look at the community plans. If most of the community plans within a proposed zoning area have a lower maximum height, then it would be a good idea to reduce these heights.
10/26/2012	Toby	Gass		email		9	31.How consistent are the standards for the zones with the standards of the existing community plans in the zones?
10/26/2012	Toby	Gass		email		8	32.In RES-F, how will the Density standard be applied to clustered housing?
10/26/2012	Toby	Gass		email		8	33.I'm not sure the various RES and higher density RUR categories need to be distinguished so finely (2.5 acres, 5 acres, 10 acres, etc.). What is the goal here?
10/26/2012	Toby	Gass		email		8	34.P. 190 I'd like to see a stricter requirement for open space substitution that the discretion of the planning commission. Open space can have many purposes. Terraces and sculptures do not provide any of the ecological benefits of open space. As areas become more density populated, natural areas, not sculptures and terraces, become increasingly important habitat for local fauna and flora. Many small animals have disappeared from the area I live in over the past 20 years; these are the animals no one notices until they show up on a T&ES list.
10/26/2012	Toby	Gass		email		8	35.P. 191 Again we need to see the proposed overlay zones. It is difficult to know whether or not the proposed code makes sense without being able to see where it might apply.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Toby	Gass		email		10	36.P. 203 Several years ago, the BCC provided an amnesty to those with unlicensed home occupations, instructing staff to issue permits to unpermitted businesses. These permits were issued without inspection of the premises. This resulted in grossly inappropriate businesses receiving permits, businesses that would not have received permits had an inspection occurred. I want to make sure that these now-permitted but never inspected home businesses are not grandfathered in when the new code passes. As an example of what I'm talking about, the home business owner about 1/8 mile from my house leveled and mass-cleared almost an acre of land, filled an arroyo, constructed 2 outbuildings on the fill, and created a yard for construction equipment (dump trucks, front-end loaders, boom trucks, etc.). This was all unpermitted but he got a permit during the amnesty. The precedent having been set, another contractor – the second one being a concrete business – bought a nearby house and did the same thing. How do we prevent this from being grandfathered in to the new code? Also, I don't think the criteria for home occupations address this kind of situation – multiple family members involved in a heavy-equipment business. They are all family members and no patrons come to the home. The family members leave the home each day to go to work in a parade of dump trucks, boom trucks, tanker trucks, earth-moving equipment, and trailered heavy equipment. This is in an area that would be considered RES-F 5 or RES-E 2.5.
10/26/2012	Toby	Gass		email		4	37.There should be a neighbor notification requirement prior to granting home occupation permits. Perhaps everyone sharing the access road within ½ mile and everyone adjoining the property.
10/26/2012	Toby	Gass		email		10	38.PP 210-211. What is the difference between a temporary produce stand (p. 210) and an itinerant vendor selling fruits, vegetables, berries, eggs, or farm produce (p. 211)?
10/26/2012	Toby	Gass		email		Appendix B	39.I would like to see temporary sale of fruits, vegetables, berries, eggs, or farm allowed anywhere, and certainly in the various RES areas.
10/26/2012	Toby	Gass		email		10	40.P. 217 It appears that small-scale wind energy facilities are allowed to exceed the noise requirements specified somewhere around p. 165. 55 dB might be way too high at a neighboring dwelling.
10/26/2012	Toby	Gass		email		11	41.P. 249 Do large wind farms require DCI, on account of substantial land alteration?
10/26/2012	Toby	Gass		email		12	42.P. 255 In many portions of SDA2, LOS D roads are inappropriate and should not be encouraged for the future.
10/26/2012	Toby	Gass		email		12	43.P. 255 Parks: does this mean that there is an adequate amount of parks (or open space) as long as, subsequent to the proposed development, 1.25 acres (or 85 acres) remain per 1000 residents, somewhere in the county? The plan needs to ensure that open space will exist within some reasonable distance of residents, not just somewhere within the county. Table 12-1 seems to conflict with 12.3.5.5.2 (p. 257).

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Toby	Gass		email		12	44.P. 264 12.5.3.2 Am I reading this correctly? If 75% of the landowners do not want to sign a petition for a PID, the BCC can adopt a resolution to form the PID, on the basis that 25% requested it? Where do these numbers come from?
10/26/2012	Toby	Gass		email		12	45.P. 300 I'm strongly opposed to bonuses for TDR/PDR. Transfers with bonuses are a great way to undermine the objectives of the SGMP/SLDC. These incentives invariably cause inappropriate development and unplanned impacts in the receiving area.
10/26/2012	Toby	Gass		email		13	46.I am opposed to bonuses for affordable housing. These bonuses have been awarded in the past to large developments that did not provide affordable housing, in the final analysis. What is the enforcement mechanism? Additionally, there is a shortage of affordable housing in the northern county and it generally sells quickly. Why provide developers with a bonus to provide a product for which there is large demand? I support affordable housing but provision of a density bonus, energy efficiency bonus, impact fee bonus, lot size bonus, and county water bonus only tells me that the developers had a lot of influence here.
10/26/2012	Toby	Gass		email		14	47.P. 305 Penalties for violation should reflect the severity of the violation. Maybe someone who sells Christmas trees in violation should get the $300 fine. But if you violate ordinances pertaining to multi-million dollar commercial developments or with significant long-lasting impacts, should you also get a $300 fine? The County, or perhaps all counties together, need to develop a more appropriate criminal enforcement procedure.
10/26/2012	Teresa	Seamster	Northern NM Sierra Club	email		6	Recommend that "wildlife; exceeding 20 percent; and native species of greatest conservation need" be added to the section as follows: "This report analyzes adverse effects and impacts on natural wildlife habitats and corridors…. steep slopes exceeding 20 percent and hillsides… archaeological, historical and cultural resources, and native species of greatest conservation need." (SGCN listed in Comprehensive Wildlife Conservation Strategy, New Mexico Game & Fish Department, 2006).

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Teresa	Seamster	Northern NM Sierra Club	email		6	The following wording can be placed in Chapter 6 under Section 6.2.3 Project Overview Documentation: Habitat Protection Districts for SGCN, similar to Archaeological Districts, will be mapped in cooperation with New Mexico Game and Fish Department. Projects that are located within the Habitat Protection District shall have Project Overview Documentation that includes: 1. Specifying the types of animal species and habitats that need to be surveyed and protected. This includes endangered, threatened and sensitive species listed in the New Mexico SGCN listing. 2. Required protection of (a) any critical habitat for the species referred to above and (b) movement or migration corridors for these species that interconnect the site with adjacent lands or facilitate county-wide, regional or statewide migration or movement of these species, based on the conceptual wildlife corridors that have been delineated by the New Mexico Game and Fish Department and are shown on the Official Map Series. 3. Guidance for how wildlife surveys are to be conducted such as reference to the New Mexico Game and Fish Department "Baseline Wildlife Study Guideline." Note: The SGCN list includes mammals, birds, reptiles, amphibians, crustaceans, and macro invertebrates that are sensitive, threatened or endangered. The majority of these animals exist in waterways and wetlands that are already protected. NMDGF Appendix of species attached.
10/26/2012	Teresa	Seamster	Northern NM Sierra Club	email		6	Recommend that "species of greatest conservation need" be added as follows: Knowledge of the County and the regional setting is critical to the assessment of environmental impacts, and (the EIR) shall analyze environmental, archaeological, cultural, historic, habitat, species of greatest conservation need, and scenic resources that are rare or unique to the County and region and would be affected by the project.
10/26/2012	Teresa	Seamster	Northern NM Si	email		7	Retain all of this section (7.14.1 through 7.14.3).
10/26/2012	Teresa	Seamster	Northern NM Sierra Club	email		7	Retain all of this section with change noted below. 7.15.3.2 Pg. 146 Open Space – Trails Location of open space property and trails should be established as part of the development plan or subdivision plat depending on the intended use of the trail and protecting specific features such as scenic, habitat, hydrologic and archaeological resources determined to exist in the property.
10/26/2012	Teresa	Seamster	Northern NM Sierra Club	email		7	Recommend to change slope requirements as follows: Retain all of this section (7.17.11 through 7.17.9.3) with the revision of all slopes of thirty percent (30%) CHANGED to slopes of twenty percent (20%).
10/26/2012	Teresa	Seamster	Northern NM Sierra Club	email		8	8.11.4 pgs.194-195 Environmental and Resource Protection Overlay (O-ERP) Retain all of this section (8.11.4.1 through 8.11.4.6).

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Don	King	King Brothers Ranch	letter	Estancia	8	1. In the current format, it is difficult to determine the exact standards that will apply to the different types of development permit applications, including the type and scope of studies. Specifically, the difference between a residential building development permit verses all other types of development permits as the definition of development encompasses any man-made change to improved or unimproved real estate. It would be very beneficial if the County would provide a chart that delineates the specific requirements for the various development permits because any type of development as defined above will require a permit.
10/26/2012	Don	King	King Brothers Ranch	letter	Estancia	12	The Section regarding Adequate Public Facilities is tied to the County's adopted, funded and prioritized CIP and an adopted Level of Service. However, there is no formula or calculation to show the portion that a specific development in a specific area would be required to pay if Public Facilities are not adequate. Also, not all of the defined Level of Services referenced in the SLDC are based on specific standards or requirements instead they are based on general assumptions which make it difficult to determine what would be required at any given time. Additionally, the SLDC does not detail the relationship between existing impact fees and development fees and the new proposed fees for Adequate Public Facilities.
10/26/2012	Don	King	King Brothers Ranch	letter	Estancia	12	Based on the SLDC and presentations made by the County regarding Capital Improvements, it appears that the current process by which the County Commission approves Capital Improvement funding is changing significantly such that the majority if not all of Capital Improvement funding will be allocated only to areas identified as a SDA 1. If this is the case, what will be the process for areas outside of a SDA 1 such as the Southern part of the County to receive Capital Improvement funding?
10/26/2012	Don	King	King Brothers Ranch	letter	Estancia	zoning map	The Draft Zoning Map for the Southern part of the County should take into consideration the interrelationships and connections between Southern Santa Fe County and the adjoining Counties of Torrance and Bernalillo along with the Municipalities of Edgewood and Moriarty. Specifically, the existing zoning allowances in the adjacent Counties and the Municipalities of Edgewood and Moriarty along with existing and planned infrastructure in those areas in order to provide for a logical pattern for future growth along with reasonable transitions from one zoning area to another.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	James	Siebert		email			Regarding the Disconnect Between Sustainable Growth Management Plan (SGMP) and SLDC: Planning Works in conjunction with Dr. Freilich prepared the initial draft of the SGMP, creating an unintelligible document 1100 pages in length that had no correlation with the County residents' ideas or beliefs on planning for the future of Santa Fe County. The neighborhood organizations, development community and citizens as a whole were so disillusioned with the document that Land Use staff was directed by the County Commission to redo the Plan in a manner that represented community based planning goals and objectives. Most people would agree that the current SGMP is an accurate assessment and statement of what land use policies the County would like to achieve over the next 20 years. Dr. Freilich also prepared a draft of the SLDC as an adjunct to the SGMP being prepared by Planning Works. Much of the proposed SLDC is derived from the Dr. Freilich's and Mark White's book 21st Century Land Development Code. Like the original draft of the Sustainable Growth Management Plan the SLDC is cumbersome, overly complicated and most importantly does not relate to the policies and goals of the current Plan. For the most part, the Code drafted by Dr. Freilich was based on his model code which may be appropriate for major urban centers but has no relation to rural counties. Recommendation: Just as the first draft of the Sustainable Growth Management Plan was reevaluated and staff directed to bring the Plan in line with citizen perspectives on the direction and management of growth in the County the current draft of the Code needs to focus drafting succinct and understandable language to implement the goals and objectives the SGMP. If there is no correlation with the SGMP the language should be stricken from the SLDC.
10/26/2012	William	Mee		email			The reissuance of the Draft Code should utilize a redlining and track changes feature of a MSWord software.
10/26/2012	William	Mee		email			The “Goals, Policies and Strategies” in the Sustainable Growth Management Plan are not always reflected in the Draft Code as one would suspect these actionable items to be.
10/26/2012	William	Mee		email			Throughout the document the terms “Official Map” and “Zoning Map” are used interchangeably when they are actually one and the same (in Appendix there are definitions for Official Map, Official Zoning Map, and Zoning Map, Official). For consistency “Official Zoning Map” should be used throughout.
10/26/2012	William	Mee		email			The Code needs to give a detailed legal background on why things are in the Code as they are. Listing state statutes and then explaining more terms in the definitions of the Appendix.
10/26/2012	William	Mee		email			I would like to see more cross references to the Sustainable Growth Management Plan.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee		email			The phrases: “consistent with the Code” and “consistent with the SGMP/Plan” are used throughout the Code. There are no definitions of this, so the point that is trying to be made in each instance then becomes difficult to determine.
10/26/2012	William	Mee		email			Throughout the Draft Code, the Land Use Administrator is allowed to make revisions to the Code, the Official Zoning Map and the Community Plans too easily without a seemingly public process. Noting that there isn’t a Land Use Administrator at present, we would suggest that hiring of such and individual be commenced after the inauguration of Commissioner-Elect Miguel Chavez and that a robust and vigorous public process be engaged in that includes citizen interview panels.
10/26/2012	William	Mee		email			Where differences exist in Community Plans, such as San Marcos District’s allowance of rental guest houses; how will these differences be resolved?
10/26/2012	William	Mee		email			Community Plan is often expressed as Community plan.
10/26/2012	William	Mee		email		1	Regarding, :The SLDC shall become effective thirty (30) days after recordation the SLDC and the accompanying zoning map." WHM: The above doesn’t read right (recordation “of” the SLDC? Recordation might be a legal term of art, but it is better represented in the form of general language usage), I suggest the following (it also outlines the future process): "1.3. EFFECTIVE DATE. The SLDC shall become effective thirty (30) days after recording the SLDC and the accompanying zoning map with the Santa Fe County Clerk’s Office."
10/26/2012	William	Mee		email		1	The section should be changed to reflect the quasi-state authority of acequias as follows; acequias and Tribal governments should also be defined in the Appendix: 1.4.2.10. Establish rights for communities, community organizations, registered organizations, acequia associations established under authority of state statute 73-2-11 NMSA 1978, Tribal governments (as sovereign nations), adjoining property owners, neighborhood and homeowner associations and non-profit organizations with respect to attendance at pre-application meetings with applicants for development approval;
10/26/2012	William	Mee		email		1	I would put “Planning Commission” in quotes since you are introducing the term for the first time. Then in the Appendix I would cite the state statute that authorizes such a body.
10/26/2012	William	Mee		email		1	Should be changed to: Developments of County-wide Impact; listing is missing Madrid 2002-1 (listed in Chapter 9) and San Marcos 2010-6.
10/26/2012	William	Mee		email		2	This section should reference the Chapter 9 on page 199. Likewise, the District Plans, like San Marcos, should be included in Chapter 9.
10/26/2012	William	Mee		email		2	examples of “organizing documents of a CO” should be given: Charter, Articles of Incorporation, Bylaws, etc. Also, the term “Board” should be spelled out to be the BCC or the Board of County Commissioners so it is not confused with a CO board.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee		email		2	Add a new: 2.2.2.3.8. Description of the member's official representation of other organizations within the Community.
10/26/2012	William	Mee		email		2	Add "of County Commissioners" as follows: The right to receive notice and provide written recommendations for any discretionary development application pending within the geographic area designated in the resolution of the Board of County Commissioners recognizing the CO or notice of any public hearing or public meeting concerning such application;
10/26/2012	William	Mee		email		2	Add, "public infrastructure project in the CIP/ICIP" as follows: The right to participate and make recommendations in the development of a community strategic work plan, studies, public infrastructure project in the CIP/ICIP, public improvement and assessment districts, and levels of service for community infrastructure and services;
10/26/2012	William	Mee		email		2	Add, "(COCO)" as follows: The right to participate in CO leadership retreats and training programs which may include an annual Congress of Community Organizations (COCO), as applicable.
10/26/2012	William	Mee		email		2	Add, "i.e., an officially designated neighborhood association;" as follows:
10/26/2012	William	Mee		email		3	I could see that the temporary installation of story poles to publicly display building heights could be a function.
10/26/2012	William	Mee		email		3	I like the 3 consecutive terms but 4 would coincide with the Commissioner's maximum term.
10/26/2012	William	Mee		email		3	Add "A Hearing Officer shall be an independent contractor hired through a competitive proposal process with the qualifications as specified in 3.5.4."
10/26/2012	William	Mee		email		3	A new section, 3.6, should be created to address mediation
10/26/2012	William	Mee		email		4	"As needed" --- what does this mean?
10/26/2012	William	Mee		email		4	For a Family Transfer in traditional community "Studies, Reports Assessment" should be changed from "as needed" to "no"
10/26/2012	William	Mee		email		4	For a family transfer outside of traditional community (Remains as same on Table 4-1)
10/26/2012	William	Mee		email		4	For a residential development permit for a Individual lot owner (Remains as same on Table 4-1)
10/26/2012	William	Mee		email		4	For a residential development permit with a Developer lot owner Change to "yes" for Discretionary Review, Pre-application meeting, Pre-application neighborhood meeting

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee		email		4	Add, Minor subdivision; Preliminary plat Add “yes” for Discretionary Review, Pre-application meeting, Pre-application neighborhood meeting, Agency review
10/26/2012	William	Mee		email		4	Change rough to draft. The City uses “Conceptual” and the promises ,made to a neighborhood under conceptual are not legally enforceable by a neighborhood association in District Court. Shouldn’t also a copy of the TAC report be given to the applicant for presentation to the Community?
10/26/2012	William	Mee		email		4	I am uneasy with the 500 and 100 foot issues. In the past Code and City it was 200 feet. In rural areas this is nothing. But in urban 500 foot is a lot. Perhaps having different standards for SDA 1, 2 & # would work better. Or that staff helps determine this distance with a chart. Ideally, in the four directions at least 4 neighbors would be notified. Perhaps the requirement should be to find 5-8 neighbors.
10/26/2012	William	Mee		email		4	What is the definition of “Reasonable effort” ? at least a Registered Mail?
10/26/2012	William	Mee		email		4	This section should have a thirty (30) day requirement because a subdivision can have a major impact on a community/neighborhood. Yet, the 4.9.5.2 Posting (15 days) and 4.65.3 Supplemental Notice is weak.
10/26/2012	William	Mee		email		4	A new section, 4.7.3, should be added to address mediation
10/26/2012	William	Mee		email		4	Add "usually" as follows: 4.8.1. Generally. Ministerial development approval, often referred to as ‘administrative approval,’ involves the application of the standards of the SLDC to an application by the Administrator. A public hearing is not usually required. The types of applications eligible for ministerial development approval are described below.
10/26/2012	William	Mee		email		4	Minor subdivision pursuant to Chapter 5 should not be included.
10/26/2012	William	Mee		email		4	Wouldn’t these include “Vested Rights” definitions page 342 and in Chapter 1 (1.11.3). How about antique subdivisions (“reserved” in definitions)?
10/26/2012	William	Mee		email		5	development order should be title capitalized and reference to the page 320 definition given.
10/26/2012	William	Mee		email		5	Wasn’t this formerly restricted at 160 acres? How many parcels can you cut up into 35 acres without any oversight? Same is true in 5.4.3.11. Large Parcels.
10/26/2012	William	Mee		email		5	I know this is an open-ended time period, but many ag resources recommend a seven year resting period.
10/26/2012	William	Mee		email		5	The table is statutorily based but I am wondering if there is a need to break it out by SDA 1, 2 &3. Can someone doing a minor subdivision break it into phases of 2-5 lots done every month for life---a 100 lot subdivision just transfer the unsubdivided lot into another holding companies name.
10/26/2012	William	Mee		email		6	Define acronym TAC. I know this has been spelled out before, but many will turn to this Chapter first in the future.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee		email		6	New section, 6.1.2.6, should be added to address Community Impact Assessment (CIA). This study is prepared by a qualifying Community Organization (CO) and is submitted to the Administrator. The study evaluates the impacts on the local community by the applicant's project.
10/26/2012	William	Mee		email		6	“As Needed” is not defined.
10/26/2012	William	Mee		email		6	FAR not yet spell out; shouldn’t use acronym until spell out.
10/26/2012	William	Mee		email		6	slopes greater than 11%? Wasn’t old Terrain Management guidelines 8% and 15%?
10/26/2012	William	Mee		email		6	These all say: “within a five (5) mile radius of the proposed project site perimeter.” Wouldn’t it be better to have a chart by SDA 1 one mile, SDA 2, 2 miles and SDA 3 5-10 miles?
10/26/2012	William	Mee		email		6	Note definition for gray water.
10/26/2012	William	Mee		email		7	I know you have included the reference to the 2009 New Mexico Solar Energy Code. but there are also a set of “Solar Rights” in New Mexico Statutes that should also be referenced. I was also thinking that in here the lighting standards that protect the night sky should be here.
10/26/2012	William	Mee		email		7	Something should be in this 7.6 Landscaping and Buffering section about the planting of invasive trees as prohibited by the N.M. Department of Agriculture (Russian Olives, etc.). A definition of “invasive” (and weeds) should be added to the Appendix.
10/26/2012	William	Mee		email		7	WHM: Sometimes the 6 foot height requirement is too high if for instance the fence is on the north side of a residence and blocks the sun from melting ice. Five foot might be better. Then sometimes the 8 foot maximum height requirement is too short and an 10 might be better. Maybe some pictures are in line here…..
10/26/2012	William	Mee		email		7	I would add: 4. In subdivisions along the perimeter of a tract or parcel that abuts a lot with an existing non-fire proof fence, or a wooden structure within fifteen (15) feet, only fire-proof materials may be used (chain link, stone, rock, concrete block, masonry brick, brick, decorative wrought iron, or adobe).
10/26/2012	William	Mee		email		7	Here I’m concerned with the free standing solar lights that are often colored for existing homes and how to enforce this.
10/26/2012	William	Mee		email		7	Section 8.8.4. doesn't exist
10/26/2012	William	Mee		email		7	In rural districts the 4 x 8 sign should be allowed.
10/26/2012	William	Mee		email		7	“Culverts shall be installed with a downside gravity flow….”
10/26/2012	William	Mee		email		7	Should it be 8-9%?
10/26/2012	William	Mee		email		7	Distances in this table should be reexamined.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee		email		7	WHM: What are the standards for doing a reconnaissance report? Put in Appendix the definition.
10/26/2012	William	Mee		email		7	Add "(under direct physical supervision)"
10/26/2012	William	Mee		email		7	Add "acequias" as follows: Irrigation using water derived from an Acequia Association, informal acequia or other agricultural irrigation system.
10/26/2012	William	Mee		email		7	Add a new section, 7.13.3.1.6, as follows: "County departments shall provide indoor and outdoor conservation literature to all persons applying for a development permit and persons initiating water service. The County water division shall supply Mutual Domestic Water Associations (need definition in Appendix) with such literature."
10/26/2012	William	Mee		email		7	As Built Plans?
10/26/2012	William	Mee		email		7	Does the proposed Code provide any process to deal with home-owners association (well agreements/road agreements) that has gone bankrupt or no longer has an elected board? Many roads have passed to County this way. Bonds?
10/26/2012	William	Mee		email		8	36 foot standard does not accommodate silos over 40 feet. What about grading/regrading including in a buildings height? Our 34 foot tall school on the regarded lot was 40 feet then the architect moved it into the area where the 6 foot came off and the effective height is 28 feet.
10/26/2012	William	Mee		email		8	Instead of District should it be area? Because we have Contemporary Districts Plans.
10/26/2012	William	Mee		email		8	In Agua Fria we have a usable lot 65 feet in width. Some are also 4 and 16 feet wide. What is diff on Frontage? Mixed use and Planned development 48 foot tall standard seems too high. What are the Reservations in 8.10.3 through 8.10.8? 8.11.3. Overlay Community District (O-CD).
10/26/2012	William	Mee		email		8	What is the Ldn contours in 8.11.6.2? Or the: 1. Ldn Zone 1. ?
10/26/2012	William	Mee		email		9	Missing San Marcos and Galisteo?
10/26/2012	William	Mee		email		10	How do you establish principal use?
10/26/2012	William	Mee		email		10	Could use be established by an Affidavit? Often people want to built a barn/tool storage before the primary residence.
10/26/2012	William	Mee		email		10	What about garage conversions?
10/26/2012	William	Mee		email		10	This is not the current policy; it is more of issue them and than work towards compliance.
10/26/2012	William	Mee		email		10	Could be as early as 7 am.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee		email		10	On Appts/patron visits, the answer “none” could be read as “no maximum.” On Signage “not permitted” could be read as “no permit required.” On Parking access “no impact” should be changed to: “a standard of no impact on neighbors” 6 non-residential employees was the max in old code.
10/26/2012	William	Mee		email		10	Is the home-owner builder included?
10/26/2012	William	Mee		email		10	add "stagnant rainfall" as follows: "Every construction dumpster shall be routinely emptied so it does not create an unsightly or dangerous condition on the property resulting from the deposit, existence, and accumulation of construction materials/stagnant rainfall"
10/26/2012	William	Mee		email		10	What is this?
10/26/2012	William	Mee		email		10	Add "(i.e. a push cart)" as follows: No signs or signage shall be permitted other than that which can be contained on the vehicle or conveyance utilized (i.e., a push cart) or as otherwise allowed
10/26/2012	William	Mee		email		10	What about a folding sign?
10/26/2012	William	Mee		email		10	Edit as follows: All itinerant vendors shall place at least one (1) thirty (30) gallon garbage rainproof receptacle upon the site of business for customer use, and plastic bags to be changed daily if food is served.
10/26/2012	William	Mee		email		10	Add new section, 10.13.3.8, as follows: 10.13.3.8. Hours of Operation: 7. a.m. to 8 p.m. (Sunrise to sunset).
10/26/2012	William	Mee		email		10	Should be 8 feet.
10/26/2012	William	Mee		email		11	Add: 11.2.6. Riparian and Acequia alteration. WHM: Example is the recent Pecios River realignment where no permits were required.
10/26/2012	William	Mee		email		11	Add 11.2.7. Ranches/farms with more than 1,000 acres with a scenic view shed or on a officially designated scenic highway.
10/26/2012	William	Mee		email		10	Add "Solar lighting shall be acceptable."
10/26/2012	William	Mee		email		12	Add new section, 12.2.3.7, stating, Plans of an individual Community’s needs as prepared by a CO or the County.
10/26/2012	William	Mee		email		12	APFR not AFPA
10/26/2012	William	Mee		email		12	APFR not AFPA
10/26/2012	William	Mee		email		12	Add, construction commences within two years
10/26/2012	William	Mee		email		12	Official Map should be "Official Zoning Map"
10/26/2012	William	Mee		email		12	Beneficial Use Determination (BUD)
10/26/2012	William	Mee		email		14	Shouldn’t we add Occupancy as CID knows them?

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10/26/2012	William	Mee		email		14	We should add Ordinance: #2009-11.
10/26/2012	William	Mee		email		Appendix A	Add definitions for the following terms: Acequia, Airspace Notification Map definition, Antiquated Subdivision, BCC to Board, Community Water System (see also Mutual Domestic Water Association), CUP to Conditional Use Permit, Family Domestic Partner, Family Compound, Historic Register, ICIP, Invasive species, LDN page 96, MU to mixed use, Reconnaissance report, <Reserved> what does it mean legally, Subdivision, Summary Review---explain this because you just referred people from another page, Traditional Historic Community (THC), Tree, invasive.
10/26/2012	William	Mee		email		Appendix A	Define the following acronyms: AASHTO APFA ASHRAE page 145 ANSI American National Standards Institute BCC BLM DCI EIR EPA HERS IESNA page 103 Lnd RESNET O-HP Historic Preservation Overlay MU mixed use [Zoning District] NMDOT PID Public Improvement District SHPO page 149 SDA SGMP SLDC SRA TAC WSAR Water Service Area Report
10/26/2012	Bob	Jespersen		email	Estancia	zoning map	Prior to 2010 the area in Ceder Grove in question was zoned "Ag/Ranch. This was appropriate and most people who bought land here and built homes did so because of the type of life style such zoing guaranteed. This zoning label has not been changed permanently and should not be changed now without hearings and thorough discussions. To do so would re-open the long and bitter debate we experienced with the "Ranches" proposal. Noone should welcome that, especially the BCC. Besides the lack of discussions, the vagueness of the label "Public/Institutional" would certainly encourage development proposals that would lead us down the same road. Property owners in Cedar Grove will never allow any development of this area which will threaten their live style without a vigorous fight. We are firmly resolved!

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Judith	Stevens		email	El Centro	zoning map	We wish to strongly state our opposition to your rezoning the King Ranch, which borders our property in Piñon Hills, to SDA-1 for increased density, commercial and industrial use. This would destroy the integrity and property value of our area which has been a growing 5 acre lot subdivision since the 1960's.We were assured when the BLN land was traded to the King holdings that any property development would be in the 5-10 acre residential zoning consistent with Piñon Hills. It is very irregular for you to even consider putting a SDA - 1 zone next to an established big lot residential area as this has not been done elsewhere. We are counting on you to protect the future of our neighborhood and individual properties

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Terryl	Anderson		email	Estancia	zoning map	This letter is to OPPOSE the proposed zoning of "Public/Institutional" (blue area) in Cedar Grove area, and to say that this "blue area" should remain as it's original Ag/Ranch zoning. During the 2009/2010 time frame, owners of that "blue" property requested county approval of a community services facility (CSF) development rezoning/master plan. Based on many technical and environmental issues, that development met with massive disapproval by residents of the Cedar Grove community as well as many Edgewood residents. When the Board of County Commissioners approved the rezoning/master plan request, the Cedar Grove community filed an appeal against that decision on the basis that the county did not follow legal process regarding rezoning of the property. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." And, therefore, the community's appeal was lost. Bottom line is that the CFS use was approved, but there was NO rezoning of the property. So, two points : 1. For the SLDC to change the zoning of the "blue" area to "Public/Institutional" from its current Ag/Ranch zoning would be to change the zoning without there having been a request by the community or approval by the community to change the zoning. One of the arguments used during the community's appeal of the BCC decision was based on the case of "Miller v. City of Albuquerque, 89 N.M. 503, 554 P.2d 665 (1976), in which the New Mexico Supreme Court confirmed that initial zoning determinations are presumed correct, but in cases involving interference with a zoning plan the burden of proof shifts to the local public body to show that a rezoning was necessary as a result of a mistake in the original zoning or a change in conditions in the neighborhood". Since there was no mistake in the original zoning of Ag/Ranch and there has not been a change in conditions of the neighborhood, the current zoning of Ag/Ranch should not be changed by the SLDC. 2. The Cedar Grove community was assured by Santa Fe county that if the Boys and Girls Ranches of New Mexico (The Ranches) did not develop their CSF within 5 years of approval of their Master Plan they would lose the CSF use approval and the property's use would revert back to Ag/Ranch. The Ranches have declared that they will not pursue development of their CSF and the property is currently listed for sale. Should a new owner want to develop a CSF on that property they would need to begin a new process for development approval. We are now 2 years into the 5 year period. It is totally unlikely that development of the proposed CSF or a different CSF would begin in the next 3 years. Therefore, the original Ag/Ranch zoning should stay in effect for that "blue" area. Changing the zoning to "Public/Institutional" (whatever that means) would be breaking faith with the Cedar Grove community. If the property is sold, and the new owner wishes to develop some kind of "Public/Institutional" facility, then they can begin the process of requesting a change of zoning. A reasonable development request, that would be in the interest of the community, would likely be approved by the community.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Terryl	Anderson		email	Estancia	zoning map	Therefore, this is to OPPOSE the proposed zoning of "Public/Institutional" (blue area) in Cedar Grove area, and to say that this "blue area" should remain as it's original Ag/Ranch zoning.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners	email	Estancia	4	A mediation provision should be added to the code in lieu of a County paid attorney to arbitrate. I believe that a developer working face-to-face with community members to try to address problems before appeal or litigation would be more productive.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email			This code is so complex and the process so unclear that it would create a lot of problems for County staff to implement and would require additional personnel just to do so, and that the best course of action would be to take these preliminary comments and try to clarify the code and come out with a redraft for more public comment. The complexity and lack of clarity and certainty would undoubtedly undermine the stated purpose of making it easier for home-based businesses and startup businesses in the community. Business owners take a lot of risk in even establishing a new business, and need as much certainty as possible in the regulation to encourage them and allow them to take the other necessary risks they must take.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email			The initial draft of the sustainable land use last year prepared by Mr. Frielich read like a legal document; thank you to the staff for minimizing the legal language and make it more reader friendly. There still exists a complexity to the Code in its application to developments. In the initial draft, the intent of the Code was clear: Allow development first in the SDA1 and focus money for infrastructure improvements and adequate public facilities in those areas. In response to concerns from citizens outside of the SDA1 who feared not being able to develop, the code was rewritten to allow for Planned Communities and overlay zones in areas in order to diversify the zoning and uses in areas outside SDA1. In doing so the inadvertent consequence has been to sweep in small developments into what appear to be cumbersome and excessive requirements.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		Zoning Map	the map should be published in local newspapers to assure zoning is accurate and persons have sufficient notice to assure their parcels are accurately zoned.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		8	A flow chart outlining the zoning criteria for the different zoning processes. The Code is hard to follow on the process taken for a development permit in each zone.
10/26/2012	Jerry	Powers	Southern Santa	email		Zoning	Zoning map should be included in adoption of the Code.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		Zoning Map	The zoning should include transition areas from where there are 40 acres zoning to allowance of 5 acre lots.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		Zoning Map	The zoning map should take into consideration zoning patterns in adjacent counties to provide for continuity in an area.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		4	The definition of development permit encompasses everything, yet there isn't a clear distinction the between building permit requirements and development permits. Lack of clarity leaves a question as to what the requirements are for individuals for each. While there is a very real difference between a development permit for construction of a home and a commercial center it is not clear in the code the process to follow for each, nor the level of submittals needed.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		4	Provide flow charts for specific submittal requirements and process for each development.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		6	Clarify P.72 square footage v building envelope with regard to 10K development permit.
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		4/7?	How is an individual legal lot of record not a part of a subdivision treated with respect to submittals and requirements for offsite improvements and hook up to a water line treated?
10/26/2012	Jerry	Powers	Southern Santa Fe	email		6	The SRA's are set forth in Chapter 6, however there is no clarity as to depth and level of information needed for differing developments.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		6	The Table 6-1 detailing the necessary SRA's uses (up to 10K) does that mean disturbed area or building square footage?
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		6	Payment of SRA's are not clear (section 6.2). If you are the first to come in with a request for a development permit do you have to pay for the entire report? Staff had mentioned reimbursement but such process is not spelled out in the Code.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		6	Clarify when TIA is needed. The language on pg. 84-85 is too open to subjectivity as to application and level of TIA needed
10/26/2012	Jerry	Powers	Southern Santa	email		6	How do public studies work? Unclear.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		7	Table 7-17 needs clarification. a. Connection to water should be dependent on: i. Easement attained. Ii. Distance set forth should be to a potable water line and not a water boundary. Iii. Title to chart should include community water system; iv. Ability of water system to serve; v. Reasonable expense to connect;
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		6	The requirement for 99 year water supply is required for fire protection as well. Yet many community water systems cannot prove 99 year supply. Does that mean a development cannot move forward?
10/26/2012	Jerry	Powers	Southern Santa	email		6	Does an individual well have to prove 99 water supply or 40?
10/26/2012	Jerry	Powers	Southern Santa Fe	email		7	If an individual lot not tied to a subdivision wants to use a well is that still allowed under this code?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		12	How do existing impact fees and development fees already in ordinance (which are not referred to in this draft), differ from the fees and additional requirements for offsite improvements in the Development Agreement?
10/26/2012	Jerry	Powers	Southern Santa	email		12	Will all developments require development agreements? Not clear.
10/26/2012	Jerry	Powers	Southern Santa Fe County	email			Are pre existing legal lots of record subject to code and all requirements? Given the lack of distinction between development permit and building permit it is unclear what would be required for an existing legal lot of record.
10/26/2012	Jerry	Powers	Southern Santa Fe	email			If currently a legal lot of record is allowed to have a well, will that change with this code?
10/26/2012	Jerry	Powers	Southern Santa Fe	email		12	The process for determining what are adequate public facilities is not clear. Is it based on the County CIP? Or something else?
10/26/2012	Jerry	Powers	Southern Santa Fe	email		12	The calculation for how much each development (including building permits) has to pay toward adequate public facilities is nowhere in the code.
10/26/2012	Jerry	Powers	Southern Santa	email		12	Is the priority schedule for the need of public facilities associated with CIP timeline?
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		12	If the Adequate public facilities is measured by CIP? Will the CIP be focused on needs for specific areas and not SDA levels? The language in the Code is “Based on higher levels of population within the individual SDA’s.”
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		12	The Code makes reference to “levels of service” for emergency personnel etc yet it is not clear on how that is calculated, and what and where the boundaries of the service areas are for such a calculation.
10/26/2012	Jerry	Powers	Southern Santa Fe	email		5	Change 1 per 160 acres density for ag/ranch base zone to state standards of 1 per 145 acres as set forth in subdivision act.
10/26/2012	Jerry	Powers	Southern Santa Fe County	email		4	Table 4 – 1 sets out some of the procedural requirements by application type. However, the term "as needed" appears far too frequently to allow for any certainty at all in the process.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		12	Section 12.3 adequate public facilities regulations. At a meeting in Edgewood, we asked staff to explain how the adequate public facilities regulations would work from the adequate public facility study through completion of development fees. The staff was unable to explain the process which highlights the lack of clarity contained in these regulations. Robert Griego promised that he would prepare examples of how this works in all of the various types of developments from building permit minor subdivision through major subdivision. We believe these should be included in the plan for the sake of clarity. The adopted level of service. Table 12-1 brings up other questions.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		12	Are these the current level of service in the County of Santa Fe? Or is this a hypothetical. proposed level of service that is either above or below the current level of service? Level of services, differ in different parts of the county. It is common knowledge that rural areas experience a lower level of service by choice to maintain a rural lifestyle and it's somewhat of a trade-off for the benefits of living a rural lifestyle. At the level of services on 12 – 1 are even slightly higher or substantially higher than the rural parts of the county currently maintain, this would drastically raise the cost of housing beyond affordability because the builder would have to pay to upgrade all of the services beyond the existing levels. For adequate public review, I believe staff should disclose how the left adopted level of service was arrived at.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email			The new proposed code could raise the cost of housing substantially especially in rural parts of the county where housing costs are more sensitive. The new costs to the County would include a Hearing Officer with a law degree, certified by the Bar Association, licensed in New Mexico with six years of experience, including soft and support costs. Extra staff will have to be hired to administer the Code, especially in light of limited time schedule for review of the applications. For example, there is 30 day time period from BCC action to prepare and act on the "Findings of Fact and Conclusions of Law". This time period should be compared to the current time lag between the BCC action and the finalization of the "Findings of Fact and Conclusions of Law", which typically averages three months. Given the fact that current work load exceeds staff capacity the only way to shorten the review period is to add more staff. The same is true for other stages in the development review process. In addition to the shortened review periods and the given the complexity of the development applications additional staff will be required to comprehend and review the extraordinary submittals required by the Code. At a more staff will translate a higher cost for the County and be passed on to the homeowners.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email			New costs for any applicant would include preparation of the "Studies, Reports, and Assessments", legal notice perthe 500 foot radius standard and other extraordinary submittal standards. Although the actual costs for submittal of the various applications to the County are supposed to be developed later it would be important to include these in the cost analysis. The review of costs needs to include the fiscal impact from the affordable housing requirements. The cumulative effect of the various costs may severely restrict residential development below what is required. There is a relevancy factor for the "Studies, Reports and Assessments" which although a recommendation in the SGMP needs further review to determine if the costs of preparing the various studies adds sufficient value to the development review process to warrant it.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		Zoning Map	The Draft Zoning Map for the Southern part of the County should take into consideration the interrelationships and connections between Southern Santa Fe County and the adjoining Counties of Torrance and Bernalillo along with the Municipalities of Edgewood and Moriarty. Specifically, the existing zoning allowances in the adjacent Counties and the Municipalities of Edgewood and Moriarty along with existing and planned infrastructure in those areas in order to provide for a logical pattern for future growth along with reasonable transitions from one zoning area to another.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		7	The new code would require hooking up to community water systems if you are within their service area or within 2500 feet of their infrastructure, even just to obtain a building permit. In the south part of the county, many of the co-ops and water systems have established huge service areas in order to stake out future area for them to grow into. So it is possible to be inside of a service area, be required to hook up to community water, and still be miles from the pipe.
10/26/2012	Jerry	Powers	Southern Santa Fe County Landowners Association	email		4	The definition of development in the proposed code is so broad that it encompasses any change whatsoever. This means that any person who wants to add a room onto their home in order support a home-based business would have to go through a substantially more involved complex and costly process than is required by the current code. One of his stated intentions of the new plan and code was to make it easier for home-based businesses to operate. The way the proposed code is currently structured, would defeat that intention.
10/26/2012	William	Mee	United Communities of Santa Fe	email			1. The County's public review process should have used an MSWord document opposed to a PDF file. This makes the 'cut and paste' function much easier for citizens.
10/26/2012	William	Mee	United Communities of Santa Fe	email			2. UCSFC is disappointed on the number of participants at the Code's Series 1 Informational Open Houses, Series 2 Administrative, Procedures and Financing Chapters, and the Series 3 Zoning and Standards Chapters. Although a lot of detailed information was exchanged and the dialog was good; UCSFC fears a public backlash of people coming into the process at the last minute and saying "we never heard about this."
10/26/2012	William	Mee	United Communities of Santa Fe	email			3. UCSFC commends the presentation by staff member Sarah Ijadi to the Board of County Commissioners on October 9th. The presentation made a number of admissions of the gaps in the Draft Code and the need to come out with a new document. UCSFC maintains its past position that the Draft Code is a good framework and we just need to plug in the detail and then test how it works for the individual homeowner, small businessman, small developer, medium developer, large developer, neighborhood association, homeowners' association and the County.
10/26/2012	William	Mee	United Commu	email			4. UCSFC would like a timeline for the issuance of a 'redraft' of the Code.
10/26/2012	William	Mee	United Communities of Santa Fe	email			5. In the County's database of comments, we prefer to list comments as received and not consolidate them because sometimes the subtlety of the comments is lost. There can however, be a compilation/summary of comments that is made and released to the Board of County Commissioners.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities	email			6. The reissuance of the Draft Code should utilize a redlining and track changes feature of a MSWord software.
10/26/2012	William	Mee	United Communities of Santa Fe	email			7. As you know, UCSFC submitted a list of comments on Code Chapters 1-4 back on February 13, 2012 (and the Code Chapter 1-5 back in 2009). These comments and corrections were generally not included in the 9-11-2012 Draft Code. There may be reasons, such as legal, for why things cannot be included, and we request that in the future these reasons to publicly complied and released.
10/26/2012	William	Mee	United Communities of Santa Fe	email			8. The “Goals, Policies and Strategies” in the Sustainable Growth Management Plan are not always reflected in the Draft Code as one would suspect these actionable items to be.
10/26/2012	William	Mee	United Communities of Santa Fe	email			1. Throughout the document the terms “Official Map” and “Zoning Map” are used interchangeably when they are actually one and the same (in Appendix there are definitions for Official Map, Official Zoning Map, and Zoning Map, Official). For consistency “Official Zoning Map” should be used throughout the document.
10/26/2012	William	Mee	United Communities of Santa Fe	email			2. The Code needs to give a detailed legal background on why things are in the Code as they are. Listing state statutes and then explaining more terms in the definitions of the Appendix.
10/26/2012	William	Mee	United Communities	email			3. UCSFC would like to see more cross references to the Sustainable Growth Management Plan.
10/26/2012	William	Mee	United Communities of Santa Fe	email			4. The phrases: “consistent with the Code” and “consistent with the SGMP/Plan” are used throughout the Code. There are no definitions of this, so the point that is trying to be made in each instance then becomes difficult to determine.
10/26/2012	William	Mee	United Communities of Santa Fe	email			5. Throughout the Draft Code, the Land Use Administrator is allowed to make revisions to the Code, the Official Zoning Map and the Community Plans too easily without a seemingly public process. Noting that there isn’t a Land Use Administrator at present, we would suggest that hiring of such and individual be commenced after the inauguration of Commissioner-Elect Miguel Chavez and that a robust and vigorous public process be engaged in that includes citizen interview panels.
10/26/2012	William	Mee	United Communities of Santa Fe	email			5. Throughout the Draft Code, the Land Use Administrator is allowed to make revisions to the Code, the Official Zoning Map and the Community Plans too easily without a seemingly public process. Noting that there isn’t a Land Use Administrator at present, we would suggest that hiring of such and individual be commenced after the inauguration of Commissioner-Elect Miguel Chavez and that a robust and vigorous public process be engaged in that includes citizen interview panels.
10/26/2012	William	Mee	United Commu	email			7. “Community Plan” is often expressed as “Community plan.”
10/26/2012	William	Mee	United Communities of Santa Fe	email			8. In the part of the Code that discusses CO’s and RO’s that only the latter have the right of "notice" of pending development. This needs to be corrected.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities of Santa Fe	email			9. UCSFC has added a new Mediation component to: a new 3.6 and 4.7.3. During the two BCC study sessions this component was requested by some BCC members. At our October 25, 2012 meeting UCSFC members and other general public attendees warmly embraced Mediation.
10/26/2012	William	Mee	United Communities of Santa Fe	email		1	1.3 EFFECTIVE DATE. The SLDC shall become effective thirty (30) days after recordation the SLDC and the accompanying zoning map. UCSFC: The above doesn't read right (recordation "of" the SLDC? Recordation might be a legal term of art, but it is better represented in the form of general language usage), We suggest the following (it also outlines the future process): 1.3. EFFECTIVE DATE. The SLDC shall become effective thirty (30) days after recording the SLDC and the accompanying zoning map with the Santa Fe County Clerk's Office.
10/26/2012	William	Mee	United Communities of Santa Fe	email		1	We would put "Planning Commission" in quotes since you are introducing the term for the first time. Then in the Appendix We would cite the state statute that authorizes such a body.
10/26/2012	William	Mee	United Communities	email		1	Should be changed to: Developments of County-wide Impact; listing is missing Madrid Ordinance #2002-1 (listed in Chapter 9) and San Marcos Ordinance #2010-6.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	Suggested new language: 2.1.4.5. 8 AMENDING A COMMUNITY PLAN 2.1.4.5.8.1. Proposals to amend an existing Community Plan may be made : a.at the direction of the BCC or Planning Commission b.by County Planning acting upon a public request for amendment c. By a planning committee approved by the BCC d. By a CPO approved by the BCC for the specific geographic area encompassed by the Community Plan. 2,1,4,5,8,2, COMMUNITY PLANNING AMENDMENT PROCESS The amendment process is initiated by either a written directive to the Administrator by the BCC or through the filing of a proposal application to the administrator by any of the entities listed in 2.1.,4.5.8.1. The proposal Application must : A. Clearly identify the entity that is proposing the amendment. If the proposed amendment is being submitted by Planning as part of a public request, the identity of the requester must be clearly stated and any corporate affiliations or links identified.; B .state the date that the amendment proposal has been submitted; C. List the organizations, entities, and Agencies that the proposed amendment has been provided to for comment. D. Include Any responses received E. Present all proposed amendments to the existing plan, together with any existing language, charts, maps, and/or numbered sections that have relevance to the proposed changes. F. state an explanation that justifies the proposed amendments, G. provide a map of the existing community plan boundaries. 2.1.4.5.9. The Administrator will review the application for completeness and notify all parties listed in 2.1.2.5.8.1 and any organization with standing that an application for a community plan amendment has been received.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	Title should read: "2.1.4.6. Review and Adoption of Community Plan Amendments. ". Section 2.1.4.6.1 should be edited as follows, "County planning staff shall review and analyze the proposed amendment for consistency with the SGMP. ". Additional sections should be added stating the following: ** Proposed amendments originating with County Staff shall be reviewed by either the Community Plan's "planning Committee" or by its approved CPO and any organization with standing. **All reviews shall be incorporated into the public record by the Administrator. And shall be made available to the public at any subsequent public heating. ** The Administrator shall hold either a legislative or quasi-judicial public hearing upon the proposed amendment, as described in Chapter 4, or shall request that the BCC conduct such a public hearing.
10/26/2012	William	Mee	United Communities	email		2	Add " Notice will also be placed on the County Web-Site, and sent via E-mail to all organizations with standing.. "
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	Edit as follows: Implementation. Following approval of a community plan amendment, County staff shall develop the appropriate overlay district(s) changes to implement the Community Plan amendments.
10/26/2012	William	Mee	United Communities	email		2	Add: The BCC shall approve or reject recommendations for amendments to a Community Plan following the process described in 2.1.4.5.8.
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	Edit as follows: The Board, the Planning Commission or the Administrator may initiate proposed amendments to the Community Plans. Proposed amendments to a community plan shall be accomplished through the procedure set forth in 2.1.4.5.8..
10/26/2012	William	Mee	United Commu	email		2	Add "All recommended amendments shall be processed as described in 2.1.5.8."
10/26/2012	William	Mee	United Communities	email		2	This section should reference the Chapter 9 on page 199. Likewise, the District Plans, like San Marcos, should be included in Chapter 9.
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	examples of "organizing documents of a CO" should be given: Charter, Articles of Incorporation, Bylaws, etc. Also, the term "Board" should be spelled out to be the BCC or the Board of County Commissioners so it is not confused with a CO board.
10/26/2012	William	Mee	United Communities	email		2	Add a new section, 2.2.2.3.8, stating, "Description of the member's official representation of other organizations within the Community."
10/26/2012	William	Mee	United Commu	email		2	Use Board of County Commissioners instead of "Board"
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	Add "public infrastructure project in the CIP/ICIP" as follows: The right to participate and make recommendations in the development of a community strategic work plan, studies, public infrastructure project in the CIP/ICIP, public improvement and assessment districts, and levels of service for community infrastructure and services;
10/26/2012	William	Mee	United Communities of Santa Fe	email		2	provide acronym as follows: The right to participate in CO leadership retreats and training programs which may include an annual Congress of Community Organizations (COCO), as applicable.

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10/26/2012	William	Mee	United Communities	email		2	Clarify as follows: A list of the organization's topic(s) of interest, i.e., an officially designated neighborhood association;
10/26/2012	William	Mee	United Communities	email		3	We could see that the temporary installation of story poles to publicly display building heights could be a function.
10/26/2012	William	Mee	United Communities	email		3	We like the 3 consecutive terms but 4 would coincide with the Commissioner's maximum term.
10/26/2012	William	Mee	United Communities	email		3	Add "A Hearing Officer shall be an independent contractor hired through a competitive proposal process with the qualifications as specified in 3.5.4. "
10/26/2012	William	Mee	United Commu	email		3	Add section 3.6 to address mediation
10/26/2012	William	Mee	United Commu	email		4	"As needed" --- what does this mean?
10/26/2012	William	Mee	United Communities of Santa Fe	email		4	Family Transfer In traditional community "Studies, Reports Assessment" changes from "as needed" to "no" Family Transfer Outside of traditional community (Remains as same on Table 4-1) Development permit residential Individual lot owner (Remains as same on Table 4-1) Development permit residential Developer lot owner Change to "yes" for Discretionary Review, Pre-application meeting, Pre-application neighborhood meeting Minor subdivision Change to: Minor subdivision Preliminary plat Change to "yes" for Discretionary Review, Pre-application meeting, Pre-application neighborhood meeting, and Agency review
10/26/2012	William	Mee	United Communities of Santa Fe	email		4	he City uses "Conceptual" and the promises, made to a neighborhood under conceptual are not legally enforceable by a neighborhood association in District Court. Shouldn't also a copy of the TAC report be given to the applicant for presentation to the Community?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities of Santa Fe	email		4	We are uneasy with the 500 and 100 foot issues. In the past Code and City it was 200 feet. In rural areas this is nothing. But in urban 500 foot is a lot. Perhaps having different standards for SDA 1, 2 & # would work better. Or that staff helps determine this distance with a chart. Ideally, in the four directions at least 4 neighbors would be notified. Perhaps the requirement should be to find 5-8 neighbors.
10/26/2012	William	Mee	United Commu	email		4	What is the definition of “Reasonable effort” ? at least a Registered Mail?
10/26/2012	William	Mee	United Communities of Santa Fe	email		4	This section should have a thirty (30) day requirement because a subdivision can have a major impact on a community/neighborhood. Yet, the 4.9.5.2 Posting (15 days) and 4.65.3 Supplemental Notice is weak.
10/26/2012	William	Mee	United Commu	email		4	Add new section, 4.7.3, addressing mediation
10/26/2012	William	Mee	United Commu	email		4	These should not be included
10/26/2012	William	Mee	United Communities	email		4	Add "(i.e., geography)" after "...exceptional situations or conditions of the property"
10/26/2012	William	Mee	United Commu	email		4	Capitalize "code"
10/26/2012	William	Mee	United Communities	email		5	development order should be title capitalized and reference to the page 320 definition given.
10/26/2012	William	Mee	United Communities	email		5	Wasn’t this formerly restricted at 160 acres? How many parcels can you cut up into 35 acres without any oversight? Same is true in 5.4.3.11. Large Parcels.
10/26/2012	William	Mee	United Communities of Santa Fe	email		5	The table is statutorily based but We are wondering if there is a need to break it out by SDA 1, 2 &3. Can someone doing a minor subdivision break it into phases of 2-5 lots done every month for life---a 100 lot subdivision just transfer the unsubdivided lot into another holding companies name
10/26/2012	William	Mee	United Communities	email		6	We know this has been spelled out before, but many will turn to this Chapter first in the future.
10/26/2012	William	Mee	United Communities of Santa Fe	email		6	New section, 6.1.2.6, stating "Community Impact Assessment (CIA). This study is prepared by a qualifying Community Organization (CO) and is submitted to the Administrator. The study evaluates the impacts on the local community by the applicant's project."
10/26/2012	William	Mee	United Commu	email		6	The “As Needed” is not defined.
10/26/2012	William	Mee	United Commu	email		6	Floor Area Ratio not yet spelled out; shouldn’t use acronym until spelled out.
10/26/2012	William	Mee	United Commu	email		6	slopes greater than 11%? Wasn’t old Terrain Management guidelines 8% and 15%?
10/26/2012	William	Mee	United Communities	email		6	“within a five (5) mile radius of the proposed project site perimeter.” Wouldn’t it be better to have a chart by SDA 1 one mile, SDA 2, 2 miles and SDA 3 5-10 miles?
10/26/2012	William	Mee	United Communities	email		6	How do you appeal this process? As the developer or as the neighborhood association?
10/26/2012	William	Mee	United Commu	email		6	Note definition for gray water.

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10/26/2012	William	Mee	United Communities	email		7	We know you have included the above but there are also a set of “Solar Rights” in New Mexico Statutes that should also be referenced
10/26/2012	William	Mee	United Communities of Santa Fe	email		7	Something should be in this 7.6 Landscaping and Buffering section about the planting of invasive trees as prohibited by the N.M. Department of Agriculture (Russian Olives, etc.). A definition of “invasive” (and weeds) should be added to the Appendix.
10/26/2012	William	Mee	United Communities of Santa Fe	email		7	Sometimes the 6 foot height requirement is too high if for instance the fence is on the north side of a residence and blocks the sun from melting ice. Five foot might be better. Then sometimes the 8 foot maximum height requirement is too short and an 10 might be better. Maybe some pictures are in line here…..
10/26/2012	William	Mee	United Communities of Santa Fe	email		7	4. In subdivisions along the perimeter of a tract or parcel that abuts a lot with an existing non-fire proof fence, or a wooden structure within fifteen (15) feet, only fire-proof materials may be used (chain link, stone, rock, concrete block, masonry brick, brick, decorative wrought iron, or adobe).
10/26/2012	William	Mee	United Communities	email		7	Here I’m concerned with the free standing solar lights that are often colored for existing homes and how to enforce this.
10/26/2012	William	Mee	United Commu	email		7	Reference invalid. Section 8.8.4 isn’t in Code.
10/26/2012	William	Mee	United Commu	email		7	In rural districts the 4 x 8 sign should be allowed.
10/26/2012	William	Mee	United Commu	email		7	Add “Culverts shall be installed with a downside gravity flow….”
10/26/2012	William	Mee	United Commu	email		7	Should it be 8-9%?
10/26/2012	William	Mee	United Communities	email		7	Can planting medians have curb cuts to take advantage of harvested rainfall? As they do in Tucson.
10/26/2012	William	Mee	United Commu	email		7	Distances in this table should be reexamined.
10/26/2012	William	Mee	United Communities	email		7	What are the standards for doing a reconnaissance report? Put in Appendix the definition.
10/26/2012	William	Mee	United Commu	email		7	add "(under direct physical supervision)"
10/26/2012	William	Mee	United Communities	email		7	Add acequias as follows: "Irrigation using water derived from an Acequia Association, informal acequia or other agricultural irrigation system. "
10/26/2012	William	Mee	United Communities	email		7	Add "The County water division shall supply Mutual Domestic Water Associations (need definition in Appendix) with such literature."
10/26/2012	William	Mee	United Commu	email		7	As Built Plans.
10/26/2012	William	Mee	United Communities of Santa Fe	email		7	Does the proposed Code provide any process to deal with home-owners association (well agreements/road agreements) that has gone bankrupt or no longer has an elected board? Many roads have passed to County this way. Bonds?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities of Santa Fe	email		8	36 foot standard does not accommodate silos over 40 feet. What about grading/regrading including in a buildings height? Our 34 foot tall school on the regarded lot was 40 feet then the architect moved it into the area where the 6 foot came off and the effective height is 28 feet.
10/26/2012	William	Mee	United Communities of Santa Fe	email		8	In Agua Fria we have a usable lot 65 feet in width. Some are also 4 and 16 feet wide. What is diff on Frontage? Mixed use and Planned development have a 48 foot tall standard ---seems too high. What are the Reservations in 8.10.3 through 8.10.8?
10/26/2012	William	Mee	United Communities	email		8	Instead of District should it be area? Because we have Contemporary Districts Plans.
10/26/2012	William	Mee	United Communities	email		8	What is the Ldn contours in 8.11.6.2? Or the: 1. Ldn Zone 1. ?
10/26/2012	William	Mee	United Commu	email		9	Missing San Marcos and Galisteo?
10/26/2012	William	Mee	United Communities	email		10	How do you establish principal use? Could use be established by an Affidavit? Often people want to build a barn/tool storage before the primary residence.
10/26/2012	William	Mee	United Commu	email		10	What about garage conversions?
10/26/2012	William	Mee	United Communities	email		10	This is not the current policy; it is more of issue them and than work towards compliance.
10/26/2012	William	Mee	United Commu	email		10	Could be as early as 7 am.
10/26/2012	William	Mee	United Communities of Santa Fe	email		10	On Appointments/patron visits, the answer “none” could be read as “no maximum.” On Signage “not permitted” could be read as “no permit required.” On Parking access “no impact” should be changed to: “a standard of no impact on neighbors” 6 non-residential employees was the max in old code.
10/26/2012	William	Mee	United Communities of Santa Fe	email		10	On Appointments/patron visits, the answer “none” could be read as “no maximum.” On Signage “not permitted” could be read as “no permit required.” On Parking access “no impact” should be changed to: “a standard of no impact on neighbors” 6 non-residential employees was the max in old code.
10/26/2012	William	Mee	United Commu			10	State "construction materials/stagnant rainfall. "
10/26/2012	William	Mee	United Commu			10	What about a folding sign?
10/26/2012	William	Mee	United Commu			10	add "(i.e., a push cart)" after "…conveyance utilized"
10/26/2012	William	Mee	United Communities of Santa Fe			10	All itinerant vendors shall place at least one (1) thirty (30) gallon garbage rainproof receptacle upon the site of business for customer use, and plastic bags to be changed daily if food is served.
10/26/2012	William	Mee	United Commu			10	Hours of Operation: 7. a.m. to 8 p.m. (Sunrise to sunset).

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Commu			10	Should be 8 feet.
10/26/2012	William	Mee	United Commu			10	Add "Solar lighting shall be acceptable."
10/26/2012	William	Mee	United Communities of Santa Fe			11	Add: 11.2.6. Riparian and Acequia alteration. Example is the recent Pecos River realignment where no permits were required.
10/26/2012	William	Mee	United Communities of Santa Fe			11	Add: 11.2.6. Riparian and Acequia alteration. Example is the recent Pecos River realignment where no permits were required.
10/26/2012	William	Mee	United Communities of Santa Fe			12	Add: 12.2.3.7. Plans of an individual Community's needs as prepared by a CO or the County.
10/26/2012	William	Mee	United Commu			12	APFR not AFPA
10/26/2012	William	Mee	United Commu			12	Add construction commences within two years….
10/26/2012	William	Mee	United Commu			12	Should be OFFICIAL ZONING MAP.
10/26/2012	William	Mee	United Commu			14	Shouldn't we add Occupancy as CID knows them?
10/26/2012	William	Mee	United Commu			14	We should add Ordinance: #2009-11.
10/26/2012	William	Mee	United Communities of Santa Fe			Appendix A	Add definitions for: Acequia, Airspace Notification Map definition, Antiquated Subdivision, BCC to Board, Community Water System (see also Mutual Domestic Water Association), CUP to Conditional Use Permit, Family Domestic Partner, Family Compound, Historic Register, ICIP, Invasive species, LDN page 96, MU to mixed use, Reconnaissance report, <Reserved> what does it mean legally, Subdivision, Summary Review---explain this because you just referred people from another page, Traditional Historic Community (THC), Tree, invasive

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	William	Mee	United Communities of Santa Fe			Appendix A	Add acronym and abbreviation defintions for: AASHTO APFA ASHRAE page 145 ANSI American National Standards Institute BCC BLM DCI EIR EPA HERS IESNA page 103 Lnd RESNET O-HP Historic Preservation Overlay MU mixed use [Zoning District] NMDOT PID Public Improvement District SHPO page 149 SDA SGMP SLDC SRA TAC WSAR Water Service Area Report
10/26/2012	Kim	Sorvig		email		1	The language "without fear of being overridden by newly adopted regulations" should be deleted. It is vague and subject to abuse. The County cannot guarantee that approvals are "without fear" of anything, and this language could embroil the County in lawsuits. "Vested rights assuring completion of approved stages" is a clearer guarantee without the likelihood of being misconstrued.
10/26/2012	Kim	Sorvig		email		1	County should not commit to "maximize" any private economic return. This kind of phrasing has been used to force economics into the dominant position in development planning, which is the opposite of what the community wants. Thus, I suggest substituting 'encourage' here
10/26/2012	Kim	Sorvig		email		1	add graywater
10/26/2012	Kim	Sorvig		email		1	add " and retrofitting of solar, wind, rain catchment, and graywater where appropriate"
10/26/2012	Kim	Sorvig		email		1	Delete "including but not limited to pipelines, wells and isolation valves," This clause is specific to oil and gas, which is covered in the incorporated Ordinance. The clause is too specific for other DCIs and should be deleted to provide broader requirements for DCIs such as gravel operations.
10/26/2012	Kim	Sorvig		email		1	Replace "will be available" with "provided as part of each approved development"

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		1	add "and by assuring that provision of adequate public facilities and services is a condition of development approval with costs born proportionally by each development " after "on or off-site"
10/26/2012	Kim	Sorvig		email		1	specify scenic vistas AND STRUCTURES
10/26/2012	Kim	Sorvig		email		1	Delet " until amended following adoption of Chapter 11, Developments of County Impact." replace with "and is incorporated by reference following adoption of Chapter 11, Developments of Countywide Impact, until and unless specifically amended."
10/26/2012	Kim	Sorvig		email		1	add "except that regarding definitions of terms specific to oil or gas development Ordinance 2008-19 shall take precedence over conflicting definitions in the SLDC."
10/26/2012	Kim	Sorvig		email		2	add "Community and District Plans shall not override any regulations concerning Developments of Countywide Impact"
10/26/2012	Kim	Sorvig		email		2	Add " showing proposed amendments" after "community boundary"
10/26/2012	Kim	Sorvig		email		4	Add "County roads shall be subject to the same standards as all other road construction'\"
10/26/2012	Kim	Sorvig		email		4	As a general not: there MUST NOT be any clause ANYWHERE in the SLDC that requires approval of any proposed project solely because review failed to be completed within a specified time period. THere can be penalties for failure to complete, but NOT automatic approval as a penalty
10/26/2012	Kim	Sorvig		email		4	specify only one expansion
10/26/2012	Kim	Sorvig		email		4	IS THERE A MISSING SECTION HERE??
10/26/2012	Kim	Sorvig		email		5	Delete "immediate family member". As written, this clause would allow a parent with twelve children to sell or give twelve parcels out of a single tract. This MUST be deleted or changed.
10/26/2012	Kim	Sorvig		email		5	add "and does not results in any parcel smaller than the minimum local lot size as determined by this SLDC"
10/26/2012	Kim	Sorvig		email		5	add "provided that such division does not create parcels smaller than the local minimum lot size as determined by this SLDC."
10/26/2012	Kim	Sorvig		email		5	Add "This provision shall not be construed to permit creation of lots smaller than the local minimum lot size as determined by this SLDC"
10/26/2012	Kim	Sorvig		email		5	Replace "If the Administrator fails to approve or reject the minor subdivision plat within thirty (30) days after that notice, the Administrator shall, upon written demand from the applicant, issue a certificate stating that the minor subdivision plat has been approved." with "the County shall be subject to fines not to exceed on hundred dollars ($100) per day in excess of thirty (30) days past the notice. Under no circumstances shall failure to approve or reject a subdivision plat within any time period be construed as grounds to approve summarily a plat that does not conform to the standards of the SLDC."

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10/26/2012	Kim	Sorvig		email		5	Specify extension once by majority vote of the Board, or as agreed
10/26/2012	Kim	Sorvig		email		5	and assurance of sustainable water supply for the proposed use
10/26/2012	Kim	Sorvig		email		5	Add "water supply from any source,"
10/26/2012	Kim	Sorvig		email		5	Add "Phased development shall not constitute a vested right; all aspects of development other than plat approval shall be subject to approval. "
10/26/2012	Kim	Sorvig		email		5	Replace "issue a certificate stating that the final plat has been approved." with " pay a fine not to exceed one hundred dollars ($100.00) per day past the thirty days after notice. In no case shall failure to act within a specified time be construed as requiring approval of a final plat that substantially fails to meet the conditions of the SLDC."
10/26/2012	Kim	Sorvig		email		5	Add section stating, "the impacts of proposed impervious surfaces such as paving upon local and regional precipitation runoff, erosion, and sedimentation;"
10/26/2012	Kim	Sorvig		email		5	Add "from erosion and sedimentation such that no increase in off-site runoff occurs" after "The applicant shall cause all grading, excavations, open cutting, and similar land surface disturbances to be mulched or otherwise protected."
10/26/2012	Kim	Sorvig		email		5	Add ", and all work to control or prevent increased runoff,erosion, and/or sedimentation"
10/26/2012	Kim	Sorvig		email		5	ADD SECTION: Nothing in this section shall be construed to exempt inspection of plantings, lighting, irrigation, retaining walls, or any other structural or grading modification of the developed property.
10/26/2012	Kim	Sorvig		email		5	Add "completion of" all specified actions
10/26/2012	Kim	Sorvig		email		5	Add "Such disclosure must include specific and clear notice of any severed mineral or water rights affecting the property, including the names and contact information of the owners of subsurface rights. Such disclosure is required by the Board, and disclosures lacking this information shall not be accepted to fulfill the requirements of this section."
10/26/2012	Kim	Sorvig		email		6	Add "or by the Board under 5.13.1 above " after "However, any information required in the New Mexico Subdivision Act"
10/26/2012	Kim	Sorvig		email		6	Add existing water, oil, or gas wells and mines, whether in current use or abandoned to the requirements
10/26/2012	Kim	Sorvig		email		6	Add "and for any phased development on property in common ownership"
10/26/2012	Kim	Sorvig		email		6	ADD SECTION: any additional information required for Developments of Countywide Impact.
10/26/2012	Kim	Sorvig		email		6	Add ", in the judgment of the Administrator and staff to whom such information must be submitted as confidential," after "No EIR or SRA prepared pursuant to this Chapter that is available for public examination shall require the disclosure of a trade secret, except where the preservation of any trade secret involves"

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10/26/2012	Kim	Sorvig		email		6	Add "except that such County or public water utilities shall be expressly prohibited from providing water or water rights for use in any mining, drilling, or hydraulic fracturing operation regardless of location" after "For water supply, if the County's water utility or a public water system provides potable water to a proposed development and has issued a letter indicating it is ready, willing and able to serve, no AFPA is required for water."
10/26/2012	Kim	Sorvig		email		6	Mining, drilling, and hydraulic fracturing operations shall be expressly prohibited from using potable water for such operations, regardless of the source of water or the location of the project. Such projects must be analyzed with respect to the availability of adequate non-potable water, with potential to consider as offsetting factors any independently documented processes of recycling and/or purification of water to Federal drinking water standards.
10/26/2012	Kim	Sorvig		email		6	Specify sufficient water supply from the same sources as previously assessed
10/26/2012	Kim	Sorvig		email		6	Add " without compromising general public and private traffic on the same roads"
10/26/2012	Kim	Sorvig		email		6	Add " without compromising adequate levels of service for users not associated with the development "
10/26/2012	Kim	Sorvig		email		6	Add ", nor shall development-generated traffic increase heavy vehicle traffic at any time by more than 5% of the average heavy vehicle usage prior to the development."
10/26/2012	Kim	Sorvig		email		6	Add "Development-related traffic, including heavy vehicles, shall not be parked or stored on any public right of way or private property not belonging to the developer."
10/26/2012	Kim	Sorvig		email		6	Add "Standards for oil and gas access are governed by Ordinance 2008-19, which takes precedence over this section and requires minimized clearance, grading, and disturbance."
10/26/2012	Kim	Sorvig		email		7	Add "In case of any conflict with this section, development of oil and/or gas shall be governed by Ordinance 2008-19, with the stricter requirement applying in all cases. Terms defined in this Chapter 7 shall not over-rule definitions specific to oil and/or gas development as defined in 2008-19."
10/26/2012	Kim	Sorvig		email		7	add "s" to "meet"
10/26/2012	Kim	Sorvig		email		7	Replace "development site whenever to the extent practicable " with "footprint area of structures and a reasonable area for construction operations"
10/26/2012	Kim	Sorvig		email		7	specify native trees
10/26/2012	Kim	Sorvig		email		7	specify stormwater retention

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		7	Replace "retaining native materials or using grass, groundcovers, or low growing shrubs having a maximum mature height not exceeding two feet, or be treated with a non-vegetative cover such as bark mulch or gravel." with "provided that no planting or other landscape element in this area exceeds two feet in height or blocks visibility for drivers, cyclists, pedestrians, or other users. Retention of native materials is encouraged; grasses, groundcover plants, low shrubs, and non-vegetative cover such as bark or gravel may be used. The owner is responsible for keeping any such materials from interfering with use of the road."
10/26/2012	Kim	Sorvig		email		7	Unclear why this is in different font and grayscale?
10/26/2012	Kim	Sorvig		email		7	An "interior" parking lot is one lolcated in a parking structure. This term is confusing and unnecessary and should be deleted throughout this section. "Interior landscaping" has a specific meaning: houseplants
10/26/2012	Kim	Sorvig		email		7	This is contradictory: islands are 5', yet each must contain a tree, which requires 7'
10/26/2012	Kim	Sorvig		email		7	39 spaces in two rows, with two-way driving between the rows consumes over 12000 sq. ft., or more than 1/4 acre. Setting 40 spaces as the minimum threshold to require planting is too low. Planting intervals should be 0-19; 20-100; 100+
10/26/2012	Kim	Sorvig		email		7	6 feet instead of 5
10/26/2012	Kim	Sorvig		email		7	Delete references to "interior"
10/26/2012	Kim	Sorvig		email		7	Add, "Location of tree plantings shall be designed to provide the most effective shade and windbreak for the parking area. Smaller plantings shall be located to provide visual interest and to avoid interfering with car doors or movement of pedestrians."
10/26/2012	Kim	Sorvig		email		7	ADD NUMBER: fences or walls that are solid below and incorporate openwork, trellis, or lattice from five and one-half (5.5) feet upwards may be considered solid screens for purposes of this section. Trellises with vines, as well as planted "greenwalls," may be used for screening if they provide a year-round mass of vegetation that effectively blocks views into the parking area.
10/26/2012	Kim	Sorvig		email		7	ADD NUMBER: Alternative irrigation: permanent irrigation may be waived for specific landscaped areas if the owner and designer submit a water harvesting plan which will capture sufficient precipitation to maintain the species planted. Such plans may combine water capture with graywater and other alternative sources, and shall be encouraged where feasible in order to conserve water.

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10/26/2012	Kim	Sorvig		email		7	The added section strikes me as a loophole; it suggests some important issues, but primarily gives excuses not to landscape. I suggest the replacement text shown. Whatever this section retains in the final draft, it should NOT be a simple administrative decision to allow landscape work to be eliminated. Replacement language as follows: The landscape standards in 7.6.4 through 7.6.9.5 may be modified in special circumstances, provided that immediate neighbors are properly notified and do not object. Alternative landscape approaches may be used: 1. to protect and fit in with the existing character of native vegetation, provided that existing lack of vegetation due to prior clearing or grazing of the area shall not constitute a reason to eliminate landscaping requirements 2. where screening would itself be highly obtrusive, in which case re-siting of the unscreened structure may be required as appropriate 3. where there is no current or foreseeable neighbor(s) or other users to benefit from screening 4. where existing vegetation, in good health and with a reasonable life expectancy, provides adequate screening or buffering, or where topographic features do so
10/26/2012	Kim	Sorvig		email		7	7.7.5.2-1. would prohibit recycled materials and outlaw many creative and historic fences already existing in the County. Suggest replacing this as follows: "recycled or scrap materials UNLESS thoroughly incorporated into a fence or wall structure that is durable, non-hazardous to passersby, appropriately opaque or open to fit the character of the site, with the components visually organized to create unified patterns or textures on all publicly visible surfaces;"
10/26/2012	Kim	Sorvig		email		7	7.8.2.2 is completely duplicate of previous section. Delete.
10/26/2012	Kim	Sorvig		email		7	Add " Where IES standards offer a range of illumination levels, the minimum level shall be used unless there the owner presents a compelling reason for brighter illumination."
10/26/2012	Kim	Sorvig		email		7	Add "Individual lamps producing 900 lumens or less do not require shielding. Groups of such lamps may not produce cumulative lighting levels in excess of those permitted under 7.8.3.6, and may be subject to shielding or other controls if they produce glare or spillover. A fixture is fully shielded when, as installed, it emits no light rays at angles above a horizontal plane running through the lowest part of the fixture, as certified by the manufacturer's photometric report. Signs constructed of translucent materials and lit from within do not require shielding but may not produce glare, spillover, or illumination levels in excess of those permitted under 7.8.3.6."
10/26/2012	Kim	Sorvig		email		7	nformation here is out of date. LEDs should be preferred or required; incandescent should be last choice among permitted types; HP sodium, metal halide, and halogen should be reserved for sporting events; LP sodium should be prohibited explicitly. I can provide web sources on which I base these concepts; they involve energy efficiency, labor costs and lifespan, and unpleasant color temperature of some lamp types. The table layout mixes types of information and is confusing. I will attempt to paste in another table; if it cannot be pasted, I can send it separately by e-mail in Word format.

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10/26/2012	Kim	Sorvig		email		7	Specify "The lowest fixture height that can serve the lighting purpose shall be used in all cases; lighting specifically focused on paths and other items needing illumination shall be preferred to broadcast floodlighting over large areas."
10/26/2012	Kim	Sorvig		email		7	This table is also confusing. It shows Nonresidential uses, with a column for Residential, and Residential with a column for Commercial. The values given are excessively high, biased toward commercial, and out of date, typical of the 1970s. Suggested values are in Comment bubble. Also, the standard unit is the Lux (1 lumen per square meter) or footcandle (1 lumen per square foot). 1 FC = 10.76 lux; 1 lux = .09 FC.
10/26/2012	Kim	Sorvig		email		7	There does not appear to be a corresponding 8.8.4 ??
10/26/2012	Kim	Sorvig		email		7	add "including" between "signs, signs"
10/26/2012	Kim	Sorvig		email		7	Section should be 7.9.5? Units should be in footcandles or lux throughout, for consistency. footlamberts are so technical (and old) that it is hard even to find a definition on the web, let alone a conversion equation. The values for direct illumination seem excessive.
10/26/2012	Kim	Sorvig		email		7	Add "Nothing in this section shall prevent establishments from sharing parking if their demand schedules for parking are different."
10/26/2012	Kim	Sorvig		email		7	Add "Where paved parking is required, permeable pavement materials shall be used if technically feasible. Permeable paving may be used for parking stalls only in areas of high traffic, or for stalls and access lanes in low-traffic lots. Infiltration through permeable pavement shall be considered in calculating the requirements for stormwater control structures, which may be reduced by the volume infiltrated."
10/26/2012	Kim	Sorvig		email		7	Replace "on the same lot as principal use" with "or adjacent to the lot containing the principal use. Where located on an adjacent lot, the developer must provide and the owner must maintain safe access from the adjacent parking to the place of principal use. Nothing in this section shall prevent the establishment of shared parking agreements per section 7.10.6."
10/26/2012	Kim	Sorvig		email		7	For multi-use developments, the number of accessible spaces shall be calculated based on the sum total of all parking provided for the development. Accessible spaces for multi-use and large lots shall not be centralized, but shall be distributed regularly across the building frontages to provide the closest possible access to the largest number of entries to establishments.
10/26/2012	Kim	Sorvig		email		7	Add "Where there are multiple entrances from the same lot, accessible spaces shall be distributed near all entrances, rather than centralized, to the greatest extent possible."
10/26/2012	Kim	Sorvig		email		7	add "Of the remainder of the lot uses permeable paving, the accessible spaces shall also use it."
10/26/2012	Kim	Sorvig		email		7	Reference 1. Context Sensitive Highway Design, US Federal Highway Agency, https://www.fhwa.dot.gov/context/ and NMDOT Context Sensitive Design guidelines.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		7	ADD NUMBER: Drainage, erosion, and sedimentation related to roads. Design, construction, and maintenance of all County roads shall be subject to the same stormwater, erosion, and sedimentation regulations as other projects in the County. In specific, County roads shall conform to all requirements of section 7.17.5.3, requiring all runoff generated by new impervious surfaces to be retained and infiltrated on-site, with no increased overland flows leaving the road right of way and no constricting fill in watercourses. County roads must comply with the erosion, sedimentation, and re-vegetation requirements of the federal NPDES regulations. Plans for County roads shall be subjected to the same design and construction standards that would apply to any other development, and shall be reviewed by the County Planning Department, whether or not County Public Works is required to obtain formal permits for such work.
10/26/2012	Kim	Sorvig		email		7	Rewrite as follows: "Adequate provisions for drainage shall be installed at all waterway crossings. Paved and stabilized low water crossings shall be deemed adequate provision for rural roads crossed by existing arroyos, and shall be used to avoid placing major fill in arroyos to accommodate culverts. Culverts, where used, shall be sized to accommodate a one hundred (100) year storm; if the 100-year storm calculation would result in a culvert smaller than eighteen (18) inches in diameter, a low water crossing shall be used. Culverts shall also be of sufficient gauge or thickness and length, and placed appropriately deep to withstand projected traffic loading and storm runoff.
10/26/2012	Kim	Sorvig		email		7	Curbs should NOT be a one-size-fits-all requirement for ALL County roads. (Visit CR 42, ca. 1.25 miles east of NM 14, for examples of mis-use of curbs that actively cause erosion and sedimentation on the roadway.) On all rural roads, curbs should be used ONLY where actually needed for drainage control.
10/26/2012	Kim	Sorvig		email		7	Replace "be dedicated to the County" with "with raised, paved sidewalks"
10/26/2012	Kim	Sorvig		email		7	Curbs must not concentrate surface flow of water in such a way as to increase turbulence and erosion at the edges of pavement.
10/26/2012	Kim	Sorvig		email		7	Delete "and shall provide for arc radius, as required for arterial roads.". This is entirely unclear and appears unnecessary.
10/26/2012	Kim	Sorvig		email		7	add "for new construction. Non-conforming driveways already in existence before the adoption date of this Code shall not be subject to any mandatory upgrades, widening, drainage, or realignment, nor shall any voluntary redesign of such pre-existing driveways trigger any requirement for the whole driveway to conform."
10/26/2012	Kim	Sorvig		email		7	Delete. Driveways may be shared, per section 7.11.15.4 and for other reasons, but all shared driveways must be part of a written agreement among the owners of the lots served, and such agreement shall run with the land. Existing shared driveways without such agreements must put one in place within two years of the date of adoption of this Code.
10/26/2012	Kim	Sorvig		email		7	Add "Permeable pavement materials shall be encouraged for sidewalks."

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		7	Specify concrete sidewalks. Require that brick, asphalt, unit-paver, and permeable pavement shall conform to appropriate landscape engineering standards. Delete "Other hard surface materials may be used if evidence is shown that the design is coordinated with streetscape and project design."
10/26/2012	Kim	Sorvig		email		7	Replace "shall align with and connect to the Official Map. Multi-Use Paths shall be paved with a minimum 2-inch thick asphaltic concrete top course placed on a 6-inch thick select granular sub-base with weed barrier." with "shall be located in accordance with the Official Map and future revisions of same. Such paths shall be surfaced in materials appropriate to the mix of expected users, with preference for permeable surfacing where this can accommodate the expected users. Design and construction of multi-use paths shall conform to minimum landscape construction standards appropriate to the selected surface material and to site conditions."
10/26/2012	Kim	Sorvig		email		7	For locations with multiple trees in such strips, a continuous planting trench shall be used instead of individual planting pits. Soil in the entire trench shall be amended to encourage root spread and improve the survival of plantings, in accordance with horticultural best practices.
10/26/2012	Kim	Sorvig		email		7	Specify new developments. Add " Nothing in this section 7.13 shall apply to existing private or shared wells or existing water systems; nor shall the owner(s) of an existing well be prevented by the existence of County or community water systems from repairing, re-drilling, or replacing such a well. "
10/26/2012	Kim	Sorvig		email		7	PLEASE SEE ATTACHED WORD DOCUMENT ON THIS TOPIC I find the logic of these requirements very hard to follow. It appears that in SDA-1, already densely populated and already served by utility lines, a home or development can be excused from connecting if more than 330' from a line; but in the other less-dense, rural areas, homes within a quarter or even half-mile must connect. This commits the County to provide far-flung utility service in the outlying areas, and will require many rural homes to pay for a half-mile of pipe, instead of using a well. This does not strike me as the outcome that we (as residents or as government agencies) actually want. I am also not convinced that the same distances can be used to decide the optimal moment for connecting to water and to sewer, since the two systems have very different parameters and efficiency factors. In rural areas with low density, carefully sited septic systems, composting toilets, and possibly constructed wetlands provide highly efficient waste recycling with NO distance-based infrastructure, and make a great contribution to water and energy conservation. The Code should not discourage these systms EXCEPT in areas of high density.
10/26/2012	Kim	Sorvig		email		7	Specify "Nothing in this section 7.13.2 shall apply to existing septic systems; nor shall the owner(s) of an existing septic system be prevented by the existence of County or community wastewater systems from repairing or replacing such a septic system. However, if an existing septic system poses significant and specific risk to groundwater the owner may be required to correct this condition, with one (but not the only) option being to connect to the County wastewater utility."

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		7	Delete "a separate tertiary sewer treatment facility with full grey water capture, treatment and reuse,". Substitute "a system whose output meets tertiary treatment standards and includes grey water capture and reuse"
10/26/2012	Kim	Sorvig		email		7	Add new section, 7.13.2.6 stating, "Nothing in section 7.13.2 shall prevent the installation and use of composting toilets, grey water systems, constructed wetlands for wastewater treatment, or similar alternative wastewater treatment systems, provided that such systems meet all applicable State permit standards and requirements. Where such systems are installed, sewer connection shall not be required if the alternative system provide adequate treatment and reuse."
10/26/2012	Kim	Sorvig		email		7	Insert "using treated potable water from County or community water systems" after "Outdoor watering or irrigation"
10/26/2012	Kim	Sorvig		email		7	Manual watering is far LESS water-conserving than automatic systems that use the current generation of 'smart controller' (those that use sensors to irrigate only when plants require soil moisture). Most states with serious water conservation regulations require smart-controllers, prohibit "clock' controllers, and in many cases, prohibit manual watering. (Several of the subsequent sections refer to irrigation as permissable, and some refer to 'timed irrigation' which is the least desirable and efficient method. Permitting smart-controller systems is the best way to resove these contradictory clauses.) This section needs serious revision.
10/26/2012	Kim	Sorvig		email		7	ADD SUBSECTION: irrigation from a system controlled by a 'smart controller' using sensors to determine actual water requirements for plants; 'clock' controllers are prohibited
10/26/2012	Kim	Sorvig		email		7	ADD NUMBER: All outdoor irrigation systems must be equipped with a rain sensor and 'smart controller' so that the irrigation system does not operate when it is raining or has recently rained.
10/26/2012	Kim	Sorvig		email		7	Make clear "selling OR planting"
10/26/2012	Kim	Sorvig		email		7	Insert, "….as well as extreme or persistent ponding on irrigated surfaces and requiring system adjustment," after "Water system leaks"
10/26/2012	Kim	Sorvig		email		7	MOVE to Outdoor section, above
10/26/2012	Kim	Sorvig		email		7	Subsistitute " automated, 'smart controller'" for "timed"
10/26/2012	Kim	Sorvig		email		7	This gives no indication of where metering IS established, HOW it is or will be established, nor how QUANTITIES are set for a metered property
10/26/2012	Kim	Sorvig		email		7	add "...or for testing and completing of new or repaired plumbing systems, public or private"
10/26/2012	Kim	Sorvig		email		7	Section should be titled 7.13.3.6.2? Add " not designed to be irrigated" after "hard surface"

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		7	Delete "accumulates as to either create individual puddles in excess of ten feet square in size or cause flow along or off of the hard surface or onto adjacent property or the public right-of –way, arroyo, or other water course, natural or manmade. Fugitive water also means, during the irrigation of landscaping, the escape or flow of water away from the landscaping plants being irrigated even if such flow is not onto a hard surface.". Replace with " accumulates covering ten square feet or more, or flows off the property where the flow originates onto adjacent private or public land, right of way, drainage system, or watercourse natural or constructed. Temporary accumulations or puddles on a property being irrigated are not fugitive water; if extreme or persistent, such accumulations may result in an official demand to adjust the irrigation system under 17.13.3.1"
10/26/2012	Kim	Sorvig		email		7	Delete "and a drip irrigation system to serve landscaped areas"
10/26/2012	Kim	Sorvig		email		7	Captured rainwater shall be used for landscape irrigation, for flushing toilets, or in combination with greywater. Use of captured rainwater for any other purpose requires a treatment system certified to potable water standards.
10/26/2012	Kim	Sorvig		email		7	and a drip irrigation system to serve landscaped areas.
10/26/2012	Kim	Sorvig		email		7	ADD NUMBER: New residential structures whose primary heating system is passive solar, or fan-assisted passive solar, shall be exempt from ASHRAE and EPA 'sealed building' standards, but shall provide adequate ventilation throughout the building.
10/26/2012	Kim	Sorvig		email		7	Given that a subdivision CAN refer to a half-dozen small lots, shouldn't there be a minimum total size of development for the full acre requirement? If I have 6 legal quarter-acre lots, that is only 1.5 acres total. "Vest pocket" parks, at the same size as the smallest lot in the development, are of special value and character in dense development. I would urge that they be allowed for developments of under ten acres or 10 units, with the requirement in those cases being dedication of a park equal to the size of the smallest developed lot.
10/26/2012	Kim	Sorvig		email		7	Add "However, the provisions of section 7.16.12 concerning unexpected discoveries apply to all development and construction activities throughout the County."
10/26/2012	Kim	Sorvig		email		7	add "and increases in runoff"
10/26/2012	Kim	Sorvig		email		7	Delete "which shall not be less than 2000 square feet.". Replace with "To the extent possible, working area and site disturbance areas shall be planned such that they coincide with finished driveways and/or paved landscape surfaces, to minimize disturbance of other soil and vegetation. In no case shall the sum total of working area and expected site disturbance exceed twice the area of the proposed structure's footprint."
10/26/2012	Kim	Sorvig		email		7	Specify extending no more than thirty feet
10/26/2012	Kim	Sorvig		email		7	Specify CONTIGUOUS buildable area without regarding
10/26/2012	Kim	Sorvig		email		7	Specify cumulative volume

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		7	Add "designed where possible to retain and infiltrate water at locations beneficial to existing or planted vegetation" after "(600) cubic feet"
10/26/2012	Kim	Sorvig		email		7	add "and to infiltrate all detained or retained water on-site at locations beneficial to existing or planted vegetation"
10/26/2012	Kim	Sorvig		email		7	specify retained and infiltrated
10/26/2012	Kim	Sorvig		email		7	Add "Failure to obtain such a permit before undertaking any clearing, grubbing, grading, or blasting shall result in denial of any development permit for any site within the County to the responsible party or parties for a period of five years."
10/26/2012	Kim	Sorvig		email		7	Add "to approximate the density and species of vegetation of healthy undisturbed sites in the County"
10/26/2012	Kim	Sorvig		email		7	Add, "This section shall not prevent use of on-site soils for adobe, rammed earth, or similar construction purposes."
10/26/2012	Kim	Sorvig		email		7	Specify structures or ridgelines
10/26/2012	Kim	Sorvig		email		7	ADD NUMBER: organic wastes, including vegetative trimmings, manure, compost, wood chips, shall not be disposed of in any landfill or transfer station under any circumstances. Such materials shall be incorporated into soil on-site or through appropriate public yard-waste programs.
10/26/2012	Kim	Sorvig		email		7	Delete "including manure"
10/26/2012	Kim	Sorvig		email		7	comply not apply
10/26/2012	Kim	Sorvig		email		7	As-Built
10/26/2012	Kim	Sorvig		email		7	Add "Where an as-built condition represents a change from the approved plans and/or is buried or covered by final construction, submission of digital photographs in addition to the as-built drawings is encouraged"
10/26/2012	Kim	Sorvig		email		8	Delete "renewable energy facilities,"
10/26/2012	Kim	Sorvig		email		8	Most of the utility structures permitted here are small single sub-stations. There should not be a blanket allowance for grid-scale "alternative" facilities such as solar or wind "farms" covering dozens of acres. These should be included as DCIs. Add "; and renewable energy facilities provided the area occupied by such facilities does not exceed two (2) acres total."
10/26/2012	Kim	Sorvig		email		10	I STRONGLY agree with other citizens who have stated on the record that 20 acres is far too high a threshold for gravel operations before considering them as DCIs. I would suggest 5 acres as a reasonable threshold, but am willing to defer to public (not industry) suggestions as to the exact figure.
10/26/2012	Kim	Sorvig		email		10	Add a requirement for a transportation plan, including number of vehicle trips per day, hours and days of operation, maximum and minimum vehicle weights (loaded and empty), and whether operator status (employee or contractor of gravel operator).

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		10	Delete "may not require seeding or reseeding or revegetation of the open pit, but it" AND "remaining" AND "through a single reasonable effort". Add at the end of the paragraph: "The applicant shall be responsible for maintaining seeded areas for two growing seasons and for ensuring that rates of seed germination and survival of restoration vegetation are comparable to the median rates achieved by recalmation professionals in similar situations in New Mexico and known to the NM Department of Mining, Minerals, and Natural Resources."
10/26/2012	Kim	Sorvig		email		11	ADD NUMBER: solar and wind "farms" whose area exceeds two (2) acres total for a facility, and any similarly large alternative energy facilities.
10/26/2012	Kim	Sorvig		email		7	SEE ATTACHMENT
10/26/2012	Kim	Sorvig		email		7	PLEASE SEE ATTACHED WORD DOCUMENT ON THIS TOPIC I find the logic of these requirements very hard to follow. It appears that in SDA-1, already densely populated and already served by utility lines, a home or development can be excused from connecting if more than 330' from a line; but in the other less-dense, rural areas, homes within a quarter or even half-mile must connect. This commits the County to provide far-flung utility service in the outlying areas, and will require many rural homes to pay for a half-mile of pipe, instead of using a well. This does not strike me as the outcome that we (as residents or as government agencies) actually want. I am also not convinced that the same distances can be used to decide the optimal moment for connecting to water and to sewer, since the two systems have very different parameters and efficiency factors. In rural areas with low density, carefully sited septic systems, composting toilets, and possibly constructed wetlands provide highly efficient waste recycling with NO distance-based infrastructure, and make a great contribution to water and energy conservation. The Code should not discourage these systms EXCEPT in areas of high density.
10/26/2012	Rosanna	Vazquez		email		Zoning map	1.Draft Zoning Map: a.the map should be published to assure zoning is accurate and persons have sufficient notice to assure their parcels are accurately zoned. b.A flow chart outlining the zoning criteria for the different zoning processes. The Code is hard to follow on the process taken for a development permit in each zone. c.Zoning map should be included in adoption of the Code. d.The zoning should include transition areas from where there are 40 acres zoning to allowance of 5 acre lots. e.The zoning map should take into consideration zoning patterns in adjacent counties to provide for continuity in an area.
10/26/2012	Rosanna	Vazquez		email		4	The definition of development permit encompasses everything, yet there isn't a clear distinction the between building permit requirements and development permits. Lack of clarity leaves a question as to what the requirements are for individuals for each. While there is a very real difference between a development permit for construction of a home and a commercial center it is not clear in the code the process to follow for each, nor the level of submittals needed.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Rosanna	Vazquez		email		4	b.Provide flow charts for specific submittal requirements and process for each development.
10/26/2012	Rosanna	Vazquez		email		6	c.Clarify P.72 square footage v building envelope with regard to 10K development permit.
10/26/2012	Rosanna	Vazquez		email		7/4?	d.How is an individual legal lot of record not a part of a subdivision treated with respect to submittals and requirements for offsite improvements and hook up to a water line treated?
10/26/2012	Rosanna	Vazquez		email		6	a.The SRA's are set forth in Chapter 6, however there is no clarity as to depth and level of information needed for differing developments.
10/26/2012	Rosanna	Vazquez		email		6	The Table 6-1 detailing the necessary SRA's uses (up to 10K) does that mean disturbed area or building square footage? Table 6-1 uses "as needed" and leaves discretion to the Land Use Administrator as to what submittals are required.
10/26/2012	Rosanna	Vazquez		email		6	d.Payment of SRA's are not clear (section 6.2). If you are the first to come in with a request for a development permit do you have to pay for the entire report? Staff had mentioned reimbursement but such process is not spelled out in the Code.
10/26/2012	Rosanna	Vazquez		email		6	e.Clarify when TIA is needed. The language on pg. 84-85 is too open to subjectivity as to application and level of TIA needed.
10/26/2012	Rosanna	Vazquez		email		7	Table 7-17 needs clarification; connection to water should be dependent on: i.Easement attained. Ii.Distance set forth should be to a potable water line and not a water boundary. Iii.Title to chart should include community water system; iv.Ability of water system to serve; v.Reasonable expense to connect;
10/26/2012	Rosanna	Vazquez		email		6	The requirement for 99 year water supply is required for fire protection as well. Yet many community water systems cannot prove 99 year supply. Does that mean a development cannot move forward? Is the requirement for 99 year water supply applicable in all different SDA's? Does an individual well have to prove 99 water supply or 40? If an individual lot not tied to a subdivision wants to use a well is that still allowed under this code?
10/26/2012	Rosanna	Vazquez		email		12	Will all developments require development agreements? Not clear.
10/26/2012	Rosanna	Vazquez		email		12	How do existing impact fees and development fees already in ordinance (which are not referred to in this draft), differ from the fees and additional requirements for offsite improvements in the Development Agreement?
10/26/2012	Rosanna	Vazquez		email			Are pre existing legal lots of record subject to code and all requirements? Given the lack of distinction between development permit and building permit it is unclear what would be required for an existing legal lot of record.
10/26/2012	Rosanna	Vazquez		email			If currently a legal lot of record is allowed to have a well, will that change with this code?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Rosanna	Vazquez		email		12	The process for determining what are adequate public facilities is not clear. Is it based on the County CIP? Or something else.
10/26/2012	Rosanna	Vazquez		email		12	The calculation for how much each development (including building permits) has to pay toward adequate public facilities is nowhere in the code.
10/26/2012	Rosanna	Vazquez		email		12	Is the priority schedule for the need of public facilities associated with CIP timeline? If the Adequate public facilities is measured by CIP, will the CIP be focused on needs for specific areas and not SDA levels? The language in the Code is "Based on higher levels of population within the individual SDA's."
10/26/2012	Rosanna	Vazquez		email		12	The Code makes reference to "levels of service" for emergency personnel etc yet it is not clear on how that is calculated, and what and where the boundaries of the service areas are for such a calculation.
10/26/2012	Rosanna	Vazquez		email		5	Change 1 per 160 acres to state standards of 1 per 145 acres as set forth in subdivision act.
10/26/2012	Jamie	Howard		email	Estancia	zoning map	After reviewing the Proposed Zoning Districts 10-4-12 we are not in agreement with the zones laid out for the Cedar Grove area. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. This area is up for sale and the zoning had been changed to Community Services Facility in Nov. 2010 from Ag/Ranch. Our understanding is that if this land was not developed within 5 years this land zone designation would revert back to Ag/Ranch. This land is currently not officially a Community Services facility zone either until development has occurred so it is still pending. Since it is up for sale at this point, we believe it makes more sense to return it to its original zone of Ag/Ranch or Rural which is compatible with the surrounding zones.. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. Any public or institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. I am sure that when the rest of the community gets wind of this zoning you will receive lots of feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Anson	Stevens-Bollen		email	El Centro	zoning map?/7?	I am strongly against the rezoning the King Ranch, for increased density, commercial and industrial use. We were assured when the BLN land was traded to the King holdings that any property development would be in the 5-10 acre residential zoning consistent with Piñon Hills. It is very irregular for you to even consider putting a SDA - 1 zone next to an established big lot residential area as this has not been done elsewhere. We are counting on you to protect the future of our neighborhood and individual properties.
10/26/2012	Chris; Tresan	Emerson; Stevens-Bollen		email	El Centro	zoning map?/7?	I wish to voice my opposition to the rezoning of the King Ranch to SDA-1 for purposes of commercial and industrial use. It is vital to keep any development of this area exclusive only to residential development. Doing otherwise would would destroy the integrity and property value of this area which has been a growing 5 acre lot subdivision since the 1960's. It is very irregular for you to even consider putting a SDA - 1 zone next to an established big lot residential area as this has not been done elsewhere. We are counting on you to protect the future of our neighborhood and individual properties.
10/26/2012	Meave	StevensDominguez		email	El Centro	zoning map?/7?	This is to voice a formal objection to rezoning of the King Ranch bordering the Pinon Hills residential properties. A rezone to SDA-1 for increased density, commercial and industrial use would be detrimental to all of the residents in that area. I spend a great deal of time in that area and was told that when the BLN land was traded that any property development would be consistent with the 5-10 acre residential zoning already present in the Pinon Hills area. This effort is questionable and of great concern to any citizens living there or considering living there. I am not aware of this being done in other big lot residential areas. It would negatively impact a long established neighborhood and I believe this action should not be taken.

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10/26/2012	Margie	Barr		email	El Centro	zoning map?/7?	I wish to voice my opposition to the rezoning of the King Ranch to SDA-1 for purposes of commercial and industrial use. It is vital to keep any development of this area exclusive only to residential development. Doing otherwise would would destroy the integrity and property value of this area which has been a growing 5 acre lot subdivision since the 1960's. It is very irregular for you to even consider putting a SDA - 1 zone next to an established big lot residential area as this has not been done elsewhere. We are counting on you to protect the future of our neighborhood and individual properties.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Debra	Matthew	Starlight Ranch	email	Estancia	zoning map	This letter is to OPPOSE the proposed zoning of "Public/Institutional" (blue area) in Cedar Grove area, and to say that this "blue area" should remain as it's original Ag/Ranch zoning. During the 2009/2010 time frame, owners of that "blue" property requested county approval of a community services facility (CSF) development rezoning/master plan. Based on many technical and environmental issues, that development met with massive disapproval by residents of the Cedar Grove community as well as many Edgewood residents. When the Board of County Commissioners approved the rezoning/master plan request, the Cedar Grove community filed an appeal against that decision on the basis that the county did not follow legal process regarding rezoning of the property. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." And, therefore, the community's appeal was lost. Bottom line is that the CFS use was approved, but there was NO rezoning of the property. So, two points : 1. For the SLDC to change the zoning of the "blue" area to "Public/Institutional" from its current Ag/Ranch zoning would be to change the zoning without there having been a request by the community or approval by the community to change the zoning. One of the arguments used during the community's appeal of the BCC decision was based on the case of "Miller v. City of Albuquerque, 89 N.M. 503, 554 P.2d 665 (1976), in which the New Mexico Supreme Court confirmed that initial zoning determinations are presumed correct, but in cases involving interference with a zoning plan the burden of proof shifts to the local public body to show that a rezoning was necessary as a result of a mistake in the original zoning or a change in conditions in the neighborhood". Since there was no mistake in the original zoning of Ag/Ranch and there has not been a change in conditions of the neighborhood, the current zoning of Ag/Ranch should not be changed by the SLDC. 2. The Cedar Grove community was assured by Santa Fe county that if the Boys and Girls Ranches of New Mexico (The Ranches) did not develop their CSF within 5 years of approval of their Master Plan they would lose the CSF use approval and the property's use would revert back to Ag/Ranch. The Ranches have declared that they will not pursue development of their CSF and the property is currently listed for sale. Should a new owner want to develop a CSF on that property they would need to begin a new process for development approval. We are now 2 years into the 5 year period. It is totally unlikely that development of the proposed CSF or a different CSF would begin in the next 3 years. Therefore, the original Ag/Ranch zoning should stay in effect for that "blue" area. Changing the zoning to "Public/Institutional" (whatever that means) would be breaking faith with the Cedar Grove community. If the property is sold, and the new owner wishes to develop some kind of "Public/Institutional" facility, then they can begin the process of requesting a change of zoning. A reasonable development request, that would be in the interest of the community, would likely be approved by the community.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Debra	Matthew	Starlight Ranch	email	Estancia	zoning map	Therefore, this is to OPPOSE the proposed zoning of "Public/Institutional" (blue area) in Cedar Grove area, and to say that this "blue area" should remain as it's original Ag/Ranch zoning.
10/26/2012	Kim	Sorvig		email		10	Delete "the ground (at grade level) and in addition at least 15 feet above"
10/26/2012	Kim	Sorvig		email		10	Delete "to a building, garage or separate structure.". Replace with "firmly to a solid structure, provided with safe access for maintenance, and reasonable safeguards against unauthorized access to the turbine."
10/26/2012	Kim	Sorvig		email		10	Delete. Replace language with "Small-scale wind facilities are only permitted on lots one acre or larger."
10/26/2012	Kim	Sorvig		email		10	Add,"Turbines may have either horizontal or vertical axes. Small-scale facilities may include no more than four turbines on the same site."
10/26/2012	Kim	Sorvig		email		10	The setbacks do not make sense. Many small wind systems are building-mounted, so setback from on-property would not apply. The purpose of a setback 1.X times the height is that a falling tower will not strike the building because the setback is greater than the tower. This setback would make more sense as a distance from the property line. (A one-acre property, if square, is 208 feet on each side. 1.1 plus 2.2 x setbacks could be impossible to achieve on slightly narrower lots of one acre.) Also, as drafted, .4 and .5 apply to the same acreage. Rewrite as follows: "For one acre up to 2.5 acres, the total tower (including height of turbine blade) height is limited to 55 feet and all neighbors must receive notice as part of the application process. A set-back of 1.1 times the total height from the nearest property line is required."
10/26/2012	Kim	Sorvig		email		10	Replace "same set-back requirements as less than than 2.5 acres, but" with "; 2x height minimum setback from property line;"
10/26/2012	Kim	Sorvig		email		10	Replace language with "Small-scale wind facilities are only permitted on lots one acre or larger."
10/26/2012	Kim	Sorvig		email		10	5 acres instead of 2.5 acres. Delete "from off-property habitable structure."
10/26/2012	Kim	Sorvig		email		10	Delete. Replace with "In all cases, applicant shall show that siting and mounting of the turbine meets setback requirements of this section and additionally minimizes visual and noise impact on adjacent properties to the maximum extent possible."
10/26/2012	Kim	Sorvig		email		10	Add, "slogans, logos, or any overt messages,"
10/26/2012	Kim	Sorvig		email		10	Delete "with a" substitute, "as provided by the manufacturer with a reasonably...". Add "Notwithstanding the foregoing, no small-scale wind facility shall be prohibited solely on the basis of its standard available finishes, nor shall any owner be required to paint a turbine if in so doing its function would be impaired."
10/26/2012	Kim	Sorvig		email		10	Add "Large Wind Energy Facilities are Developments of Countywide Impacts, and the provisions of Chapter 11 of this Code apply to them in addition to the provisions of this section 10.16.5. In case of conflict, the strictest provision for public safety and health shall apply."
10/26/2012	Kim	Sorvig		email		10	A "medium" not "low"

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		12	THIS METHODOLOGY SHOULD BE APPLIED TO WATER SUPPLY AND SEWER INFRASTRUCTURE. BOTH LITERAL FISCAL COST AND COSTS IN WATER AND ENERGY CONSUMPTION SHOULD BE ANALYZED BEFORE AGREEING TO EXTEND WATER OR SEWER LINES BEYOND THEIR PRESENT EXTENT.
10/26/2012	Kim	Sorvig		email		12	ADD NUMBER: It shall be the general policy of the County to use Bonds and all other forms of legitimate revenue first to repair, rehabilitate, and remodel existing roads and buildings, and only when such options are exhausted, for new construction of facilities that could be provided by re-use of existing ones.
10/26/2012	Kim	Sorvig		email		12	ADD NUMBER: It shall be the general policy of the County to use Bonds and all other forms of legitimate revenue first to repair, rehabilitate, and remodel existing roads and buildings, and only when such options are exhausted, for new construction of facilities that could be provided by re-use of existing ones.
10/26/2012	Kim	Sorvig		email		12	ADD NUMBER: It shall be the general policy of the County to use Highway and Bridge Bonds first to repair, rehabilitate, and remodel existing roads and buildings, and only when such options are exhausted, for new construction of facilities that could be provided by re-use of existing ones.
10/26/2012	Kim	Sorvig		email		14	litter not letter
10/26/2012	Kim	Sorvig		email		14	Add, "shall not exceed the sum of Five Thousand Dollars ($5,000) as provided for in that Act."
10/26/2012	Kim	Sorvig		email		14	ADD: "Repeated or willful violations of the SLDC may be grounds for denial of all development applications presented by the violator for a period not to exceed five years following the Administrator's determination that there is a pattern of repeated or willful violations." The added clause is suggested as a possible way to add some teeth to the SLDC, given that the State can't be bothered to allow serious fines. Obviously, this is subject to legal advice.
10/26/2012	Kim	Sorvig		email		1	Add "Words, phrases, and terms used in reference to oil and gas development shall be given the meanings set forth in SF County Ordinance 2008-19."
10/26/2012	Kim	Sorvig		email		Appendix A	add, "to the tip of the furthest horizontal extent of any branch" as follows: "a circular region measured outward from a tree trunk to the tip of the furthest horizontal extent of any branch…."
10/26/2012	Kim	Sorvig		email		Appendix A	There is no section of the SLDC that limits decks to rear or side yards. I do not believe that decks should be prohibited in front yards - too suburban a standard for Santa Fe and for rural areas. However, any limits on deck placement should be in the body of the SLDC, not in a definition. Definition should be rewritten as follows: "a platform extending horizontally from a building, open on at least one side, with or without a canopy or roof, and usually accessible from within the building."
10/26/2012	Kim	Sorvig		email		Appendix A	Delete, replace with "a hypothetical storm whose calculated intensity forms the basis for design of stormwater management facilities. In the SLDC, this storm is the 100-year storm (see definition)."
10/26/2012	Kim	Sorvig		email		Appendi	Add, "and sediments"

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		Appendi	Add "roads, driveways, or parking" after "accesory structures"
10/26/2012	Kim	Sorvig		email		Appendi	Add "of this SLDC"
10/26/2012	Kim	Sorvig		email		Appendi	Add "Also spelled grey water, graywater, or greywater."
10/26/2012	Kim	Sorvig		email		Appendi	Add turf
10/26/2012	Kim	Sorvig		email		Appendi	Delete "natural". Add "as it exists" to "elevation of the ground surface…"
10/26/2012	Kim	Sorvig		email		Appendix A	Why the distinction between land uses? Excess impervious area can be created on residential lots too. I would suggest that the Non-res/mixed definition be used for residential too.
10/26/2012	Kim	Sorvig		email		Appendix A	I would strongly suggest that these requirements be made part of the body of the SLDC, not left in the glossary. Site plans are a major aspect of the Procedural Requirements addressed under Section 4.4. Details of what a site plan must include should be placed there (as set out here in this draft, numbers 1 through 14). Definition should be limited to "a graphic representation of proposed land uses and development that is required for evaluation and approval of various types of development under the SLDC. Components of a typical master site plan are defined under section 4.4 of the SLDC. The purpose of the plan submittal is to inform the County of the nature, extent, character, and impact of proposed development, and the plan for any specific application shall contain all information necessary for that purpose, including but not limited to those elements defined under 4.4"
10/26/2012	Kim	Sorvig		email		Appendix A	Rewrite as follows: "percent of slope and patterns of variation in slope existing prior to development ; such slopes are considered natural if they are not the result of previous development or construction; slopes resulting from prior development or construction are to be referred to as existing slopes. For method of calculation, see Percent of Slope."
10/26/2012	Kim	Sorvig		email		Appendix A	Add " Where calculated from a contour map, D shall be" after "...H and L". At the end of definition add, " Percent of slope is an average and assumes a consistent slope from H to L. Where percent slope is a criterion for development permission or limits, the maximum or minimum percentage slope occurring on a property or along a transect line shall be calculated."
10/26/2012	Kim	Sorvig		email		Appendix A	Add, "Also called permeable pavement or porous pavement, which terms shall be regarded as synonymous."
10/26/2012	Kim	Sorvig		email		Appendix A	Delete. Replace with "where a proposed development causes or is projected to cause demand for County services or infrastructure, proportionate share is that portion of the cost of meeting such demand reasonably attributable to the development."
10/26/2012	Kim	Sorvig		email		Appendi	proposed to be disturbed
10/26/2012	Kim	Sorvig		email		Appendix A	Add, "For sites, rehabilitation includes restoration of soils and vegetation to productive and healthy condition."

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Kim	Sorvig		email		Appendix A	ADD ITEM: Restoration: Concerning structures and especially historic structures, rebuilding to a specific prior period or condition of the structure's history. Concerning sites or site components, recreating healthy and productive soils, hydrological conditions, vegetation, and where appropriate wildlife habitat to closely approximate conditions prior to development or to disturbance, using methods including but not limited to re-grading, replacement or addition of soil components and organic material, seeding, planting, reconstruction or reshaping of stream channels and similar water elements, and management of vegetation succession.
10/26/2012	Kim	Sorvig		email		Appendi	Add, "whether flow is permanent or seasonal."
10/26/2012	Kim	Sorvig		email		Appendi	Add bicycle and multi-use trails,
10/26/2012	Kim	Sorvig		email		Appendi	Add wells and wellhead equipment,
10/26/2012	Kim	Sorvig		email		Appendi	Add control of sedimentation
10/26/2012	Kim	Sorvig		email		Appendix A	Delete "trunk type", Sub "which is" for "whose trunk is". Add, ",or if the main trunk is divided, measured just below the point of division" after 4.5 ft above natural grade
10/26/2012	Kim	Sorvig		email		Appendix A	There are no sections of the SLDC that specifically require yards -- there are setback requirements. As in other comments about the glossary, I believe that requirements should be set in the main body, with the glossary reserved for definitions. Rewrite as follows: "An open space area on a lot used for outdoor activities or as a spatial buffer between a lot line and the nearest principal or accessory building or structure. A yard may be a front, side or rear yard. Yards may be created by setback requirements of the SLDC or of zoning areas. Yards for specific (usually industrial) purposes are specified as storage yards, junkyards, etc, and are separately regulated in the SLDC."
10/26/2012	Kim	Sorvig		email		14	ADD: Repeated or willful violations of the SLDC may be grounds for denial of all development applications presented by the violator for a period not to exceed five years following the Administrator's determination that there is a pattern of repeated or willful violations.
10/26/2012	Kim	Sorvig		email		14	Add, "shall not exceed the sum of Five Thousand Dollars ($5,000) as provided for in that Act."
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		1	Concerning the streamlining of the time frame in the processing of applications, throughout the SLDC "time limits" should only apply were mandated by state law. We are otherwise concerned about how streamlining and fast-tracking could work against the health and general welfare of the county, and undermine sustainability of our diminishing ecological resources. Developments of Countywide Impact (DCI) applications (11.1.) should also not be time-limited in any way that puts limits upon consideration by the Board of County Commissioners, Administrators, etc.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		1	Code text or Plan amendment applications should not be processed at the same time with a development application as that would be an invitation to amend a community plan and ordinance rather than meet the parameters of a community-developed plan & code. Likewise, 11.1. Developments of Countywide Impact (DCIs) should not be subject to concurrent development and text amendment applications.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		2	Code text or Plan amendment applications should not be processed at the same time with a development application as that would be an invitation to amend a community plan and ordinance rather than meet the parameters of a community-developed plan & code. Likewise, 11.1. Developments of Countywide Impact (DCIs) should not be subject to concurrent development and text amendment applications.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		2	Code text or Plan amendment applications should not be processed at the same time with a development application as that would be an invitation to amend a community plan and ordinance rather than meet the parameters of a community-developed plan & code. Likewise, 11.1. Developments of Countywide Impact (DCIs) should not be subject to concurrent development and text amendment applications.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		2	The names, numbers, email addresses of members of an Registered Organization (RO) should not be required for standing.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		7	he Village water association wishes to give input however the attorney is still out of town as of today's deadline. Please accept comments.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		7	As erosion in NM can quickly reveal new cultural sites, there should be no exemptions from surface surveys for cultural artifacts for areas that have been previously surveyed.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		8	There seems to be some confusion regarding whether and how much industrial uses can be placed in this zone. Regarding the zoning map: we're very concerned that a large area has been randomly misplaced on the draft zoning map that would block the beautiful vistas just south of the penitentiary along the Turquoise Trail Byway. We also question the need for more industrial activities like the similarly zoned area along 599 that includes piles of sand & gravel and is very disruptive.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		8	We note that the Sustainable Growth management Plan (SGMP) has excellent directives concerning the need for overlay zones (5.5, 17.3.1.) and that the SLDC should better reflect the need to sustain our special county's qualities. We request that the Environmental and Resource Protection and Historic Preservation overlays be expanded (8.11.5.3.) to better reflect the SGMP; that overlays for wildlife corridors, cultural landscapes, & scenic resources (all neglected in the SLDC PRD) be recognized and mapped in a dynamic process to insure that these irreplaceable county resources are not placed subservient to speculation and lost to the short term benefit of the few.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		10	This should be completely moved to Chapter 11 as a DCI as directed by the SGMP. Sand and Gravel should be placed under the mining ordinance or regulated under statutes comparable in strength as the mining ordinance.
10/26/2012	Todd	Brown	Las Candelas de Los Cerillos	email		Appendix B	We wish to request more time on providing our comments on the Use Table for the Cerrillos Village district.
10/25/2012	Ross and Ann	Lockridge and Murray		email		1	1) As there are no "time limits" encouraged in the SGMP associated with development applications, to be consistent with the SGMP replace "time limited" with "timely". So as not to tie the hands of representatives and officials, specific time limits should only be mandated were directed by state law. 2) Throughout the SLDC, where it states "development approvals" this should be changed to "development applications" or "reviews". Where it states a development is "reviewed for approval" it should be reviewed and acted upon for a "decision".
10/25/2012	Ross and Ann	Lockridge and Murray				1	The code should specify which concurrent development applications are dependent upon the others. Sometimes it's clear (master plan > development plan) but not necessarily always.
10/25/2012	Ross and Ann	Lockridge and Murray				1	There is concern over the concurrent text amendment language: for specific tracts, parcels or lots which could result in applications that violate common law restrictions on spot zoning.
10/25/2012	Ross and Ann	Lockridge and Murray		email		1	Remove concurrent processing of text amendments with an application. Rationale: We agree that concurrent processing that includes map amendments is appropriate and can help display the issues up front, however providing an expedient process for altering existing regulations would induce its use and remove incentive for compliance with existing ordinances.
10/25/2012	Ross and Ann	Lockridge and Murray		email		2	Text amendments associated with development applications here could be made at any time, rather than annually or biannually, but as with 1.15.2.2. concurrent processing of text amendments with an application should not be encouraged or allowed. Note any discrepancies in this section 2.1.5.
10/25/2012	Ross and Ann	Lockridge and Murray		email		2	Remove the concurrent processing of applications with plan amendments. A Plan or text amendment should be a plan amendment process of its own prior to and apart from the development hearing process.
10/25/2012	Ross and Ann	Lockridge and Murray		email		2	Cos & Ros, if they have concerns that the case could effect or be of interest to them, should not be restricted from standing solely on the basis that an application is outside of their "boundaries". DCI applications (as the name states) should also be noticed county wide to any organizations wishing to be on a DCI Notice list.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Ross and Ann	Lockridge and Murray		email		2	COs & ROs, if they have concerns that the case could effect or be of interest to them, should not be restricted from standing solely on the basis that an application is outside of their "boundaries". DCI applications (as the name states) should also be noticed county wide to any organizations wishing to be on a DCI Notice list.
10/25/2012	Ross and Ann	Lockridge and Murray		email		2	Remove the requirement for the names, phone numbers and email addresses of "all members" of an RO. As with COs, a list of the officers would be sufficient. For purposes of Notice, see comments below on 4.6.3.4.
10/25/2012	Ross and Ann	Lockridge and		email		2	If the Administrator denies an RO application, s/he must state the reasons. An appeal process should be referenced.
10/25/2012	Ross and Ann	Lockridge and Murray		email		3	TAC meetings; Can the agendas of these meetings be posted so communities can view and be advised of possible upcoming applications? At what point in the process would a case planner be assigned to interface with a potential applicant? Should that be specified in the code and then listed on the County website?
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	"Pre-application meeting" should read "Pre-application TAC meeting". "Review Approval Process" should read "Review Application Process". Shouldn't the table include a column "Notice Required"? The standards in determining "as needed" under Pre-ap neighborhood meeting" should be expanded.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	Is an application's completeness determination made before it is sent out to reviewing agencies or only after the agencies have responded? If before, would public notice happen as agencies are receiving? Experience suggests that applicants won't share draft applications at community meetings but instead highlight what they want the public to know--without a prior draft application review, the public can't ask very informed questions.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	add display documents and an audio recording of the presentation at the pre-application meeting. Then what an applicant is telling the public is on record even if the public's voices aren't audible.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	To allow a reviewing agency response to be delivered, there should be an allowance by the Administrator for extending the review time if needed, if there is just cause for a continuance.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	Appeals of administrative decision. The current code & the PRD both call for a 5 working day appeal period. Citizens are forced to pay (fairly expensive) for an appeal sometimes just to buy the time to decide whether to appeal. Eight to ten days would seem a bit more reasonable.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	Our concern is What is "reasonable notice"? As the county would have email contacts for choice RO and CO directors, and interested persons, email could result in quick efficient supplemental notice within a "streamlined" process. Cos and Ros should also receive written notice by 1st class mail.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	Our concern is What is "reasonable notice"? As the county would have email contacts for choice RO and CO directors, and interested persons, email could result in quick efficient supplemental notice within a "streamlined" process. COs and ROs should also receive written notice by 1st class mail.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	Our concern is What is "reasonable notice"? As the county would have email contacts for choice RO and CO directors, and interested persons, email could result in quick efficient supplemental notice within a "streamlined" process. COs and ROs should also receive written notice by 1st class mail.
10/25/2012	Ross and An	Lockridge a		email		4	Photograph should be specified to be taken from a public road.
10/25/2012	Ross and Ann	Lockridge and		email		4	The newspaper notice should also contain the name of the owner as well as agent. This is not specified in the SLDC PRD but should be.
10/25/2012	Ross and An	Lockridge a		email		4	Constructive notice. Notice should also require applicant and agent names.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	A DCI rezoning should NOT be a time-limited process and it shouldn't confine the Board to a number of tablings or to a 30 day period restriction. Where in the code will that be noted?
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	A DCI rezoning should NOT be a time-limited process and it shouldn't confine the Board to a number of tablings or to a 30 day period restriction. Where in the code will that be noted?
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	The language in both the heading and statutes concerning ministerial / administrative action again need clarifying. We suggest the heading 4.8. suggest a process: "Ministerial Development Permitting Process". In 4.8.1. substitute the word 'approval' with 'permitting'.
10/25/2012	Ross and Ann	Lockridge and Murray		email		4	As our district experienced a poorly conceived development that could have benefited from the light of day, large lot consolidation applications should have standards and require at least noticing and perhaps public hearing. We understand that state law may have strict requirements including notice.
10/25/2012	Ross and Ann	Lockridge and Murray		email		7	Sign size of 48 square feet is too large for real estate signs especially when the ROW is rather narrow. Therefore consider placing limits in size to the depth of the ROW otherwise, restrict to 4'x4' or 16 Sq feet along scenic highways.
10/25/2012	Ross and Ann	Lockridge and Murray		email		7	Include Context Sensitive Solutions (CSS) to the road design section (reference: the SGMP 10.2.4.4 & Policy 34.2. plus SGMP Ch. 5: Policy 18.2.)

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Ross and Ann	Lockridge and Murray		email		7	Add a short CSS preamble under 7.11.1. and reference under 7.11.3 "AASHTO Roadside Design Guide, Chapter 10: Roadside Safety in Urban or Restricted Environments".
10/25/2012	Ross and Ann	Lockridge and Murray		email		7	How can buffer zones located around traditional & planned communities be maintained in light of possible mandatory water hookups to community systems from developments outside of a community district boundary? Buffer zones / open space buffers of 75 to 100 feet seem small in light of SGMP concerns including: 2.2.4.5 LAND USE COMPATIBILITY that "provides buffers between communities"; Note SGMP Ch. 4 Strategy: 14.1.1. and Ch. 5, 5.1.1. Key Issues (1-4). Please attempt to further raise performance standards to address these concerns.
10/25/2012	Ross and Ann	Lockridge and		email		7	Add (d) concerning any development containing more than 80 acres, otherwise there could be a loophole for not doing a survey if people are creating large tracts.
10/25/2012	Ross and Ann	Lockridge and		email		7	Remove "by the applicant" to make it clear that the applicant does not prepare this himself.
10/25/2012	Ross and Ann	Lockridge and		email		7	Add standards for successful coverage of the revegetation, consistent with vegetation of surrounding area.
10/25/2012	Ross and Ann	Lockridge and Murray		email		8	Much more discussion is needed. We're concerned that such a large area has been so haphazardly delineated in open space along the NM14 NSB on the draft zoning map. We understand from staff presentations that this would also include "light" industrial and note that the zoning map shows the same zoning along the 599 /Airport Rd. area--including sand & gravel stockpiling, etc. We will also address this in the next round of Open Houses.
10/25/2012	Ross and An	Lockridge a		email		8	Limit the open space reduction to a 50% reduction.
10/25/2012	Ross and Ann	Lockridge and Murray		email		8	8.11. Overlay Zones: "Create rural historic district overlay zones for historical and cultural landscapes" (SGMP, 5.5 GOALS, POLICIES AND STRATEGIES, Strat., 17.3.1.) Overlay Zones: 1) must be retained and expanded beyond those listed in Table 8-3. 2) Retain and amplify: Environmental and Resource Protection (OERP) and Historic Preservation (O-HP) overlays for the sake of sustainability and balance. 3) Re. O-HP, see directive SGMP 5.5 Goals, Policies & Strategies--Strategy 17.3.1. 4) Other overlays should be noted including cultural landscapes, and wildlife corridors as indicated on map 2-5 B in the SGMP, as well as scenic resources (Goal 17). 5) Provide standards for the overlay zones, criteria as to how and where they can be established. BUDs: We recall that the professional pplanners (hired by the County to gather information from the citizens) were not fearful of BUDs (takings). We see fear of takings as a false rationale for not having overlay zone recognition. Portions of the county are valuable, irreplaceable and worthy of special recognition.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Ross and Ann	Lockridge and Murray		email		8	Rural Commercial overlay; the uses listed in 3 "should be regulated as DCIs" (2.2.6.5. SGMP). See SGMP for rationale, plus, junkyards & automobile graveyards are likely too large for this overlay.
10/25/2012	Ross and Ann	Lockridge and Murray		email		8	Historic Preservation (O-HP) overlay needs to be expanded to better cover the SGMP's 5.5 Goals, Policies & Strategies. The Designation Criteria 8.11.5.3. is too restrictive and needs to better embrace Strategy 17.3.1. noted above which includes cultural landscapes. Rationales: The Historic Preservation Overlay is foreshadowed by 7.16 and would not be in conflict with, or redundant to an expanded O-HP. 7.16 contains specific instructions based on state standards regarding both recognized 'cultural properties' and cultural remains found via surveys, etc. when encountered on development sites. If the county is attempting to zone everywhere for various degrees of development, often by "right", historic preservation overlays are very much needed to help "protect and preserve the County's archaeological, historic, cultural, community, and scenic resources." (5.5. Goal 17) When would you need a historic preservation overlay? One example could be O-HP designated endangered historic landscapes to add a needed degree of protection. Criteria for a cultural landscape overlay could include places depicted by artists in paintings, photographs, movies, books. Vistas along designated scenic roads should be included for protection. The NM Heritage Preservation Alliance also lists criteria for Most Endangered Places consideration. Historical, environmental, cultural, scenic, wildlife overlay zoning should be codified initially with the zoning map(s) so that applicants for development are aware of the sustainable-related provisions within protected areas in advance. The process should be ongoing.
10/25/2012	Ross and Ann	Lockridge and Murray		email		10	Delete sand & gravel from Chapter 10. Sand & gravel should be referenced in Chapter 11 as a DCI (SGMP, p.55) to be regulated under the mining ordinance or to an equal level of protection. Strength don't weaken.
10/25/2012	Ross and Ann	Lockridge and Murray		email		11	Developments of Countywide Impact (DCIs). The SLDC should state 1) DCIs are not subject to concurrent development and text amendment applications, and that 2) DCI applications shall not be time-limited or constrained to a limited number of hearings. Asphalt batch plants should be a DCI along with Concentrated Animal Feeding Operations.
10/25/2012	Ross and Ann	Lockridge and		email		Appendix B	We and the community would like more time to provide comments on the SLDC Use Table.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Karen	Hollander		email	Estancia	zoning map	As a resident and landowner of the South Mountain/Cedar Grove area, I am writing to voice my strong objection to the rezoning of the Ranches to "Public or Institutional". This is a heavily forested residential community with a low population density and no infrastructure to support anything "Institutional". Something like this up on the side of South Mountain is totally inappropriate, and the potential water usage and sewage requirements would be devastating to the surrounding area. The proposed rezoning is not at all in keeping with the "Sustainable Usage" intention of Santa Fe's overall plan for the county. Once again, I strongly object to this totally inappropriate action. Sincerely,
10/26/2012	Mike	Dezavelle		email	Estancia	zoning map	We recently became aware of the Proposed Zoning Districts 10-4-12. We are not in agreement with the zones laid out for the Cedar Grove area. We live in the Cedar Grove area and would be directly effected by these changes. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. This area is up for sale and the zoning had been changed to Community Services Facility in Nov. 2010 from Ag/Ranch. Our understanding is that if this land was not developed within 5 years this land zone designation would revert back to Ag/Ranch. This land is currently not officially a Community Services facility zone either until development has occurred so it is still pending. Since it is up for sale at this point, we believe it makes more sense to return it to its original zone of Ag/Ranch or Rural which is compatible with the surrounding zones.. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. Any public or institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. We are sure that when the rest of the community gets wind of this zoning you will receive lots of feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Cheri	Scott		email	Estancia	zoning map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove. Sincerely, Cheri Scott, 79 Living Water Road, Edgewood, NM 87015 (Cedar Grove)

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Melissa	Snyder		email	Estancia	zoning map	After reviewing the Proposed Zoning Districts 10-4-12 I oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not defined anywhere in your documents. This area is currently zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and should show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not Community Services Facility. My understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to retain its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be vigorously fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The additional traffic and noise and light a public/institutional facility would cause to this area would be totally incompatible with the quiet rural homes that border this land. The challenges of water/waste water drainage and disposal would put the surrounding private wells at risk I believe. This land was originally zoned for 1 residence per 20 acres because of the challenges the geography and geology of the land create. Nothing has happened to change those conditions. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We look to you, our elected officials, to represent us. The needs of rural southern Santa Fe County are not met by changing this zoning. Only a few miles south on Hwy. 344 there is a corridor where public/institutional buildings and facilities can be located without disrupting rural neighborhoods and where waste water disposal would be more safely accomplished. The area residents have spoken many times at County Commissioners meetings in Santa Fe and let our wishes be known for use of the land in our area...our back yard. Please listen to us and represent our wishes and not those of special interest groups.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Derrell and Nichole	Burgin		email	Estancia	zoning map	After reviewing the Proposed Zoning Districts 10-4-12 we oppose one of the proposed zones laid out for the Cedar Grove area, specifically the zone labeled Public/Institutional (blue) on your map. This Public/Institutional zoning is not even defined anywhere in your documents. This particular "blue" piece of property on your map has been zoned Ag/Ranch. During a contested Board of County Commissioners (BCC) decision of November 2010, the BCC approved the use of that land for a community service facility CSF). The South Mountain Neighborhood Association of the Cedar Grove area filed an appeal of that BCC decision. Judge Singleton, District Judge of the First Judicial District of Santa Fe County ruled that "The Action of the BCC in zoning the land as a community service facility was not a rezoning of the land." Therefore, though the BCC approved the use of the land for a CSF, the zoning was NOT changed. Therefore, the SLDC should NOT change this land's current zoning and show that land as the original zoning of Ag/Ranch. Additionally, the organization that had planned for the CFS use has decided not to pursue that use or build on that land. This area is up for sale. Since no development has been started, this land use is still Ag/Ranch and not a Community Services Facility. Our understanding is that if this land is not developed within 5 years this land use designation would revert back to Ag/Ranch. Since it is up for sale at this point, we believe it makes more sense to remain as its original zoning of Ag/Ranch or Rural which is compatible with the surrounding zones. To re-label this zone and this particular property as Public/Institutional would mean a zone change before that 5 year period is up. Any institutional use of this land will be fought by this community for all of the same reasons we fought the NM Boys & Girls Ranch Master Plan. We feel that this is just another example of the County being influenced by special interests rather than looking at options that would be in the best interest for the residents here in Cedar Grove. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the county to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Honorio	Andres		email	Estancia	8; zoning map	I attended the SLDC meeting on zoning in Edgewood and want to register my reaction. Most of the time was spent discussing water issues. Several of the people in attendance appeared to have considerable expertise regarding the subject and had been involved in monitoring the water situation in southern Santa Fe County and in the Moriarty area for many years. They provided considerable information regarding the geology, hydrology, and history as well as current anecdotal reports pertinent to this area. It is apparent that the proposed zoning in this area of the County is predicated upon twenty-five-year old data which does not reflect the current or future status of water availability, drawdown, and replenishment. So, I ask: How can anyone assign zoning based upon questionable data has no legitimacy? The zoning seems to be based on old and inconclusive data. I understand that the purpose of these meetings is to gather information and perspectives, but when faced with the suggestion that the County conduct surveys, speak with EWWA and local people who drill, install, and monitor the current water situation in this part of the County, and conduct hydrology studies to determine what the actual current and projected situation is, especially in view of the drought and its probable continuation for years to come, those running the meeting would offer no positive suggestions for what the County can do to gather information necessary to support any zoning decisions for the future. It does not make sense that you do not ascertain valid and verifiable data upon which the decisions about infrastructure, population density assignments, etc, should be based and not rely on dated obsolete data. Another issue is the exception to zoning requirements currently afforded to community service entities. Apparently, such organizations can build anywhere in the state regardless of zoning. That also seems to be the intention of the proposed zoning code. In addition, based upon Cedar Grove residents' experience with the County and its certification/licensing agencies, it would appear that the rules and restrictions which local rural-fringe homeowners have had to observe and adhere to would not have applied to the Girls and Boys Ranches of New Mexico's proposed development, which the neighborhood fought in court. If the purpose of zoning is to direct and restrict the types of development to conform to established as well as County-assigned neighborhood area standards (rural residential, ag/ranch, rural,mixed use, etc.) giving a waiver to one category of developer obviate the entire rationale for zoning. The neighborhood fought the Girls and Boys Ranches of New Mexico and apparently we will have to fight again if the implementation as presented is approved. What I'm pointing out here is the illogicality of present and proposed County

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Honorio	Andres		email	Estancia	8; zoning map	plans regarding zoning as part of the SLDC. If you actually intend to institute a realistic and effective zoning process which plays a major role in guiding land development in Santa Fe County, doesn't it make sense that it be based upon valid data and be inherently, rationally consistent? These issues need to be addressed now, not in another two years when this interminable solicitation of resident opinion may finally be concluded, some actual decisions are made, and a County code is implemented.
10/25/2012	Robert	Racel		email	Estancia	zoning map	We are opposed to zoning The Ranches property to Public/Institutional. This is just another way to get The Ranches into our neighborhood. We were opposed to The Ranches when the commission originally heard their proposal and remain so today because it doesn't fit into the style and character of our local neighborhood. How many times do we have to say this: The Ranches is incompatible with our neighborhood/area.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		1	Add, "[conservation of] productive soils, [water resources...]"
10/25/2012	Jan-Willem	Jansens	Ecotone	email		1	Insert new points between 1.4.2.8 and 1.4.2.9: Provide for the protection and conservation of unique, rare, and vital natural resources, such as threatened and endangered plant and animal species, unique ecosystems, in particular wetlands and riparian zones, and connective linkage areas for wildlife; Provide for the protection and conservation of open space in areas of significant conservation value and trails between such areas to ensure a connective network of effective linkages for open space recreation and alternative transportation across Santa Fe County;
10/25/2012	Jan-Willem	Jansens	Ecotone	email		1	add: [...open space], buffer zones, trail corridors, flood zones, streams, wetlands, other areas for the conservation of natural and cultural resources, and wildlife linkage areas;
10/25/2012	Jan-Willem	Jansens	Ecotone	email		6	Minor subdivisions should also be required to do a EIS. Wetlands, wildlife, and arch sites are relatively small and easily impacted, even by small subdivisions; however, the many small sites make SF County unique and are the jewels of our otherwise semi-arid landscape!
10/25/2012	Jan-Willem	Jansens	Ecotone	email		6	Include: degradation of biodiversity and/or wildlife habitat and linkage areas; ....; and [at the end] the cumulative effects of all stressors and impacts.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		6	Add a new section, 6.5.5.6.8, requiring, An assessment of the anticipated impact of groundwater diversion on potentially affected springs, wetlands and riparian areas with details on the external conditions that may cumulatively with groundwater diversion lead to discharge reductions in such affected wet areas.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		6	Add a new section, 6.6.3.20. to, Ensure that the location of roads optimally accommodates optimal water infiltration, and natural storm water evacuation and drainage in ways that avoid either drying of areas or water logging, flooding, or erosion.

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10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Detention is not drainage! This should be retention. I strongly advise against detention; with the effects of climate change, storm water detention will be difficult to enforce and lead to greater landscape impacts.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Add "...and unfragmented, connective linkage pathways for wildlife"
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Care must be given to natural tree densities that can survive in drought conditions without leading to increased fuel loads and fire hazard.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Add a new section 7.6.4.1.3 requiring, A buffer zone of natural vegetation and/or undisturbed landscape shall be maintained between any form of development and springs, wetlands, and riparian areas. The buffer width will be 300 feet in case of springs, wetlands and streams with permanent flows, 165 feet for streams with intermittent or ephemeral flows wider than 30 feet, and 50 feet to ephemeral or intermittent drainages that are narrower than 30 feet. If the stream, wetland, and/or buffer area is a known wildlife pathway for mammals, a buffer width of 600 will be maintained regardless of the size of the stream. Upon the discretion of the Land Use Administrator, buffer width for the protection of bird habitat known to be of importance to New Mexico bird species of greatest conservation (SGCN) can be made as large as 5,000 feet. Buffer width is measured from the edge of developed terrain to the edge of the 100-year flood plain (a.k.a. the area with a 1 % chance flood event) or the potential wetland or riparian edges.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	No trees shall be planted that exceed tree densities that need artificial watering (e.g., drip irrigation) for their survival, and/or that increase wildfire hazard. (Urban) forestry experts or ecologists may need to be consulted to advise on optimal tree densities suitable for specific site conditions.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	With all due respect, these buffer requirements regarding tree planting are unrealistic and undesirable given that tree densities are highly variable across the landscape and that they may not be desirable as indicated in fire hazard areas or areas that do not support any trees and are better served by grass as a ground cover. In such cases, increased buffer zone width or constructed sound barriers are the only appropriate buffer!
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Add "and under Section 7.9.4."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	These points need more consideration! I think that it is very useful to anticipate in the code a sub-set of dwellings and developments that are very advanced in their water recycling and savings methods, that use primarily rain water from roof catchments, etc., and don't have to adhere to the requirement to have a well, to be on a water system, or to consume 0.25 af/y. We already have hundreds (perhaps thousands) of such homes in the Madrid-Cerrillos area and other areas in SF County, and they need to be rewarded as an example in this regard, because they are truly sustainable. That there are perhaps other concerns regarding these kinds of dwellings (or their location or land use patterns) needs to be addressed in a different manner.

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10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	As with water system requirements, the code should take into consideration the very sustainable, low-cost, low impact on-site waste water systems that are pioneered by certain off-the grid homeowners and small communities in the County, and include provisions that allow such systems to exist and to be installed.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Replace "berms and swales" with: "passive water harvesting and infiltration techniques". Berms and swales are too prescriptive as a technique to mention, and there are many different and more appropriate techniques; in fact berms and swales are often inappropriate in SF County!
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	add: ", pathways for wildlife and flood zones, landscape-wide buffer zones, as well as agricultural and pasture land."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Rewrite: "Protect the natural benefits (a.k.a. "ecosystem services") of the land, such as productive and stable soils, water quality, water purification capabilities of soils and ecosystems, biotic diversity and resilience, natural drainage and flood management, water infiltration and groundwater recharge, ecological integrity, and the natural character of the land."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Rewrite: "Maintain soil and slope conditions, soil erosion, sedimentation, storm water runoff and flooding within ranges of variability of undisturbed or undeveloped terrain conditions."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Include a new section, 7.17.1.8. "Preserve and maintain the functionality of natural ecosystems with significant ecological value, such as springs, wetlands, riparian areas, wildlife habitat and pathways, and ecological bufferzones to such ecosystems, including the landscape connectivity needed for their continued ecological functionality."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Include: "streams and riparian areas, ..., and buffer zones and setback area for the protection of these sensitive areas."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Setbacks need to be much more dependent on the width and activity level of streams - see my comments before on this topic.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Do not require detention ponds: they will break in large storms, and after a year, clay layers will form and make the pond nearly impermeable, making natural or planted vegetation growth nearly impossible, and increasing water losses due to direct evaporation at a rate of about 5 ft a year. All ponds need to have protected spillway overflow capacity with a spill pad (a.k.a. apron) on the outflow side. Also, a detention pond will require water rights from the OSE! Don't call it a pond either; rather a stormwater retention structure or area.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Eliminate "detain" here and in all following text.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	The 100-year flood level definition will conform to the most recent FEMA data, US ACE data, professionally calculated level, or whichever is highest for the specific area. BTW, the professional field is going toward using "the 1% chance flood/storm event (area)" rather than the "100-year flood (zone)".

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10/25/2012	Jan-Willem	Jansens	Ecotone	email		7	Add new section 7.17.13.10. Management of existing vegetation, including pruning, thinning, and removal of non-native and/or invasive species - either by excavation or felling - , and the subsequent replanting of (native) vegetation, provided that any such vegetation management changes do not constrict flow or create a rise in the base flood elevation during a 1% chance flood event, unless allowed under the discretion of the County Flood Plain Manager.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		8	I suggest to include one other Base Zone: W/E: Wilderness/Ecological & Open Space Conservation Area, for the federal, state, county, and private areas designated for wilderness, open space, and conservation of ecologically sensitive landscapes. Such areas have no residential, industrial, or commercial development, and no agricultural or ranching activity. Product harvesting or managed grazing for ecological stewardship purposes would be allowed.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		8	Does this include mining and quarrying? I cannot find any references to resource extraction industries in the code up to this point - I know it follows later, but seems isolated from the Zoning and Terrain Management regulations. This is confusing.
10/25/2012	Jan-Willem	Jansens	Ecotone	email		8	Rewrite: "If the development contains areas or corridors or buffer zones that connect to other off-site areas of similar nature, to the maximum extent feasible, the applicant shall preserve such connections or mitigate any landscape fragmentation that impact such connections."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		8	Rewrite: "Buffer zones, natural habitat, and connectivity across the landscape as well as ecological functions and associated ecosystem services shall be preserved to the maximum extent feasible."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		11	Add, 11.2.6. for "Large scale, regional energy production facilities."
10/25/2012	Jan-Willem	Jansens	Ecotone	email		11	Add 11.2.7.for "Military camps, bases, test sites, and operations and/or training centers.:
10/25/2012	Jan-Willem	Jansens	Ecotone	email		11	Add 11.2.8. for "Airports, automobile racing courts, and other facilities that typically generate certain forms of regional nuisance and/or public safety concerns."

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Joan	San-Claire		jferrellphd@gmail.com	Estancia	zoning map	Upon reviewing the Proposed Zoning Districts 10-4-12, I want to let you know that I am not in agreement at all with the zones laid out for the Cedar Grove area. The zone labeled Public/Institutional (blue) on your map is not even defined anywhere in your documents. The zoning for this area had been changed to Community Services Facility in November of 2010, from Ag/Ranch. Currently, however, this area is up for sale. My understanding is that, if this area was not developed within 5 years, its land zone designation would revert back to Ag/Ranch. Note that this property is currently not officially a Community Services facility zone until development has occurred, and that has not happened. Because the area is up for sale, we believe it should be returned it to its original zone of Ag/Ranch or Rural, to be compatible with the surrounding zones in the community of Cedar Grove. To re-label this zone and this particular property as Public/Institutional would mean another zone change before that 5 year period is up. As a strong community, any public or institutional use of this land will be fought by this community for all of the same reasons we got together and fought the NM Boys & Girls Ranch Master Plan. I ask if this is just another example of the County being influenced by special interests, rather than looking at options that would be in the best interest for the residents here in Cedar Grove. I am sure that when the rest of the community gets wind of this zoning, you will receive a lot of feedback. The Independent Newspaper also stated that Edgewood residents have been encouraged to develop their own community plans but have not done so. Since 2010, Cedar Grove has requested the help by the County to setup our own community plan but were told to wait until this plan was complete. Now, without that community plan, we cannot protect the land use in this community. We would appreciate any explanations you may have for this zoning designation within Cedar Grove.
10/25/2012	Carmen	Quintana		email			The mural in the Santa Fe County Courthouse is meaningless without the County recognizing the contributions that have made by the land grant population in Santa Fe County.. This is the first County Commission since I began working on land grants that has been ready to deal with the issues involved with including the land grants in the Sustainable Land Development Code. This recognition will eliminate many of the requirements necessary for other public land permits and save the County lawsuits.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Richard	Hughes	Bonanza Creek Ranch	letter		zoning map	I have been aware that County staff has been working diligently for some time now on the Sustainable Growth Management Plan and Development Code. However, it was just recently brought to my attention that Santa Fe County is now fast-tracking a major revision to the zoning and subdivision regulations, a revision that will greatly impact my property. When I reviewed the Preliminary Draft Zoning Map dated October 4, 2012, I was surprised to see zoning designations that were totally different from what I had anticipated and very different from what had been discussed with Jack Kolkmeyer over the past few years. Bonanza Creek Ranch has been in my family for 60 years and mcludes over 13,000 acres of land. Over the years my family has been very cooperative with Santa Fe County, and I have personally met with planning staff on numerous occasions and have provided input into the preliminary planning. Our level of cooperation has included access and utility easements across our land to facilitate the waste water pump station, and accommodations for the firing range in the North-14 area. Note that in 2010, the County's Draft Land Use Plan identified Bonanza Creek Ranch as a combination of "mixed use non-residential" and "rural fringe residential," and it further designated the ranch as an "Opportunity Center." My discussions with Jack Kolkmeyer about the "Opportunity Center" included mixed uses , higher density cluster development, open space treatment, flexibility in development standards, etc. Unfortunately I do not see any designation for an Opportunity Center on this zoning map. The current zoning and subdivision regulations allow for 1 DUI2.5 acres (with water conservation measures), for most of the ranch. However this is not the case with the proposed zoning map. What concerns me is that the underlying zoning for the majority of the usable portions ofmy property is now shown as "Rural Residential," allowing for only 1 Dull 0 acres. Furthermore, a large portion of the ranch is now shown as Ag Ranch, allowing for 1 DU per 160 acres. This is clearly a "down-zoning" across most of the ranch, meaning a loss of value for my property. I understand that it is difficult for County staff to contact and consult with all landowners; however it seems that an extra effort should be made to meet with land owners controlling significant parts of the County. I have attached a sketch map showing the location of my family's ranch for your reference (See attachment) . My intent is to restore the previous zoning designations (such as the capability for a density of IDU/2.5 acre for the areas previously mapped that way), with mixed use allowable where appropriate. In addition, I would like staff to consider a designation providing for higher densities for the most northerly tract of 270 acres . This is a unique and separate tract of land, which is just south of an existing mobile home park, north of the State Prison and is just east of the Carlsen Subdivision. This 270 acre tract has access to the wastewater treatment plant and County water. And finally Bonanza Creek Ranch would like to have the opportunity to be considered for their own community planning district. This district, involving approximately 13,000 acres, would

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Richard	Hughes	Bonanza Creek Ranch	letter		zoning map	consider areas of mixed use development (commercial and residential), areas of cluster development, single family lots, and open space treatment, etc. It is my objective to be sensitive to the natural characteristics of the land, while also meeting the needs of future buyers. This includes maintaining grazing in appropriate areas and providing for the preservation of open space. Understanding that the period for public comment ends on October 26, I herby submit these comments and my strong objection to the draft zoning map. Furthermore, I request a meeting as soon as possible to discuss appropriate zoning for my property.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Al	Lilly	Santa Fe Planning Group Inc.	letter	El Centro	zoning map	On September 14,2012, Karl Sommer and I met with you to discuss the Sustainable Land Use Plan and the proposed zoning designations for the County. As discussed during our meeting, Santa Fe Center (the 330 acre property at the intersection of RT 599 and Cam. La Tierra) has had quite a history of land use planning, which contemplated commercial zoning. 1. Earlier general plans for Santa Fe County had designated this property as a major commercial node and the SNAC (Santa Fe Northwest Advisory Council) Sector Plan identified this land as a commercial center. 2. OnJan. 9, 1986 the EZA granted approval of a request for a special exception and preliminary development plan for residential and non-residential uses on the 390 acres. This required dedication of the ROW for RT 599, working with the City to extend to resolve sewer issues and required the developer to obtain an extension of the water service area boundary extension. 3. On Feb. 13, 1986 the EZC granted preliminary plat approval for the 390 acres with the condition that the applicant work with the City to extend to resolve sewer issues and to obtain an extension of the water service area boundary extension. This same approval was with the condition that the applicant/developer dedicate right-of-way and interchange area for the Santa Fe Relief Route (area shown on the final plat). 4. On Mar. 20, 1986 the developer entered into a Development Agreement with the City, which included the extension of water and sewer to the 390 acres, as well as dedication of the land for the ROW. This Development Agreement also identified the commercial and residential land uses of the master plan approved by the EZA and EZC. 5. City-County Ordinance No. 1986-4 Providing for the Extension of the Service Area Boundaries of the Regional Water System was ordained by the governing bodies of the City and County of Santa Fe. This was adopted and approved on Mar. 26, 1986. 6. Acting in good faith in accordance with the County approvals received and as per the terms of the Development Agreement, the developer in 1993 dedicated 60 acres of land for the ROW for the Santa Fe Relief Route (RT 599). The Santa Fe County Preliminary Draft Zoning Map dated October 4,2012 indicates that the subject property is to be zoned as Residential Estate, allowing for residential uses at a density of 1DU/2.5 Acres. Based on the history of the 330 acres known as Santa Fe Center, we hereby object to this zoning designation. We respectfully request a meeting at your earliest convenience to discuss a mixed use zoning designation for this property, allowing for a mix of commercial and residential uses. Since the subject property also has approvals for all utilities, we also request a change in the Sustainable Development Area designation from SDA-2 to SDA-1. I look forward to hearing from you.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Lee	Welsh		letter	El Centro	zoning map	As the designated representatives of the ownership of over 304 contiguous acres just north of the City of Santa Fe in Santa Fe County we are writing comment on the proposed Sustainable Land Development Code (SLDC). Our property is located east ofTano Rd. at the north end of San Rafael Rd. and abutting the west side of the Monte Sereno subdivision. Please reference the enclosed map for an accurate location description. The family ownership of this acreage that we represent is comprised of the following: Welsh Family Limited Partnership III, Welsh Family Limited Partnership IV, Welsh Survivors Trust, Welsh QTIP Trust, Lee A. Welsh, and The Carolyn Jeannette Pickard Family Irrevocable Life Insurance Trust. Santa Fe Land Planning Group, Inc. informed us of the Santa Fe County Preliminary Draft Zoning Map dated October 4, 2012 and we oppose the proposed rezoning of our property to a ''Rural Residential» designation at a density of 1 DU/10 acres. Currently the property is predominantly in the Basin Zone, allowing for lots as small as 2.5 acres, our neighbors to the east in Monte Sereno have lots as small as 1 AC, and abutting our property to the south are 5 AC lots in the County. We respectfully request that the zoning for our property be designated as ''Rural Fringe» allowing for 1 DU/5AC. In our opinion, it does not make sense from a sustainable planning standpoint for the zoning to jump from ''Residential Estate» (1.5 AC lots) to "Rural Residential» (10 AC lots) on our property and that a gradual transition of lot density is more appropriate. This property has been in our family for over 50 years; nobody appreciates the beauty and respects the goals of a Sustainable Land Development Code more than our family. We appreciate the opportunity to comment on Phase I of the SIDC and look forward to working with the County to create a thoughtful zoning code for Santa Fe County. We would like to schedule a meeting with County staff at your earliest convenience to discuss in more detail and to layout a plan on how we can work together to achieve all of our goals. We will contact you next week to coordinate a time to meet.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Philip	Baca		letter		zoning map	I have reviewed the SLDC, which designates our family's property as Mixed Use. I am offering the following comments and requesting the changes to this designation as described below. 1) In 1996 the Baca family entered into a settlement agreement with Santa Fe County after lengthy litigation that involved a state court decision related to the condemnation ofour property that is now part of the landfill. The settlement agreement contains several provisions that are impacted by the draft SLDC, including provisions that the county will rezone portions ofour property as Industrial Property. I am requesting that the SLDC incorporate language that reflects the language within the settlement agreement. Specifically, that Baca property on the north halfofthe Cieneguilla grant adjacent to and north of the Santa Fe Airport, and portions ofa separate property located on the north side of State Road 599 to the north east of the Santa Fe River be designated in the SLDC as industrial property. 2) While the Mixed Use designation is suitable for the Baca's 480 acre parcel immediately the south of the landfill, the other lands not described in item number 1, but located between the 480 acre parcel and County Road 56 should instead be identified as Rural Residential with 2-5 dwellings per acre, which will require proper waste water disposal. The property is in close proximity to the village center identified as La Cieneguilla, which has largely been developed exclusively as residential, and it is our belief that the Rural Residential designation is more suitable for the development that may occur in the future. 3) Lastly, the properties located upon the volcanic escarpment north of La Cieneguilla consist of a 620 acre Baca owned property and federal Bureau of Land Management and State Land Office property leased to the Baca family as part of our ranching operation. I believe these properties would be better served with an Agricultural property designation in the SLDC. Attached with this correspondence is a map of the referenced area depicting the changes described in the comments above. Thank you for the opportunity to comment on the draft SLDC. I will continue to monitor the plan as the process continues and reserve the right to amend or augment the comments above at a future date depending upon the changing circumstances.
10/26/2012	Darrin	Muenzberg		letter		zoning map	After Communty discussion, the People of La Bajada strongly support the recognition and zoning of our village as a Traditional Community under SLDC 8.7.8; and as reflected on Santa Fe County Preliminary Draft Zoning Map October 4, 2012. We are satisfied with the Dwelling Density determination of 0.75/0.33 .La Bajada strongly supports the Purpose set forth in SLDC 8.7.8.1, and bases its reservations thereon, with respect to Zoning and Land Use within the Traditional Village of La Bajada.

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10/26/2012	Darrin	Muenzberg		letter		zoning map	La Bajada reserves the right to make final determinations on Permitted Uses (as per 8.7.8.2 Appendix B), and Dimensional Standards (as per 8.7.8.3 Table 8-12) through its village government (CO/RO) as recognized by Santa Fe County and prescribed by statute. The La Bajada Traditional Village committee (LBCD&MDWA), will work with Santa Fe County Planning Committee, and Administrators to preserve and sustain the Cultural & Historic integrity of our Traditional Communty.
10/26/2012	Darrin	Muenzberg		letter		8	We expect to make use of Agricultural/Ranching Overlay Districting (once fully defined and developed), as required to fulfill the purpose set forth in 8.7.8.1.
10/26/2012	Darrin	Muenzberg		letter		2	La Bajada fully expects to participate in the County's development and definition of these particular overlay districts through our CO/RO.
10/24/2012	Marion	Seymour	Green Party	web	Central		I am so glad Santa Fe is taking Sustainability seriously. It is one of the most important issues facing our civilization. I try to do my part, each of us must be responsible.
10/25/2012	William	Pape		web	Central	7	I wish to express strong support for the Draft Sustainable Land Development Code (SLDC). One section is especially important. The energy efficiency section of the Code (7.14 ENERGY EFFICIENCY) helps people save money and protects low-income households. When the slight extra expense to build a better home is included in a mortgage, the savings created by energy efficiency reduce utility bills, so there are savings, not higher expenses, even with the first month of buying the home! It is so sad when families have to live without heat in the winter because of high utility bills. This problem can be solved by building houses designed to save money through energy efficiency. Please work for sustainability in our county. This plan is important to support. Thank you
10/25/2012	Sandy	Rasich		web		7	The Public Review Draft of the Sustainable Land Development Code is an improvement as we plan for our future. We can not stress energy efficiency enough. I know that people of low income are just as concerned as anyone and don't believe that higher standards will be problematic in home purchases. analysis has been done showing that even though there is a slight increase in the mortgage, when the reduced cost of utilities created by energy efficiency is combined with the mortgage, even the first month of living in the home is cheaper than if the house had not been built for energy efficiency. We also can feel assured that utility bills will go up in the future, making this even more important.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/25/2012	Robert	Cochran	Cohiba Club LLC	web	South	12	The success of the Nantucket Land Bank program may provide a workable model for a successful Santa Fe County Program of a a similar nature One of the most important aspects to be addressed is the funding of the Land Bank. In my experience, one of the oldest and most successful Land Banks in the United States is located on Nantucket Island, Massachusetts. The Nantucket Land Bank is approximately 25 years old and has been responsible for acquisition of approximately 50% of the Development Rights and/or real estate located on Nantucket Island. The primary funding source for the Nantucket Land Bank is a tax charged to purchasers of real estate on island. The tax, which is equivalent to two percent (2.00%) of the purchase price of a real estate transaction, is paid by the Purchaser. The Land Bank issues tax-exempt bonds, the proceeds of which are used by the Land Bank in acquisition of real estate and/or development rights from real estate. The tax-exempt bonds are repaid with the proceeds of the real estate tax. The establishment and use of a TDR/PDR program, whether the Land Bank is involved or not, is crucial in furthering the preservation of the approximately 300 acres located on Tres Rios Ranch, which is owned by Cohiba Club, LLC..
10/25/2012	Herbert	Rickert		web	Central		My wife (Elizabth)and I support implementation of the code.
10/26/2012	Daniel	McGregor		web	South		The Estancia Basin Water Planning Committee respectfully requests deferrment of this plan and extension of the comment deadline until January 30, 2012. Many specific comments offered to the SLDP were not considered when offered, and their absence there is reflected in the Ordinance. Allowing only 7 weeks for a substantial rework of an Ordinance that runs to 300 plus pages plus Appendices is unconsionable. Additional time is needed for the Committee to contact and collaborate with other inter-related groups for a coordinated review.
10/26/2012	Daniel	McGregor		web	South		The EBWPC has identified multiple sections that need to be reviewed in detail with respect to water issues as they affect the Estancia Basin. These include 1.9 and 1.10; 2.2; 4.4, 4.9; 5.4; 6.3, 6.4, 6.5; 7.4, 7.6, 7.12, 7.13, 7.14, 7.17, 7.18, 7.23; 8.3, 8.4, 8.5, 8.6, 8.11; All of Chapter 9, 10.8, 10.16; All of Chapter 11, 12.11; 13.5; All of Chapter 14. More time is needed to conduct the detailed review of these sections.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Sharon	Eliashar		web	South		"I am writing to express my concern over the Preliminary Draft Zoning Plan for Glorieta Mesa - the Arroyo Salado and Ojo de la Vaca area off of County Road 51. It appears that the county is proposing to rezone our area from ""Rural"" to ""Rural Fringe"" which would allow for 20 acre parcels. This would be devastating to our traditional community - a community that is home to people who have upheld a rural way of life for generations. We are a rural, historic, and agricultural community and hope to remain this way.Please reconsider your proposal, and keep the Arroyo Salado/Ojo de la vaca area zoned as Rural. Thank you."
10/26/2012	Toby	Gass		web		7	The plan is very road-oriented. For the areas that are most likely to be "urbanized" or to become commercial hubs, design standards should accommodate public transit systems that are likely to be desired in the future.
10/26/2012	Ray	Bal		letter	El Norte	7	"Cultural property" needs to be expanded to include the area of plazas (i.e. ajoining lots, neighborhoodds or districts). State statutue can create loopholes and have negative effects for neighbors such as parking and traffic. Need to define resources beyong cultural to include water, safety, health, and historic pattern of use.
10/26/2012	Ray	Bal		letter	El Norte	8	8.1.11 identify and preserve districts and neighborhoods and plazas that need special zoning but which have not been protected by overlay zones.
10/26/2012	Ray	Bal		letter	El Norte	8	This is based to religious institutions and should be removed.
10/26/2012	Ray	Bal		letter	El Norte	8	Santa Fe County needs to arrive at its own criteria so as not to defer authority and enforcement. Leave Santa Fe County's responsibility to its citizens.
10/26/2012	Ray	Bal		letter	El Norte	8	Santa Fe County needs its own standards as a governing body.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Issue: The Draft SLDC Development Review Process: The Draft SLDC proposes a review process that is unduly burdensome for property owners and developers and is likely to stifle development opportunities, and ultimately growth, in the County. The Draft SLDC creates a very elaborate process for development approvals, particularly for what it deems "discretionary development approvals," which include: any non-residential projects (regardless of size), major and minor subdivisions, conditional use permits, variances, and development agreements. The process for most development projects in the County will require the following development review steps: 1. Review by the Administrator of the Planning Commission; 2. Preparation of studies, reports, and assessments; 3. Review by a Technical Advisory Committee 4. Review by state, tribal, and County agencies; 5. Appointment of a Hearing Officer and review through a quasi-judicial hearing process; 6. Review by the Planning Commission during a quasi-judicial or legislative public hearing; and 7. Review by the Board of County Commissioners. The Santa Fe Association of REALTORS® is concerned that the Draft SLDC development review process is unduly burdensome for property owners and developers and that they may stifle development opportunities, and ultimately growth, in the County. The Association recommends that the County should: Limit the information required by an applicant for the pre-application meetings and remove the unnecessary reporting requirements associated with these processes. Limit the discretion granted to the Administrator during the review process by imposing additional timeframes for action and limit the Administrator's discretion to refer applications to the Planning Commission and the Board. Reduce the filing requirements and broad scope of review for the SRAs, particularly for smaller projects or for those that consist of infill or redevelopment. Revise the general review processes for discretionary approvals (Conditional Use Permits, Variances) to add review timeframes and eliminate the need for a Hearing Officer in smaller matters. Scale back the post-approval administrative processes and, in particular, eliminate the requirement that every project that requires an APFA also require a Development Agreement. Without changes to the development approval process, the Draft SLDC's complicated and time-consuming approval process is likely to stifle development opportunities and undermine the SGMP's goals for development in the County. PLEASE SEE ATTACHMENT FOR FURTHER DETAIL

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		12	The Santa Fe Association of REALTORS® recommends that the County revise Chapter 12 of the Draft SLDC to eliminate redundancy in the various growth management strategies, and better coordinate them to ensure that new development is encouraged in desired growth areas and is not overburdened with unfair costs or requirements. In particular, the County should revise the requirement for entering into a development agreement for virtually all projects, and it should eliminate the provision that suggests future development fees can be applied to remedy existing deficiencies in public facilities and services. The County should also revise the requirement for financing adequate public facilities to properly credit the tax revenues associated with a development project as part of the funding available for the public facilities needed by that development. The County should also ensure that the growth management techniques better relate to the goals of the SGMP, by modifying these requirements to encourage development in priority growth zones as well as development that satisfies other County growth objectives. Lastly, the County should reconsider levying new development impact fees on residential construction in light of the current economic climate. The association asserted this view in public comments to the County's Affordable Housing Committee in October of 2011. In fact, both the Cities of Santa Fe and Albuquerque have recently placed a moratorium on impact fees for residential developments to encourage new projects. The association believes the increased costs resulting from impact fees make it harder for low-and-moderate income households to afford to purchase residential units in new developments. Impact fees can also result in higher prices for existing homes, thus making all homes less affordable. PLEASE SEE ATTACHMENT FOR FURTHER DETAIL
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise the Draft SLDC to clearly define the scope of discretionary decision-making authority granted to the Administrator. More specifically, the County should revise the Draft SLDC to narrow the categories of projects over which the Administrator has discretionary decision-making authority and to incorporate standards to guide the Administrator's exercise of discretion. Such revisions are in the County's best interests, both to facilitate the administration of the Draft SLDC and to reduce the potential for legal challenges based on arbitrary decision-making. PLEASE SEE ATTACHMENT FOR FURTHER DETAIL

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise the Draft SLDC to modify the Sustainable Design Standards that are not consistent with the County's sustainable development goals. Specifically, the minimum parking requirements should be modified to require fewer parking spaces for certain uses and to provide for additional flexibility in applying parking requirements to sustainable design approaches, such as mixed use, that provide the potential for reduced parking demand. In addition, the County should reconsider its roadway design paving requirements, perhaps by consolidating requirements for bike lanes and sidewalks (where appropriate) or by allowing the use of unpaved surfaces to meet the requirements. Furthermore, the County should consider creating additional flexibility in the Draft SLDC to allow for modifications to the Sustainable Design Standards where it can be demonstrated that such modifications promote the County's sustainable design objectives. The County should, of course, establish standards to guide the appropriate decision-making body in evaluating such waivers or modifications. PLEASE SEE ATTACHMENT FOR FURTHER DETAIL
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		zoning map	Recommendation: The Santa Fe Association of REALTORS® recommends that the County s draft zoning map be available for public review and that it extend the public comment period long enough to allow for review of the map in conjunction with the text. In addition, the County should prepare supplemental materials to explain its rationale for applying the Draft SLDC's zoning districts to land within the County and, most importantly, to describe the impact that the application of the zoning districts will have on property. Specifically, the County should identify any resulting changes that impact development capacity or property values or that will result in the creation of nonconformities. PLEASE SEE ATTACHMENT FOR FURTHER DETAIL

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4/Appendix A	The Draft SLDC uses several terms to refer to a project approval (or denial). There are references to the County issuing a "development order," a "development approval," a "development permit," and a "final decision." The following are examples of the use of these different terms (emphasis added): In the context of Approvals: Sections 4.2. No change in use shall be made … unless all applicable development approvals and the appropriate development order are obtained in accordance with this chapter. Development orders are required for land division, subdivision, construction, land alteration, land use or development activity to ensure compliance with the Draft SLDC, other County ordinances and regulations and applicable state and federal laws and regulations. Section 4.4.1.8. [Generally, the procedures for all applications have these common elements…] Issuance of a development order approving, approving with conditions, or denying the application, together with written findings describing and supporting the action adopted; Section 4.4.11. Written notice of a final decision of the Administrator to approve or approve with conditions pursuant to NMSA 1978, Sec. 39-3-1.1 shall constitute the issuance of the permit. Section 4.8.2. A development permit is a written document that authorizes a development in accordance with the Draft SLDC. In the context of Appeals: Section 4.4.1.9. [Generally, the procedures for all applications have these common elements:] Any appeal of the development order; Section 4.5.4. Any party with standing may appeal a final decision of the Planning Commission to the Board. With reference to these examples, there are several instances in which the terms are used interchangeably, suggesting that they have the same meaning. For example, in the outline of general procedures, Section 4.4.1 states that a "development order" is issued to approve or deny a project. Later, the more detailed procedures in section 4.5 refer to the issuance of a "final decision." Table 4.1, however, identifies "Development Permit" as one of the County's approvals. In contrast, Section 4.2 states that: "No change in use shall be made, no land division, subdivision, construction, land alteration, land use or development activity and no building or structure shall be erected, added to, or structurally altered, or occupied unless all applicable development approvals and the appropriate development order are obtained in accordance with this Chapter." This section suggests that there is a distinction between a "development approval" and a "development order" but the chapter does not contain any explanation of this distinction. Nor does it address the regulatory implications of each type of approval. The definitions of these terms in Appendix A of the Draft SLDC do not provide any

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10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4/Appendix A	clarification: Development Approval: authorized action that grants, or grants with conditions, an application for approval of development. Development Order: the written decision of the Board, Planning Commission or Administrator with respect to the granting, granting with conditions, or denial of an application for development approval. Development Permit: any development order granting development approval of an application. As defined, these terms do not appear to be mutually exclusive; it is not clear from the text of the Draft SLDC why their meanings overlap. The Draft SLDC's imprecise and inconsistent use of these terms makes the development approval and appeal process unclear, which may confuse and frustrate property owners seeking project approvals and hinder efficient implementation of the Draft SLDC by County staff. Recommendation: The Santa Fe Association of REALTORS® recommends that the County should revise Chapter 4 (and any related references in other chapters) to clarify the approval process and use terms consistently throughout the Draft SLDC. If there are meaningful distinctions between the terms identified above, those distinctions should be clearly explained.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		1	Comment: This purpose and intent statement appears to require that capital facilities and services be in place and available to a development prior to a development approval being issued. It overlooks instances in which, through a development agreement, an applicant makes provisions to provide the capital facilities and services at the established levels of service as part of a project. Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise the Draft SLDC to modify this purpose and intent statement accordingly.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		1	Comment: The two year restriction on subsequent applications is excessive. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this provision to restrict the filing of subsequent applications for only a one year period

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		3	Comment: Chapter 3 is entitled "Decision-Making Bodies." Its purpose is "to establish the authority of the Board, Planning Commission, Administrator and Hearing Officer." Despite the title of the chapter, it is clear that the Hearing Officer is not a "Decision-Making Body." The role of the Hearing Officer is strictly limited to assisting the Board and the Planning Commission (and possibly the Administrator) with their duties by conducting public hearings and making recommended written findings of fact and conclusions of law. Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise the chapter to clarify that the Hearing Officer is not a "Decision-Making Body."
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: A mediation for the concerns raised during a pre-application meeting is completely unnecessary. While this section suggests that it is discretionary on the part of the applicant, the inclusion of this provision in the Draft SLDC is likely to be used by disgruntled neighbors to exert leverage on the applicant by claiming that an applicant is not being cooperative if the applicant does not conduct a mediation to address neighbor concerns. Recommendation: The Santa Fe Association of REALTORS® recommends that the County remove the provision referencing the possibility of mediating concerns raised at a pre-application meeting.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: The requirement to act within a "reasonable period of time" is too subjective. For a process as simple as a completeness review, the Administrator should be required to act within a set, relatively quick, timeframe, such as five or ten business days. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this section of the Draft SLDC to impose a specific timeframe (five or ten business days) by which the Administrator shall issue a completeness review.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: It is unclear whether the reference to the "recordation" of the final development order is the same as when the filing of the final decision with the County Clerk, which appears to be the operative date for final decisions of the Planning Commission in Section 4.4.12. Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise this section to use clear and consistent terminology for these procedures.

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10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: Verbatim minutes are likely to be costly, and are not necessarily useful for the review of proceedings. The requirement for verbatim minutes would therefore appear to be excessive, and would likely be a burden for the County to provide. It is also likely that the County would shift the costs of providing verbatim minutes to an applicant, thereby increasing the costs of development in the County. It would be more reasonable if the County required that "detailed "minutes be prepared. Recommendation: The Santa Fe Association of REALTORS® recommends that The County remove the requirement for "verbatim" minutes and substitute it with a requirement for "detailed" minutes, perhaps with the additional requirement for making and preserving an audio recording of each hearing.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: This section omits any reference to an amendment for a decrease in project size, density or intensity. Perhaps the County's intent is that no formal approval of such a project change is required; however, if so, it would be helpful to have this clarified. In addition, the Draft SLDC remains unclear as to the required process if a decrease in project size, density or intensity results in some other changes to the project site. It is unlikely that the County would not seek to retain some form of post-approval review of these changes. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this section to include a statement that any project change that results in a decrease in the project size, density or intensity does not require formal review and approval through an amendment or any other process. Alternatively, to provide additional clarity in the event that the project change results in some alterations to the site design, the County may want to revise the Draft SLDC to indicate that such changes require nondiscretionary review by the Administrator.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: This section is poorly drafted, as there is an "and" between #1 and #2, as well as between #3 and #4, but not otherwise. While the intent of the drafters is, presumably, that all five criteria must be met for the granting of a variance, the imprecise drafting could lead to confusion in the application of these decision-making criteria. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this section to state that "The planning commission may grant a variance request if all the five following criteria are met". In addition, the criteria should be stated more formally, separated by a semi-colon, with "and" being used only between criteria 4 and 5.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: This section of the Draft SLDC creates a new administrative requirement that must be "exhausted" prior to a property owner bringing a regulatory takings claim against the County. Often, local governments impose this type of process solely to introduce an additional procedural layer of defense against takings claims. Property owners are forced to bear the additional procedural costs associated with the BUD review in order to make their claim "ripe" for judicial review. Recommendation: The Santa Fe Association of REALTORS® recommends that this BUD procedure either be eliminated, or a provision added that requires the County to pay an applicant's legal fees if a developer or owner applicant establishes that the application of a SLDC regulation or SGMP or area policy to its project requires some form of relief.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: This section is also poorly drafted. For one, it is unclear what practical distinction is intended between #1 and #2, as both seem to refer to similar situations with different wording. Also, presumably, #4 is a mandatory requirement, although there is no "and" or "or" linking it to the earlier numbers, possibly creating the potential for an inconsistent interpretation. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this section to consolidate the situations in #1 and #2 and to state that "The use of land, use of a structure, or a structure itself … shall be deemed to have nonconforming status when the use, structure or land meet all of the following criteria:". In addition, the criteria should be separated by a semi-colon, with "and" being used only between criteria 3 and 4
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: This section contains the requirements applicable for the reconstruction of a nonconforming residential structure. There does not appear to be any provision addressing the reconstruction of a nonconforming nonresidential structure. Recommendation: The Santa Fe Association of REALTORS® recommends that the County add a provision that addresses the reconstruction of a nonconforming nonresidential structure
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: This section does not contain any exception for situations in which a nonconforming lot is reduced in size by third party action, such as a land taking by a public entity. Recommendation: The Santa Fe Association of REALTORS® recommends that the County add an exception to this prohibition for reductions in lot size that result from land takings.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		4	Comment: The caption of this section is "Nonconforming Uses"; however it also addresses nonconforming structures and lots and the caption should be modified accordingly. In addition, the section would benefit from a subsection that addresses nonconforming development features, such as parking, landscaping, or other features, with provisions allowing reasonable modifications of these features. An example of this approach can be found in Will County, Illinois' Zoning Ordinance, which contains the following provisions: 155-15.50 Nonconforming Development Features 155-15.50-A. Description A nonconforming development feature is any aspect of a development—other than a nonconforming lot, nonconforming use, nonconforming structure or nonconforming sign—that was lawfully established, in accordance with zoning regulations in effect at the time of its establishment but that no longer complies with one or more standards of this zoning ordinance. Common examples of nonconforming development features are off-street parking or loading areas that contain fewer spaces than required by current standards or otherwise do not comply with applicable regulations, and sites that do not comply with current landscaping and screening requirements. 155-15.50-B. General Nonconforming development features may remain except as otherwise expressly stated in this zoning ordinance, but the nature and extent of nonconforming site features may not be increased except as otherwise expressly stated in this zoning ordinance. The standard that Will County applies to modifications (i.e. no increase to the extent of the nonconformity) is clear and it permits reasonable modifications to existing sites. A similar standard could he included in the Draft SLDC to accommodate development features that are made nonconforming by the newly imposed Sustainable Design Standards of the Draft SLDC. Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise the section caption. In addition, it should add a section that addresses nonconforming development features. It should affirmatively state that the nonconforming development features may be continued and that modifications to these features are permitted if the modifications would not increase the extent of the nonconformity.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		6	Comment: The requirement that consultants disclose conflicts of interest is odd for applicant-funded SRAs. If the applicant is procuring the consultant services, it presumably results in financial interest for the consultant. This interest, however, should not automatically disqualify the consultant or suggest that the consultant cannot provide a fair and independent review. In addition, we note that the underlined section is poorly drafted – the reference to "such consultants" is unclear, as the immediately preceding sentence does not refer to consultants. Recommendation: The Santa Fe Association of REALTORS® recommends that the County remove this requirement for the disclosure of contrary interests, as it would not be reasonable to apply it to applicant-funded SRAs. The County should also revise the imprecise reference to "such consultants."
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		6	Comment: It is not clear how the standard for the V/C ratio will relate to the Level of Service (LOS) standard. Do both standards need to be met? If so, the County should be prepared to justify situations in which the applicant meets the LOS requirements, but the project cannot be approved. Recommendation: The Santa Fe Association of REALTORS® recommends that the County clarify the relationship between the V/C ratio and the LOS standard.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: This restriction on the removal of "significant trees" is another example of a restriction in the Draft SLDC that requires a means for some flexible relief. It is possible that a project may require the removal of one significant tree on such a slope, and the Draft SLDC does not appear to allow for a waiver from this requirement. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this restriction (and others like it) to allow applicants greater flexibility to modify the sustainable design standards.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: It is unclear how the Draft SLDC will determine the number of residents in a neighborhood, particularly for new construction. It is also unclear what is meant by "per subdivision." Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise this requirement to either put it in terms of the number of dwelling units, or provide a standard for projecting the number of residents per unit for particular housing types. The County should also clarify what is meant by the "per subdivision" reference.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: The Draft SLDC does not define what is meant by "mass grading," which could potentially lead to arbitrary interpretations and result in disputes. Recommendation: The County should define the term "mass grading."

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: If a property owner has the permission from the abutting property owner to grade up to the property line, there is no reason for the County to restrict it. Recommendation: The Santa Fe Association of REALTORS® recommends that the County modify this section to require that grading within one foot of a property line may take place with the consent of the abutting property owner.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: It is unclear how "cut and fill slopes" differ from other forms of grading. In general, all grading consists of either cuts or fills. Recommendation: The Santa Fe Association of REALTORS® recommends that the County clarify what situations it intends to regulate with this cut and fill restriction, and how they differ from other types of grading.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: It is unusual for a local government to require financial guarantys for the construction of private site improvements. It is unclear what the County's rationale is for requiring such guarantys, particularly when the County will presumably have other means of recourse (permit revocation and civil enforcement, for examples) if improvements are not constructed as required. Recommendation: The Santa Fe Association of REALTORS® recommends that the County remove this requirement for the submission and review of guarantys for private site improvements.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		7	Comment: This provision provides another example of excessive discretion afforded to the Administrator. This section lacks any procedure for obtaining relief in the event that an applicant disagrees with the Administrator's determination. Recommendation: The Santa Fe Association of REALTORS® recommends that the County revise this section to provide an applicant with the ability to appeal the Administrator's determination.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		13	Comment: Map 14-1 does not appear to be included within the Draft SLDC. Recommendation: The Santa Fe Association of REALTORS® recommends that the County either incorporate the referenced map into the Draft SLDC or it should provide a full reference to the map and how to obtain it.
10/24/2012	Donna	Reynolds	Santa Fe Association of REALTORS	email		13	Comment: The Draft SLDC does not define the terms "Major Project" or "Minor Project" as used in this Chapter. Recommendation: The Santa Fe Association of REALTORS® recommends that the County define these terms accordingly.
10/26/2012	Paul	White		email	El Norte		Where will funding for enforcement come from? The County already has a requirement that private wells need to report usage but this requirement has not been enforced due to a lack of funding. Why hasn't there been a bond issue or allocation for personnel to check the wells?

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10/26/2012	Paul	White		email	El Norte	7	New wells should have depth gauges. With gauges we can have a groundwater monitoring program to determine the hydrology of the basin.
10/26/2012	Paul	White		email	El Norte	7	Grading private roads needs a permit?
10/26/2012	Paul	White		email	El Norte	4	There should be a provision for mediation of disputes after a developer submits plans to a community. In the past communities have had to hire legal representation to sue either the developer or the County. With mediation it could relieve that hardship (on both the County and the Community). Albuquerque has had a mediation provision for years and it seems to work.
10/26/2012	Paul	White		email	El Norte	zoning map	I'm requesting a population "build out" for the zoning map. We have no idea how many people the new zoning ordinance will allow for or if there's enough water to serve more density. Has the County considered this?
10/26/2012	Paul	White		email	El Norte		Relying solely on the Buckman Direct diversion and the City's wells is not "sustainable" planning. And it is not helping with the health of the Rio Grande river and the ecosystems that rely on the river.
10/26/2012	Paul	White		email	El Norte		The current plan is moving away from Resourced based zoning, was a hydrology study used to determine this? If so please post online.
10/26/2012	Paul	White		email	El Norte		Using agricultural rights for development is not in the best interests of sustainability. Developments that are required to provide water rights should get them from non agricultural sources.
10/26/2012	Paul	White		email	El Norte	7	If someone has a well and the County water system comes within a certain distance of their property does that landowner have to hook up to the system? What about being compensated for their well and water rights? Same for septic systems and a wastewater utility.
10/26/2012	Paul	White		email	El Norte		Will people have to get wells if infrastructure is not available in SDA 1 and 2 areas?
10/26/2012	Paul	White		email	El Norte		I'm suggesting a contingency plan for development if no water is available due to drought or priority calls on San Juan Chama water. Something along the lines of no wells allowed and no County water delivery. Growth could continue but developers and home owners would have to install water collection systems for drinking water, black water reuse and grey water reuse so they would not have to rely on wells or hookups. The County should be encouraging this kind of development as the primary kind of development in any event. Perhaps an incentive such as lower application fees or lower impact and tax rates for properties that will not be using those County utilities.
10/26/2012	Paul	White		email	El Norte		State should not permit new wells if the aquifer and river are over-allocated. SF County should support legislative change. I know this isn't a code issue but I thought I'd bring it up.
10/26/2012	Paul	White		email	El Norte		Would like to have a compendium of acronyms and terms used in the code.
10/26/2012	Paul	White		email	El Norte		Active links in code documents that would refer to comments received, link to where they are addressed in the documents and references within the Code that refer to other parts of the code. Redline MS version showing changes.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Paul	White		email	El Norte		Would like to have a system for following comments that were and are being submitted for the code. If we make a comment it would be helpful for staff to respond to us, not just have our comments end up in no mans land.
10/26/2012	Paul	White		email	El Norte	4	Would like to see sample application forms for development permits, etc. that the new code will require.
10/26/2012	Paul	White		email	El Norte	zoning map	Is there a more detailed Zoning map online? The one that is online cannot be expanded.
10/26/2012	Paul	White		email	El Norte	zoning map	I recommended at the County meeting at the Nancy Rodriguez Community center 1 dwelling unit per 160 acres in the long rectangular tract of land east of the Cuyumungue exit. This tract of land goes east towards Chupadero and Rio en Medio. This recommendation is because the land is dry, has a lot of arroyos, there's insufficient road access, mesa tops that if developed would add to visual clutter and there's little water available. If you do not know the property I'm describing please contact me.
10/26/2012	Paul	White		email	El Norte		The County is encouraging more density all the SDA areas, will the State Engineer continue to give well permits?
10/26/2012	Paul	White		email	El Norte	zoning map	How much more growth will the County be able to provide given the restrictions on the BDD and lack of groundwater resources? How many subdivisions have already been granted approval?
10/26/2012	Paul	White		email	El Norte	zoning	How does County zoning work with tribal zoning?
10/26/2012	Walter	Wait		email		7	7.11.2.1 As “Capacity” is critical in determining Road LOS, the formula to determine it should be included in this section and should not be buried in the appendix.
10/26/2012	Walter	Wait		email		7	Table 7-12. This table is unrealistic for Santa Fe County. NONE of our rural roads have sidewalks, let along four foot walk ways on either side of a rural road., Yet SDA-1 nd 2 require “urban” roads.
10/26/2012	Walter	Wait		email		7	Table 7-13 “rural” calls for one 4 foot “non-vehicular trail” What is a “non-vehicular trail”? It is not described. Does it have to be paved as in 7-11.17.1? 7.4.4. “trail Ease-ment” calls for a minimum 20 foot easement? Confused.
10/26/2012	Walter	Wait		email		7	Rural Table 7-13 “non-vehicular side paths” conflicts with Table 7-12 which requires two, 4 foot sidewalks. I might add that only a very small portion of SDA-2 is “urban”. Without paved roads.... I can’t imagine paved sidewalks in the middle of our desert landscape.
10/26/2012	Walter	Wait		email		7	7.11.19 “multi-use paths” these are not mentioned in Table 7-12 or 7-13 and are not described elsewhere. If they are not allowed, why are they mentioned at all?
10/26/2012	Walter	Wait		email		7	7.13. Do the water utility standards exist? If they do, then the code needs to cite ordi-nance or resolution number. If they do not, then the wording needs to change.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		7	Table 7-17 places an unfair burden on residential single family development outside of SDA-1. If a water line is within a quarter of a mile from a proposed water line in SDA 2 or within half a mile in SDA-3, an individual home builder would have to pay between $200,000 and $400,000 to bring a pipeline to his building site. This effectively eliminates any individual building in the SDA-2 and SDA-3 areas that are within the proscribed distance to a County waterline. Let's take, for example, the recent line extension to the Turquoise Trail Charter School. This roughly one mile ex-tension was done with federal monies and upgraded to a larger diameter line with County funds. Under this rule, any new construction in the Turquoise Trail subdivision would be required to hook up to the new line, even though the owners of property in that subdivision had no say in the line extension. Would all of the residents of a vested subdivision be required to participate in a PID or other vehicle to assist in the expansion of the final hook-ups to the newly defined "service area", or do these properties fall under Chapter 1.11.3 "vested rights" or chapter 4.9.9 "non-conforming use"? perhaps these cases can be handled under variance, as clearly the requirement puts an insurmountable burden on individual home builders with affected areas. The Table also requires development "within a service area to wait for water services that may or may not be built but are recorded in the County's CIP. Is this meant to discourage building in areas not yet served by the County system or is it meant to encourage developers to provide connections (growth) to the County system at either their expense or at the expense of future home owners? If a Major subdivsion in SDA-3 puts in a connection to the County water and sewage system, how will that affect all subsequent residential and minor subdivisions within 2,640 feet of the new lines? What are the implications of such a scenario? How does that affect PID requests? Would all land owners between the "end" of the water system and the end of the proposed pipeline (possibly many miles) be required to participate in increased taxes even if the benefit only initially favors the land developer at the end of the line?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		7	Seems to me that a proposed development of 24 lots on 2.4 acre plats in an SDA-2 or 3 area should be required to create a community water system and not submit development plans for individual wells. The developer would then have to prove sufficient water is available for the subdivision, and not just for individual lots. The first builder might prove sufficient water for plot one, but by the time all 24 lots have been developed, there may not be sufficient water for any of the lots. Also, consider this: Assuming that the zoning map permits this as a RES-E zone, and the zone sits in SDA-2, an existing forty acre plot divided into sixteen 2.5 acre plots, would not require a community water system. Should this proposed development fall under a "shared well" or under the more stringent "community well" requirement. Perhaps a "community well" system should be a requiremnt for "planned development zoning districts". There is some confusion as to the applicability of water connection requirements to PDZ districts (see 8.10.2.7.2 Table 7-17 and Table 7-18 in Chapter 7). There does not appear to be any mechanism for a community to gain knowledge of a proposed extension to the County Water System if that extension is paid for through grants or Federally appropriated funds. What is the process for either public assessment of the extended "service area", or county assessment of the affects of such a publicly funded extension?
10/26/2012	Walter	Wait		email		7	7.13.1.6 and 7. How will this be operationalized, especially when no community well is envisioned and no "community" exists?
10/26/2012	Walter	Wait		email		7	If you apply for a "shared well", how can you specify that a "shared well " is prohibited? This paragraph does not make a lot of sense.
10/26/2012	Walter	Wait		email		7	What is the resolution or ordinance that establishes County Wastewater standards. If there is one, it should be cited. If it does not exist, then the code should address such a contingency.
10/26/2012	Walter	Wait		email		7	What process is spelled out in the code for this to occur? "Connection" appears to be the re-sponsibility of the landowner... especially in SDA-3, where a half mile of piping might be required to "connect" to the county that is now "ready" . Something not right here.
10/26/2012	Walter	Wait		email		7	What is a "higher impact development". It is not described in the appendix or in the body of the chapter.
10/26/2012	Walter	Wait		email		7	Does this mean that a homeowner cannot install any new plumbing facilities (toilets, heaters, sinks, etc. without; a) a development permit, and b) a certificate by a licensed contractor or permittee? Whatever happened to "home projects"? Is this really in the public's interest?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		7	This seems to be in conflict with Table 4.1 and section 4.9.7. There does not appear to be any process associated with the application and approval of this type of variance. Chapter 4 is very explicit, but does not appear to apply to variances issued by the Floodplain Administrator. The "Floodplain Administrator does not appear at all in Chapter 3 -Decision Making Bodies, or in Chapter 4, "procedures". How many "hidden" administrators are there in the pages of the code. How do they interact, if at all. What process calls them to account?
10/26/2012	Walter	Wait		email		7	7.20.1 There is no reference to existing Solid Waste Ordinance. Why has this section not been run through the County's Solid Waste Management Division?
10/26/2012	Walter	Wait		email		7	The term "solid waste" needs to be defined either in the apprndix or by reference to the appropriate ordinance. Reference needs to be made to the County's Solid Waste Management Plan (Resolution 2011-6) and any associated ordinance.
10/26/2012	Walter	Wait		email		7	Is this legal? Why shouldn't county residents be permitted to use transfer stations. You are essentially imposing a tax on SDA-1 residents. The County does not have a curbside collection service. Collection services cost about $600 annually. Transfer station Permits cost $70.00. Can the County force it's residents to use a private, for profit service? I don't think that this is defensible.
10/26/2012	Walter	Wait		email		7	"Proper disposal" needs to be defined
10/26/2012	Walter	Wait		email		7	While this appears in other County Ordinance, I believe that there needs to be a provision stating that it is prohibited to discard solid waste in unauthorized dumps, arroyos, along roadways, or in any fashion not authorized by either this section or by County ordinance.
10/26/2012	Walter	Wait		email		7	When is a manure pile considered "waste" and when is it considered "compost". Why are horses singled out? How about cows? In agricultural areas of the County, there are several options with dealing with manure: First, leave it in place and let it decompose and be trampled upon, and 2) clean the corrals and place the manure in piles. 3) Spread the manure on the land as needed as fertilizer. In the first instance, there is no County requirement since manure becomes soil. In the second, you have to remove it monthly. In SDA-1, will the county provide for the removal of animal waste as well as other solid waste with its collection service? A single horse creates a wheelbarrow of waste every three days. Ten wheelbarrows worth a month. How will the county establish whether or not "monthly" pick up has been accomplished. As I understand it, the county Solid Waste management Office would rather not deal with animal waste and would love to close down the only composting site (Eldorado) other than at BART. Does the County expect Edgewood residents to spend three hours a month moving manure to BART, just so that they can keep a single horse? Perhaps language stating that "unsightly Manure piles" may be considered as violations of the County's Anti-Liter ordinance , rather than trying to build a largely unmanageable statement into the Land Use Code.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		7	Does the proposed code provide any procedures (process) to deal with a situation where a home-owners association ceases to function, no longer has a functioning board, or is otherwise unable or unwilling to continue its role as "steward"? At what point does the County assume responsibility for public areas should the HOA fall into default- or does it? If not, how will public access areas be maintained? If homeowners will be assessed, what is the mechanism? It doesn't appear in Section 1-4 as a function of the administrator.
10/26/2012	Walter	Wait		email		8	I have fielded numerous comments that would seem to indicate that some consideration should be made for residents who bought 40 acre parcels based on hydrological "zoning" (current code) because they did not wish to have close neighbors. They wished to see the draft zoning map incorporate boundaries that would match these pre-existing hydrological zones as much as possible. Why is a "single room occupancy" treated as an accessory use in RUR-F-20 but not in RUR-R-10 and lower. What distinguishes this cut off? Similar questions concerning similar "cut-offs" to other Appendix B determinations. What are the justifications. It would appear that there needs to be an additional chapter to better explain decisions made over Appendix B. It is not clear that lots that were legally platted prior to the "new code" and after 1980 are considered as "conforming", even though they may not conform to the new zoning standards.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		8/Appendix B	Page 321 states that “dwelling Unit” includes single family, two family, and multi-family dwellings, manufactured homes and mobile homes. Therefore “dwelling” as defined in Chapter eight, refers to any of these types of dwellings. “Dwellings, multifamily” is defined on page 321, Appendix A,as “ a dwelling or group of dwellings on one lot”. A dwelling, two family (duplex) is found in the use table as permitted “conditional”. It is not an “accessory dwelling unit”. Table 8-4 conditional use permit (chapter 10) is required for Duplex structures and mul-ti-family dwellings (Appendix B use Table). Table 8-4 says see chapter 10 for conditional use. There is no mention in chapter 10. Conditional use requirements are found in Table 4-1. These are: b.pre-application meeting c.pre-application neighborhood meeting “as needed” d.Agency Review “as needed” e.Approval by a hearing offcier and the Planning Commission” Conditional Use requires all studies and reports as determined by the TAC meeting on an “as needed” basis (Table 6-1) with the exception of a TIA. TIA’s are only required if the project generates more than 100 trips a day. A “Dwelling” that covers two families is not mentioned at all in chapter 8 zoning except in 8.7.“permitted uses”, which states that appendix B “contains a list of all permitted, accessory, and conditional uses allowed within the various zoning districts However, page 322, definition of a “dwelling, two family (Duplex) only mentions a detached house “designed and occupied by not more than two families. It does not, as in “Dwelling, Multifamily” explicitly state that the dwellings could be a “group”. So then, there does not appear to be any possibility of having a two family detached dwelling, but you can have a multi-family (3 or more). Since all tables in Chapter 8 are based on a per-dwelling unit”, how do you fit in two family duplexes and three or more houses into a zoning plan that appears to be based on the assumption of a single family residence that cannot be leased to non-family members. Since you can have multi-family houses on a single lot as long as you go through the conditional use application, why can you not have a guest-house as a rental for non-family members. Whatever the rational is for this, it doesn’t appear to hold water. Since the Approved San Marcos District plan allows for guest-house rentals as part of its plan to provide affordable housing, it would appear that the code, as written, is put-ting itself in conflict with that plan. How then, if that is what the community wants, can the two be reconciled and any re-write of the District Plan become “consistent” without removing this very important element? Does the San Marcos Plan have to eliminate “guest houses” in it’s entirety and draw on the multi-family house instead?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		8	This is silly. We have base maps that show all property boundaries. Lets make the zoning reflect real boundaries. A property on the tax rolls as of the initiation of the code is either in or out of a specific zone. Don't make zoning more difficult than it needs to be. There should never be a zoning district boundary dividing already platted property.
10/26/2012	Walter	Wait		email		8	In the absence of a zoning map, all land in the county would be classified as A/R. Correct me if I'm wrong, that means that no subdivision below 160 acres would be allowed without "re-zoning" (8.7.1). Another reason why the code cannot be released without a zoning map at-tached.
10/26/2012	Walter	Wait		email		8	There is nothing in Section 8.10 that describes how the process might "protect adjacent properties". As seen below, If I am in an area zoned for one house on five acres, and a developer wishes to place five house on an adjacent five acre plot and applies for a PD district, there is nothing in this section that would indicate that an administrator would reject such an application due to neighborhood incompatibilities.
10/26/2012	Walter	Wait		email		8	What does 2/5 or 2/12 mean? I take it that it means that I could apply for as few as two houses or as many as five houses on a five acre plot as long as the underlying zoning permits it. If so, by applying for a PD district, I could increase the zoning density by 500% before I take any of the affordable housing or TDR incentives? Since there is no minimum lot sizes (8.10.2.5.3)., all I would have to do is meet open space and other subdivision requirements. To apply for this subdivision, would I have to apply under "Planned Development District Rules", or "Minor Subdivision" rules in Table 4-1). Table 6-1 states that I would have to produce all Required Studies and Reports with the possible exception of an EIS, but there is no discussion of process under Chapter 5. Under 5.5 my application for a "Planned Development District" would fall under "minor subdivision" (Table 5-1). 8.10.2.2. States that every PD zone application will be accompanied by a master site plan and a preliminary subdivision plat. 5.3.1 states that the Subdivision rules apply to any division into two or more parcels, so it would appear that a PD district falls under the Minor Subdivision rules. However, Minor subdivision rule in Table 4-1 does not require a pre-application neighborhood meeting, and can be approved by the administrator without any public hearing. Table 6-1 does not require a minor subdivision to produce either a FIS, WSAR OR an EIS report. What to do? What to do? In my way of thinking this is an example of the havoc that can result when legal loop holes are built into zoning requirements.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		8	So then. I have a twelve acre lot in SD-1. Through the minor subdivsion application I can subdivide this lot into two 6 acre lots without creating a WSA report, an FIS or an EIS, without a pre-application Neighborhood meeting, without discretionary review and without any hearings. The application would be reviewed within 5 days and the administrator has thirty days to approve the application. I could also split it into two parcels by family transfer (exempt). Now I take my two six acre lots and apply for a Planned development Zoning District to place 12 houses on the property. This requires re-zoning so I will have to wait till either January or June to go forward. I will need a master site plan and I will have to go through the quasi-judicial process. I will have to demonstrate substantial changes to the current zoning - however current zoning under the plan has already been abrogated by past development missteps.
10/26/2012	Walter	Wait		email		8	Rural Commercial Overlay (O-RC) if applied for in AR, RUR, RUR-F and RUR-R districts on State or County arterial or Collector Roads would appear to promote commercial sprawl. Was this the plans intent? A rural commercial Overlay district can be applied for through application to the administrator. It is considered an application for re-zoning. A development permit could be issued under what criteria? A condition use permit (as required under 8-11.2.4) only requires a pre-application neighborhood meeting on an “as needed” basis. Who decides “as needed”. The “as needed” category in Table 4-1 needs to be changed to “yes” or “no” to prevent arbitrary interpretation of the ordinance and costly legal battles. As it stands, it would appear that aRC-O can be applied for as either under “Overlay Zone” in Table 4-1 or as a “conditional use” in Table 4.
10/26/2012	Walter	Wait		email		8	This is very confusing. 8.11.2.4. sits under 8.11 “Overlay Zones” and one must assume that an application would be subject to Table 4.1 “overlay Zone” procedural requirements. How does Conditional use procedural requirements fit into such an application. At face value, an applicant could argue that the need for a pre-application neighborhood meeting is at the discretion of the administrator.
10/26/2012	Walter	Wait		email		8	If a community plan calls for zoning in a specific area within its plan that is greater than that shown on the official zoning map does that make it “inconsistent” to the plan? For example, if the base zoning in the code is 2.5 acres, but the community plan calls for five acre zoning, which works. From a legal standpoint, I could turn to 8.11.3.3. and argue that the County code’s (law) intent was to prohibit any increase in zoning dimensions.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		8	Section 1.15 does not provide any procedures for an organization acting on behalf of a approved community plan, to submit a community overlay district. It only states that such an overlay district zone must be approved by a legislative hearing and not a quasi-judicial hearing. Furthermore 1.15.2.1 does not include community organizations as entities able to petition for a zoning change. Who then makes the request? How is it determined that a community organization speaks for an approved plan? Does this require another legislative approval similar to the original process that sets up a community planning organization? It seems that that would bog down any community plan and ordinance revision for years. The planning dept does not and will not have the staff to deal with all of the current community plan updates in a concurrent manner. If any process identified in the code needs stramlining, this one does.
10/26/2012	Walter	Wait		email		8	It would appear that each community plan must go through a new round of regulatory process in order to establish an overlay district. It was my understanding that existing community plans and boundaries would be incorporated into the zoning map up front. There is no process in any chapter that governs how an existing community plan and ordinance would be re-writen in order to accommodate the estblsihment of a community overlay district. Would this be the responsibility of planning? Who and how does an existing community plan get revised? Suppose an existing community ordinance is at odds with the new code. Does this mean that the community must defend its plan all over again. What occurs if, because of the new code, the Commission rejects these established and approved community requirements. There is nothing in the draft that speaks to the rejection of an existing community plan and ordinance. Since we do not yet have a zoning map, we cannot see what underlying zoning does to community planning. I believe that any community plan with a defined boundary should be placed on the zoning map as “subject to community planned zoning”.
10/26/2012	Walter	Wait		email		8	See apparent conflict with 8.11.3.3.
10/26/2012	Walter	Wait		email		8	8.11.3.5 states that community plans will not restrict County wide policies and priorities. 2.1.6 states that the Code will be consistent with current community plans. What applies should their be conflict?
10/26/2012	Walter	Wait		email		9	“Consistent” needs to be fully defined. If it is not, the term will plague the code forever.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		9	The San Marcos District Plan and the Galisteo Community Plan have been approved by the County Commission. They do not have associated ordinances because of a decision by the planning staff to write the County Plan and Code. It does not seem fair to these communities, which have now been waiting for the County to create ordinances for three or four years - to be excluded from this chapter. 2.1.4.7 states that "a community plan constitutes an amendment to the SGMP so it should follow that these plans be included in Section 9 of the Code. I would recommend that these ordinances, which have been written by staff, be moved forward prior to the adoption of the new code, and placed with the rest of the group. We would recommend that the ordinances needed by these two communities be prepared and submitted concurrently with the Land Use Code. Approval of the code would also mean approval of their ordinances. That would permit these communities to be placed into the zoning map without lengthy additional approvals (as stipulated in the new code). 9.3.12. San Marcos District (ordinance 2012- N) 9.3.13. Galisteo Community (ordinance 2012-N)
10/26/2012	Walter	Wait		email		9	I am very concerned that this chapter and its links to chapter eight, defeat community planning in a big way by miring in unspecified process the adoption of any future alterations that might be different from the underlying zoning map, or code. Conformance with the County Code seems to take absolute precedence over community desire to adopt ordinance that better fits their land use needs. I thought that community ordinance would be left unchallenged. "Conformance" to the County Code appears to insist that communities.... well, "conform".
10/26/2012	Walter	Wait		email		10	10.4.2 seems arbitrary and capricious. What is the basis for limiting accessory dwelling units to family members? Surely it cannot be concerns for access or water use. A single family of eight plus eight more relatives would have far greater impacts than a family of two with a two person rental. Furthermore, "group homes(10.5) permit non-related persons to occupy the same dwelling. This limitation defies common sense and screams for a legal challenge. The San Marcos District plan approved by the County Commission specifically permits guest house rental for this very reason. It promotes young and old residents to either maintain their primary residents through rental income and provides low-cost housing to people wishing to live in the District but without the means to purchase property. See alternative treatment of non-family "rental" in the section proposed for TDRs.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		10	10.5.2. The code needs to define “mentally ill” where this differs from “mental retardation”. mental disability, emotional disability, and emotionally disturbed. If someone with a significant temporary emotional disability” is afforded lodging in a guesthouse - how will the county determine when the person is “better”? Must the resident then “kick” the newly recovered renter out? Who determines when a prospective renter is mentally ill rather than suffering from an emotional disturbance. Again, this could be resolved by permitting persons “unrelated by blood” to reside in a house or rent a guest house managed by a property owner living on the premises.
10/26/2012	Walter	Wait		email		10	10.7.1. need a definition of “condominium”.
10/26/2012	Walter	Wait		email		10	According to Appendix B, Sand and Gravel Extraction is limited to areas within RUR-F 20 acres (Rural Fringe), RUR-40 (Rural)and Ag/Ranch 160 zones. It implies that sand and gravel operations up to twenty acres would be permitted.
10/26/2012	Walter	Wait		email		10	Mining must conform to all noise abatement regulations.
10/26/2012	Walter	Wait		email		10	10.9.1. this paragraph states that mining activities over twenty acres or that involve blasting would be treated as DCIs’ and refers to Chapter 11. Chapter 11 states that “mining and resource extraction (11.3.2) is “reserved”, meaning that no rules are in place. What happens? Do all mining and extraction activities that fall under the category of “DCI “ get shelved until 11.3.2 is written, submitted to the Board and passed as a change to the Land use Code?
10/26/2012	Walter	Wait		email		10	would like to see an “effects on Community” section inserted here.
10/26/2012	Walter	Wait		email		10	This activity requires a conditional use permit. Conditional use in Figure 4.1 states that a pre-neighborhood meeting is an “as needed” requirement. This would not be acceptable to the public. ANY new mining application must start with a pre-application neighborhood meeting.
10/26/2012	Walter	Wait		email		10	10.9.1 It is imperative that the code address the cumulative effect of mining operations that continually request expansions of a mining operation once started. Any application must therefore list all associated or affiliated owners, businesses, corporations, or other entities that might at some point request adjoining properties to be incorporated into a gravel business.
10/26/2012	Walter	Wait		email		10	10.9.1. It would be more appropriate for proposed gravel mining applications that all SRA,s be required in Table 6-1 rather than at the discretion of the “Administrator”
10/26/2012	Walter	Wait		email		10	10.19.3.1 . There needs to be a transportation plan that adequately explains potential impacts to roads, and residents along such routes of travel. What types of trucks, implications of weight, noise, time schedules, LOS implications, etc.
10/26/2012	Walter	Wait		email		10	10.19.3.1. The operations plan becomes part of the application process, and the assumption is that the administrator reviews it. Who else reviews this plan? When does the public get to review the plan for adequacy.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		10	Recommendation to apply the strict language used for sexually oriented businesses to sand and gravel extraction. See attached.
10/26/2012	Walter	Wait		email		11	This chapter deals with one of the most far reaching aspects of land management in the county, yet it consists of but a single page. Surely there is more to say. At the very least the section should refer to Table 6-2 and Table 4-1.
10/26/2012	Walter	Wait		email		11	"Substantial Land Alteration" is not defined. Does a major subdivision reflect a DCI? Are these considered "Substanial Land Altering" activities. Should the Chapter then refer to Chapter 5?
10/26/2012	Walter	Wait		email		11	11.3.1 Should at least state that rules for oil and gas as stated in Ordinance 2008-19 over-ride land-use Code requirements when 2008-19 requirements are more stringent.
10/26/2012	Walter	Wait		email		11	11.3.2. As written any mining activity over twenty acres would be directed to this chapter since there are no other County ordinances devoted to Mining and Resource Extraction. Surely, the code should reference State and Federal Regulations if nothing else. This portion of the Chapter is simply not adequate to protect the County from poorly planned large scale mining and resource extraction activities.
10/26/2012	Walter	Wait		email		11	What does "reserved" mean? Does it mean that "we couldn't get to this subject so we will do it later" If this is the case, what is the impact to the county if a DCI comes along that is not covered elsewhere in either the code or in other ordinance?
10/26/2012	Walter	Wait		email		11	Is leaving so much of the code out for DCIs a good idea? Why does this section not describe how a proposed project is deemed a DCI and what sections or process must occur to satisfy County requirements to proceed?
10/26/2012	Walter	Wait		email		11	Would a very large solar or wind generation facility qualify under "substantail Land Alteration DCI? Is this covered in Chapter ten?
10/26/2012	Walter	Wait		email		11	If a project is declared a DCI and no "following regulations" exist? what happens.
10/26/2012	Walter	Wait		email		11	Surely there are other catagories of DCI?
10/26/2012	Walter	Wait		email		12	If there is a CIP approved by the Board , the resolution should be noted in this section.
10/26/2012	Walter	Wait		email		12	Is there anything in the code that requires the County to produce a CIP or is that State statute. If so, it should be referenced. The code should state the following: The Land use Administrator will utilize the most recent CIP approved by the BCC to create levels of service (LOS).
10/26/2012	Walter	Wait		email		12	12.3 Who and how will "total capacity" of a public facility be determined? If this process is covered elsewhere in chapter 4 or chapter 12 it needs to be referenced. If it is only covered in appendix A under "capacity", it needs to be inserted.
10/26/2012	Walter	Wait		email		12	In my reading, this paragraph is gibberish.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		12	The performance of the County to stick to any prioritization of capital improvement projects is pretty dismal. What makes the writers confident that this will change. If it does not, then appplications based on a seven year estimate will be based on a fairy tale.
10/26/2012	Walter	Wait		email		12	What is a “capacity reservation certificate”? Where do I find this. Who manages this. Where would the public find this information. Who is responsible for up-dating. What is the process to procure “capacity reservation certificates”.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		12	Table 12.1 cannot work. Totaling all LOS creates an unworkable and mathematically unstable equation. In addition the numbers do not reflect local conditions. Most facilities are concentrat-ed near population centers. If this is to work, you would need separate LOS for each SDA areas and separate calculations for each LOS. Table 12.1 and the method to determine LOS is unworkable as described. There is no direction as to how a countywide impact area is to be calculated. If the calculation is based on different sets of assumptions, LOS will be calculated differently. Let us assume for a moment that the following formula applies: Countywide refers to the total population of the County minus the population of both the City of Santa Fe and the City of Edgewood. The 2011 census lists the total population of the County at just under 146,000. The City of Santa Fe at 68,000 and the City of Edgewood at roughly 4000. That places "countywide" unincorporated population of Santa Fe County at 74,000 residents. Using this estimate the following Adopted Levels of Service would apply: Fire Employees = 68.82 Fire Vehicles 2.12 x 50 = 106 Fire Facilities 2,673 x 50 = 133,650 Sheriff Personnel = 66.6 Sheriff Vehicles 2.4 x 50 = 120.00 Sheriff Facilities 120 x 50 = 6,000 Parks = 92.5 Trails = 74 Trail heads = 26.64 Open Space = 6290 Even without calculating Roads and water LOS as those would require boundaries dictated by the development's boundaries, it is clear that when the numbers are totaled as is dictated in 12.3.4.4.2a, only the Fire Facilities figure is meaningful. Mathematically none of the other LOS calculations would make a difference. What does this mean? It means that as long as there are sufficient fire station square footage, the LOS calculation is satisfied. 12.3.4.4.2b. don't count in the calculation of APFA = even if calculated. This as an apples and oranges situation whereby it is not possible to add square feet of facilities and numbers of vehicles. The key to determining what "countywide" means can be found in 12.11.5.11. That section de-fines "countywide" as unincorporated area of the County. This section should be cited in the footnotes for Table 12.1 or "countywide" needs to be defined in the appendix. Table 12.1 Lists "Water Supply" LOS as a "per residence" impact area. What does this mean? Will the proposed developer calculate the number of homes he plans to build and add them up by 0.25 acre feet? How does this reflect LOS? Shouldn't

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		12	this LOS reflect impacts to a specific area potentially impacted by increased usage (especially if proposed for an area not within the County Water System service area?) So then, what does 'Impact area" mean? Is it within the property being proposed for development? Within a specified impact area within "N" meters from the wells or water system? Does Impact Area refer to a "Basin?, within "N" miles from a water system or individual wells. How will this boundary be determined and by whom? How could you possibly develop an APFA with this guidance?
10/26/2012	Walter	Wait		email		12	There should be a LOS for code enforcement unless code enforcement is considered as part of emergency response. I think that we really need another category in Table 12-1 to insure adequate inspection, enforcement, and legal council for the code
10/26/2012	Walter	Wait		email		12	12.3.5.2. Who in the County shall "primarily take into consideration". How is this to be accomplished. Where is the process in Chapter 4. How will this directive be translated into Law? Why are these LOS more important than the other identified LOS?
10/26/2012	Walter	Wait		email		12	12.4.1. Table 4 states that overlay zones do not require AFPA, but zoning map amendments do. Table 6 requires zoning map amendments to have an APFA How do you create a new overlay zone without creating as zoning map amendment?
10/26/2012	Walter	Wait		email		12	12.5. PIDS may become a problem in that in many cases there will only be a single property owner initially (the applicant) That would appear to mean that under 12.5.3.2.12, "100% of the owners" of the land included in a proposed PID IS the applicant. That would mean that the applicant could seek to form a PID without notice or public hearing prior to Board Adoption. This does not seem to serve the public interest. 12.5.3.2 states that at least 25% of land owners.... same applies. However in this instance the Board has 90 days after the petition to hold public meetings.
10/26/2012	Walter	Wait		email		12	12.5.1.5. study seems to conflict with 12.5.3.2.12.
10/26/2012	Walter	Wait		email		12	There is nothing in Chapter 4 that covers the formation of PIDS. Chapter 4 does not cover procedures for the formation of PIDS or whether or not PID applications require the development of reports , discretionary review or a hearing before a hearing officer prior to a hearing before the BCC. Chapter twelve describes report requirements that appear not to be within the context of land use process described in Chapter 4.
10/26/2012	Walter	Wait		email		12	What is the difference between the "pre-acceptance feasibility study of 12.5.3.2 and the post PID feasibility study called for in 12.5.15. Is one more stringent than the other. Does a PID developer have to complete both?
10/26/2012	Walter	Wait		email		12	There appears to be very different structure and process described in 12.5.3.2. and in 12.14.2.8. Which is it?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		12	12.5.3.2.5 states that a notice of public hearing in conformity with Chapter 4 but nothing concerning whether or not the "hearing" by the Board would allow objections or that notification includes notification of communities. It would appear that the only appeal is to the district court.
10/26/2012	Walter	Wait		email		12	This paragraph is inappropriate with the context of CIDS.
10/26/2012	Walter	Wait		email		12	Who determines that a petition actually reflects 66 2/3% of the total assessed value within a territory to be assigned to a district? Is it the assessor's office? How will this be determined? How long will it take? How is this accommodated in the Chapter 4 "process".
10/26/2012	Walter	Wait		email		12	To my knowledge, the CIP only exists as a draft document, prepared two years ago by a consultant. If this is true, it has not gone through the complete review process and has not been legally approved by the Board. If the document has been approved by the board then it should not be referred to as a draft, but should be cited as a specific ruling by date.
10/26/2012	Walter	Wait		email		12	In the context of this section it would appear that "Service Area" refers to the three SDA areas (SDA-1,2 and 3). If not, then there needs to be a map showing the CIP service area boundaries. If this section refers to the 2010 draft "development Feess for Santa Fe County" then the appropriate citation needs to be identified. There is a problem here, of course, as that document is still a draft and has not gone through the approval process to make it official. The draft is now two years old. Is it still valid? Anybody looked?
10/26/2012	Walter	Wait		email		12	12.11.5.1. Where will the public find Reports and Analysis prepared by qualified professionals as defined in 12..11.5.1?
10/26/2012	Walter	Wait		email		12	12.11.5.1. The term "qualified professionals" should be defined in the appendix. Do "qualified professionals" need a degree in the appropriate discipline? Do all reports and studies require that the professional qualifications of the preparers be published with the documents they produce?
10/26/2012	Walter	Wait		email		12	12.11.5.2. Shouldn't there be a required link between the administrator who receives applications for development, and the CIP advisory committee - who would determine or "evaluate implementation of the CIP? Perhaps this should be explicitly stated in Chapter four "procedures". Also the formation, duties, and requirements of the CIP advisory committee should be placed in Chapter three "decision making bodies".
10/26/2012	Walter	Wait		email		12	12.11.5.3.2. And when did the Board make this momentous "finding, and what was the basis for theeir decision. If, by approving the SGMP, these assumptions have been approved, then the Code needs to refer to the appropriate chapter and verse in the SGMP so the public can likewise, view the assumptions.

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10/26/2012	Walter	Wait		email		12	12.11.5.3.2. What is the mechanism to engage "qualified professionals" Who writes the "scope of work"? Is there any over-sight? What type of "qualified professional" is qualified to update the CIP and the Land use Assumptions (LOA) that goes with it. This needs to be defined. If its an Advisory Committeee function, it needs to be spelled out and the level of expertise needed to be a member of the Advisory Committeee needs to addressed.
10/26/2012	Walter	Wait		email		12	12.11.5.3. If the Advisory Committee only files its written comments five days before a public meeting, what chance does either the Board or the public have to evaluate the proposed amendments prior to the meeting. Does 12.11.5.3.d. infer that the process allows for a thirty day period between presentation and approval. If this is true, it needs to be stated. In fact the whole process of approving a revised CIP needs to be placed clearly in Chapter Four (Procedures).
10/26/2012	Walter	Wait		email		12	12.11.5.6 see discussion on Table 12.1. Are these public facility LOS more clearly defined in the 2010 "development Fees for Santa Fe County Draft" (comment # 1188). If this document remains a draft - does it leave the County open to legal challenge?
10/26/2012	Walter	Wait		email		12	12.11.5.6. Since the 2010 "development Fees for Santa Fe County Draft" is now two years old, should it still be considered appropriate base-line for LOS. Even the draft code wants an update every two years. Anybody look to see if it is out-of-date? Where can the public find the draft? Has it been published or does one have to find it in the 1000 page first draft of the County Plan?
10/26/2012	Walter	Wait		email		12	This section needs to be referenced in Table 12.1 and in 12.3.4.4.
10/26/2012	Walter	Wait		email		12	12.11.6.2.1. This is confusing language. Does it mean that a developer who wishes to build a road linking a proposed development to a State Highway, for example, where the highway is shown on the official map but not listed in the CIP, would not be subject to Development fees?
10/26/2012	Walter	Wait		email		12	12.11.7.1. If there is a section in the draft that states the process by which these fees are determined, it needs to be referenced. Who does the "assessing". What is the process? Can it be found in Chapter 4? What level of "professionalism" is required to create these Development fees. What process is in place to insure that the creation of Development Fees is not abused. Is the imposition of Development fees a function of the Advisory Committee? If so, refer to the appropriate section of the Code that authorizes the committee to do so. How long do "they" have to make a determination? How does this process fit into the process described in Chapter 4 or does it.
10/26/2012	Walter	Wait		email		12	Has a "Fee Schedule" been approved by the Board? If not, what happens until such a fee schedule is approved. If a Fee schedule Has been approved, the Code needs to state a specific document, and date of approval.
10/26/2012	Walter	Wait		email		12	12.11.7.4. Where IS the Development Fee Schedule "approved" by the Board. Does it exist. If so, where is it and how does the public access it. Who is responsible for insuring that it is available to the public. If it does not exist, what are the implications?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		12	12.11.8.2. Who is responsible for keeping track of these four year validations? The Administrator? If so, it must be listed in Chapter 4 as one of the Administrator's duties.
10/26/2012	Walter	Wait		email		12	12.11.10. Does the County financial Officer know of the need to establish separate interest bearing accounts for each new development order. Will the County's accounting software accommodate this additional burden? How will this accounting cost be determined and how will it be referred to the Administrator? Is three percent really enough to maintain this administrative offset? Has accounting been asked?
10/26/2012	Walter	Wait		email		12	12.11.13. If an interested party with standing appeals an assessment, what is the process? Do they have to pay a processing fee? There does not be a well thought out or stated process for this eventuality. If the appeal is not the applicant, does 12.11.13.2 still apply? How does the public gain knowledge of the contents of a development fee decision? At what point does this decision become public? Since thius information would surely be part of the application process and the creation of a development order, it would not become public until after the process is over.. That would mean that the public would have no opportunity to appeal an assessment of development fee or lack there-of. (see also Chapter 4.5 "Appeals).
10/26/2012	Walter	Wait		email		12	12.12.1. There is no official map "incorporated herein"
10/26/2012	Walter	Wait		email		12	See attached.
10/26/2012	Walter	Wait		email		12	12.13.1.2. Add "and create a County trail System".
10/26/2012	Walter	Wait		email		12	12.13.2.4. The BUD process should not be the only way to establish a TDR certificate.
10/26/2012	Walter	Wait		email		12	12.13. What is Ordinance Number 2001-07 as amended? Is this where trails could be required? If not, add to 12.13.3.2. Trail development.
10/26/2012	Walter	Wait		email		12	12.13.3.4 something wrong here. A bonus incentive of 3 dwelling units per acre seems excessive. Will "receiving areas " be designated on the zoning map? What process is utilized to establish receiving areas. A five acre plot in SDA-1 that is zoned R-C and designated a "receiving area" would qualify for five dwellings plus fifteen or a total of twenty dwellings. Is that kind of density what is desired?
10/26/2012	Walter	Wait		email		13	13.1.2. why is "Fair Housing" "Reserved". Fair Housing is not defined here or in Appendix A. What is "Fair Housing".
10/26/2012	Walter	Wait		email		13	13.2.1. There is no Map 14-1 in the Code. Why is there no requirements for Southern Santa Fe County?
10/26/2012	Walter	Wait		email		13	13.2.1.1. What is the minimum in a "minor Project". If a minor subdivision , at a minimum has two plots, how can 8% of the project be "affordable. I assume that Major and Minor Projects refers to Major and Minor Subdivision porjecvts as defined in the Code Appendix A.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		13	13.2.1.2 What is the definition of an “income range”. Where does this come from? If State Law we need a citation.
10/26/2012	Walter	Wait		email		13	13.2.1.2. There does not appear to be any relationship between 13.5 and the “Section 5” mentioned in 13.2.1.2. If this is the case, then there is no “Section 5” to refer to.
10/26/2012	Walter	Wait		email		13	13.2.2.2. I,m confused. Is the “Affordable Housing Plan” considered within the context of Section 6 “Reports and Assessments” If it isn’t, why not? If it is why is it not included in Table 6-1? The code does not appear to have any affordable housing regulations, only a requirement for the Affordable Housing Administrator to create draft regulations for the Board to consider. How long might that take? What happens in the mean time? How would approved regulations fit into the Code?
10/26/2012	Walter	Wait		email		13	13.3.3. There does not appear to be any rule requiring adopted Affordable Housing Regulations to become part of the Code.
10/26/2012	Walter	Wait		email		13	13.4 This paragraph grants the AHA variance authority vested in the land use administrator and outside the of the limitations of variance. There is no process outlined. Is there a hearing? What if the “hardship” goes away? Does the leaseee have to move out? Is there any appeal?
10/26/2012	Walter	Wait		email		13	13.6.1 “Major Project” change this to “Major Subdivision” as described in Chapter 5.5. Correct me if I’m wrong. The smallest Major Subdivision (a type 3) is six parcels where at least one parcel is under ten acres. Assuming one house per lot, then 13.6.1. would allow as much as a 20% increase in the number of houses. This would add at least one and possibly two additional houses to the permitted build out
10/26/2012	Walter	Wait		email		13	13.6.1.3. What is the process to apply for a 20% density bonus. Since this bonus required board approval - does it go through the land use administrator or only through the affordable housing administrator, before it hits the BCC. Would there be any outside review?
10/26/2012	Walter	Wait		email		13	13.6.3. Would it be possible for a proposed development to have no development fee’s if all the housing units were “affordable”? If so, who would pay for the administration of the project? Who pays for reports and studies? Who makes the decision : a) the land use advisory committee, b) the land use administrtaor, c) the affordable housing administrator, d) someone else.
10/26/2012	Walter	Wait		email		13	13.6.3. If all development is required to produce affordable housing (13-2-1-1) then no major or minor subdivision would be required to pay development or water utility fees if the entire development was considered “affordable”. What are the implications of this statement?

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		13	13.6.5. What is the "Regulations of the New Mexico Environmental Department" This regulation needs to be cited. Where is it found. What is the lowest permissible lot size and how will this affect the Code's zoning regulations? I think that the actual minimal lot size needs to be included so that the public can clearly understand this section.
10/26/2012	Walter	Wait		email		13	13.7.1.1. There is no Map 14.1.
10/26/2012	Walter	Wait		email		13	13.7.1.2. To whom is the "cash payment" made? What happens to the funds. What process is followed?
10/26/2012	Walter	Wait		email		13	13.7.2. Who does the review. This needs to be spelled out in chapter 4.
10/26/2012	Walter	Wait		email		13	13.7.4. Is there a requirement for a written report of findings? Who writes it? Who submits it and to whom? Will this be found in the "official application completeness review" if not why not?
10/26/2012	Walter	Wait		email		13	13.9.2. Is the Affordable Housing Administrator responsible for this. What procedures are followed? What qualifications are needed by the people responsible for creating the instruments? Clearly the Board must make these decisions to spend money. How would this be accomplished in fifteen days? Can the County purchase anything in sixty days? Is this a realistic or "doable" requirement for the Board?
10/26/2012	Walter	Wait		email		13	13.9.7. Does the County Clerk know of the need to set up this fund. Does the separate ordinance exist? If not, how would this portion of the code function? Does the county have the software available ot set up this function?
10/26/2012	Walter	Wait		email		13	13.9.8. How will this be determined? Who makes the decision? What is the process? How is a decision appealed and to whom? Is this spelled out in Chapter 4?
10/26/2012	Walter	Wait		email		13	13.10. The Affordable Housing Administrator. Why is this authorization not found in chapter 4 "Procedures" or in Chapter 3. How many "administrators" are buried within the body of the Code that do NOT appear in Chapter 4?
10/26/2012	Walter	Wait		email		14	14.1 There should be a LOS for code enforcement and it should appear in Table 12.1 to insure adequate inspection and enforcement as well as legal advice.
10/26/2012	Walter	Wait		email		Appendix B	There is nothing in Chapter 10 that describes "single room occupancy units" and why they are prohibited. I'm still of the thinking that "compounds" are a legitimate form of housing in Santa Fe County and that they, as long as they are sold as a single unit" should be both described and permitted in the County. "Multi-Family Buildings" are mentioned in the Appendix B but are not described in the code. Not being described, they do not appear as permitted or "not Permitted" in any zoning map. "Accessory apartments" are not covered in Chapter 10"
10/26/2012	Walter	Wait		email		Appendix A	The Appendix needs to be looked at carefully to insure that definitions do not include instructions that should be found within the body of the code
10/26/2012	Walter	Wait		email		Appendix A	Area Plan: Rather than a definition, this paragraph provides direction that should be in the body of the document.

Date Comment	First Name	Last Name	Organization	Communication	Part of County	Chapter	Comment/Question
10/26/2012	Walter	Wait		email		Appendix A	Capacity: Rather than a definition, this paragraph provides direction that should be in the body of the document.
10/26/2012	Walter	Wait		email		Appendix A	Capital Improvement Plan: Rather than a definition, this paragraph provides direction that should be in the body of the document.
10/26/2012	Walter	Wait		email		Appendix A	Centerline: Rather than a definition, this paragraph provides direction that should be in the body of the document.
10/26/2012	Walter	Wait		email		Appendix A	Cultural Treatment and Mitigation Plan: Rather than a definition, this paragraph provides direction that should be in the body of the document
10/26/2012	Walter	Wait		email		Appendix A	Family Transfer: Rather than a definition, this paragraph provides direction that should be in the body of the document.
10/26/2012	Walter	Wait		email		Appendix A	Height: Rather than a definition, this paragraph provides direction that should be in the body of the document.
10/26/2012	Walter	Wait		email		Appendix A	Lot Coverage: Includes a calculation that is better placed within the body of the Code. There is a question as to whether or not a calculation found in a appendix becomes part of the law. A calculation is not considered a “definition”.
10/26/2012	Walter	Wait		email		Appendix A	Master Site Plan: Rather than a definition, this paragraph provides direction that should be in the body of the document.
10/26/2012	Walter	Wait		email		Appendix A	Nonconforming Lot, Structure, parcel or use: Definition appears to be in conflict with 4.9.9.9. Nonconforming (legal) lots of Record.
10/26/2012	Walter	Wait		email		Appendix B	All terms used in this appendix need to be defined in Appendix A. For example: What is a “club or Lodge”. , What are “services for elderly and disabled”? How does it differ from “Assisted Living”. Why is one considered “residential” and the other considered “institutional”?.
10/26/2012	Walter	Wait		email		Appendix B	What are the numbers associated with Function and Structure mean. There is no obvious code reference.
10/26/2012	Walter	Wait		email		Appendi	How does a “service” equate with a land use unless specifically detailed?
10/26/2012	Walter	Wait		email		5/4	Attached is an example of the kind of problems that arise when you try to diagram the draft code process. Every time I try to do this, I wind up with conflicts, inconsistent requirements, and problems of interpretation. How many of these diagrams are necessary to show that the problem is basically everywhere in the draft?

ATTACHMENTS

ORDERED BY WHERE THEY APPEAR IN SEQUENCE OF COMMENTS

ATTACHMENTS FROM MR. SORVIG

I believe there are serious unanticipated consequences that will result from the water and sewer requirements as currently drafted.
Both the water and sewer regulations require existing properties to abandon private water and sewage systems and connect to the County system based strictly on the existence of infrastructure (essentially pipes) within a distance that varies by zone. This raises several serious questions:

1. Connect-if-within-distance commits the County to extending piped services over long distances, without regard to other factors. This can produce a 'mushrooming' effect, in which service to one development, just within the required distance, brings many other developments within distance.
2. The optimal distance is different for water supply and wastewater/sewage systems, from the standpoint of energy, water, and piping efficiencies. Using the same table of distances to decide required connection to these two different systems is likely to cause significant and costly inefficiency.
3. Requiring all existing property-owners to connect to the piped services based on distance alone will place a major burden on existing owners. The desirability of forcing existing owners to abandon private systems is different between water supply and sewage. Private wells are probably going to need to be phased out due to over-commitment of water rights, but those who in good faith have supplied their residences for years should not be unfairly penalized in the process. Sewage treatment on-site is actually very efficient and safe, using carefully sited septic at low densities, and/or such increasingly important "alternative" technologies as composting toilets or constructed wetlands. On-site distributed waste recycling is actually a method of significantly reducing energy and water consumption, while maintaining soil fertility, and is widely recommended as part of sustainable development. The SF Code should not prevent these alternatives.
4. Existing owners, because they are already in place, would be forced to be "early adopters" of County services. This would mean that an existing house, half a mile from a utility line, would bear the cost of installing that half-mile pipe, past undeveloped lots that would then be able to connect with shorter lenghts of infrastructure. This places a significant financial penalty on the existing residents of the County; that is the opposite of the oft-stated intention to help retain existing residents in the face of development pressures.
5. The draft contains language stating that developments required to connect will not have to do so until the County is ready and willing. However, this means that developments, including private individuals, who get permission to build in an area not yet served by the County must build a private or community system and then abandon it when the County infrastructure reaches the area. That is manifestly unfair to property owners, and creates major complications for planning by the County. For example, 7.13.2.3.2 requires "capped sewer laterals" to be provided by a development that is so distant that no County service yet exists. In at least a significant percentage of such cases, the County will not yet have detailed plans for sewer expansion into the area, and thus, the laterals will be constructed without full knowledge of the system into which they are supposed to connect, resulting in wasteful construction and/or sub-optimal operations once connected.

I strongly urge that the Code be revised on this point. SF County should:

- require NEW development to connect to County infrastructure, but based on standards of efficiency of service, not merely distance
- if connection is not efficient, require NEW development to provide service to comparable standards (but not necessarily by the same system) as the County systems

would provide, and require a long-range plan showing how and under what circumstances the new development would connect to the County and under what circumstances it would remain a stand-alone entity

- EXEMPT all existing private wells, shared wells, and private septic systems from forced connection, including that owners may repair, refurbish, replace, or redrill a private system without being considered “new development” subject to forced connection
- Permit any existing owner to connect, and, once connected, prohibit reverting to the private system.

Lamp type	Code status	Shielding	Special requirements
LED	Required or preferred	Full	None
Fluorescent & quartz	Permitted	Full	None
Metal halide	Limited	Full with translucent filter	Sports events and special displays, subject to timing devices and restricted hours of operation
High pressure sodium	Limited	Full with translucent filter	Sports events and special displays, subject to timing devices and restricted hours of operation
Halogen	Limited	Full with translucent filter	Sports events and special displays, subject to timing devices and restricted hours of operation
Mercury vapor	Prohibited	--	--
Low pressure sodium	Prohibited	--	--
Other light sources	As approved by Planning Commission	Full	May require Temporary Use Permit or development agreement

Individual lamps producing 900 lumens or less do not require shielding. Groups of such lamps may not produce cumulative lighting levels in excess of those permitted under 7.8.3.6, and may be subject to shielding or other controls if they produce glare or spillover.

A fixture is fully shielded when, as installed, it emits no light rays at angles above a horizontal plane running through the lowest part of the fixture, as certified by the manufacturer's photometric report.

Signs constructed of translucent materials and lit from within do not require shielding but may not produce glare, spillover, or illumination levels in excess of those permitted under 7.8.3.6.

ATTACHMENTS FROM MR. HUGHES

Bonanza Creek Ranch

A Limited Liability Company

Received today
on 10-25
Elizabeth Salinas

15 Bonanza Creek Lane
Santa Fe, New Mexico 87508
505-821-9173

October 23, 2012

MEMORANDUM

To: Penny Ellis Green, Robert Griego

Santa Fe County Land Use Dept.
P.O. Box 276, Santa Fe, NM 87504-0276

From: Richard Hughes, Bonanza Creek Ranch

Re: New Zoning Map and Development Standards

I have been aware that County staff has been working diligently for some time now on the Sustainable Growth Management Plan and Development Code. However, it was just recently brought to my attention that Santa Fe County is now fast-tracking a major revision to the zoning and subdivision regulations, a revision that will greatly impact my property. When I reviewed the Preliminary Draft Zoning Map dated October 4, 2012, I was surprised to see zoning designations that were totally different from what I had anticipated and very different from what had been discussed with Jack Kolkmeyer over the past few years.

Bonanza Creek Ranch has been in my family for 60 years and includes over 13,000 acres of land. Over the years my family has been very cooperative with Santa Fe County, and I have personally met with planning staff on numerous occasions and have provided input into the preliminary planning. Our level of cooperation has included access and utility easements across our land to facilitate the waste water pump station, and accommodations for the firing range in the North-14 area.

Note that in 2010, the County's Draft Land Use Plan identified Bonanza Creek Ranch as a combination of "mixed use non-residential" and "rural fringe residential," and it further designated the ranch as an "Opportunity Center." My discussions with Jack Kolkmeyer about the "Opportunity Center" included mixed uses, higher density cluster development, open space

treatment, flexibility in development standards, etc. Unfortunately I do not see any designation for an Opportunity Center on this zoning map.

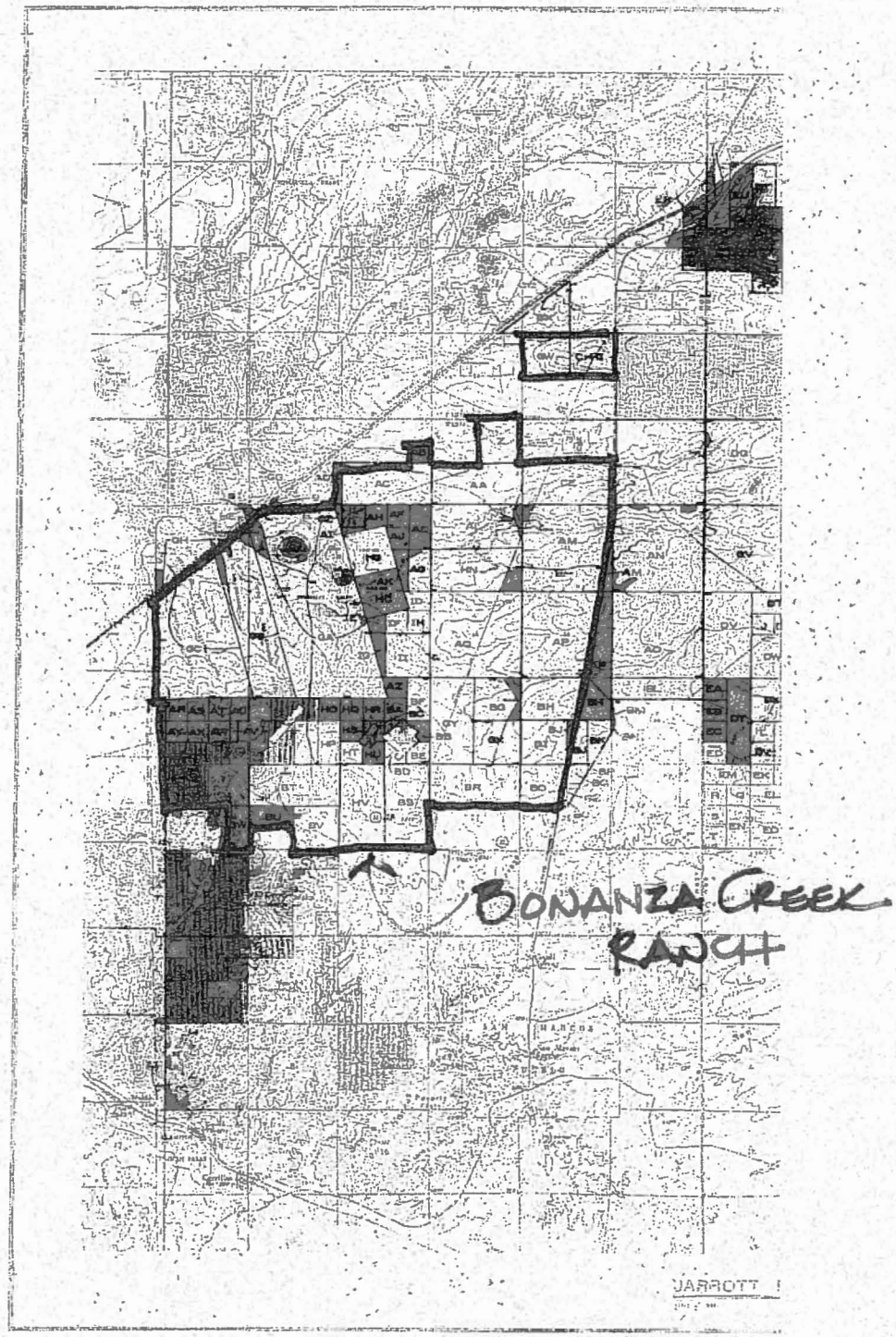
The current zoning and subdivision regulations allow for 1 DU/2.5 acres (with water conservation measures), for most of the ranch. However this is not the case with the proposed zoning map. What concerns me is that the underlying zoning for the majority of the usable portions of my property is now shown as "Rural Residential," allowing for only 1 DU/10 acres. Furthermore, a large portion of the ranch is now shown as Ag Ranch, allowing for 1 DU per 160 acres. This is clearly a "down-zoning" across most of the ranch, meaning a loss of value for my property. I understand that it is difficult for County staff to contact and consult with all landowners; however it seems that an extra effort should be made to meet with land owners controlling significant parts of the County. I have attached a sketch map showing the location of my family's ranch for your reference.

My intent is to restore the previous zoning designations (such as the capability for a density of 1DU/2.5 acre for the areas previously mapped that way), with mixed use allowable where appropriate. In addition, I would like staff to consider a designation providing for higher densities for the most northerly tract of 270 acres. This is a unique and separate tract of land, which is just south of an existing mobile home park, north of the State Prison and is just east of the Carlsen Subdivision. This 270 acre tract has access to the wastewater treatment plant and County water. And finally Bonanza Creek Ranch would like to have the opportunity to be considered for their own community planning district. This district, involving approximately 13,000 acres, would consider areas of mixed use development (commercial and residential), areas of cluster development, single family lots, and open space treatment, etc. It is my objective to be sensitive to the natural characteristics of the land, while also meeting the needs of future buyers. This includes maintaining grazing in appropriate areas and providing for the preservation of open space.

Understanding that the period for public comment ends on October 26, I herby submit these comments and my strong objection to the draft zoning map. Furthermore, I request a meeting as soon as possible to discuss appropriate zoning for my property.

Sincerely,

Rick Hughes, Owner
Bonanza Creek Ranch
505-821-9173


BONANZA CREEK
RANCH
JARRETT

ATTACHMENTS FROM MR. WELSH

Lee A. Welsh
8 San Juan Ranch Road
Santa Fe, NM 87506

October 24, 2012

Received 10-25
EZ

Ms. Penny Ellis-Green
Santa Fe County
Santa Fe County Growth Management Department
PO Box 276
Santa Fe, NM 87504-0276

RE: Sustainable Land Development Code (SLDC) (PRD) Phase I Comments

Dear Ms. Ellis-Green,

As the designated representatives of the ownership of over 304 contiguous acres just north of the City of Santa Fe in Santa Fe County we are writing comment on the proposed Sustainable Land Development Code (SLDC). Our property is located east of Tano Rd. at the north end of San Rafael Rd. and abutting the west side of the Monte Sereno subdivision. Please reference the enclosed map for an accurate location description. The family ownership of this acreage that we represent is comprised of the following: Welsh Family Limited Partnership III, Welsh Family Limited Partnership IV, Welsh Survivors Trust, Welsh QTIP Trust, Lee A. Welsh, and The Carolyn Jeannette Pickard Family Irrevocable Life Insurance Trust.

Santa Fe Land Planning Group, Inc. informed us of the Santa Fe County Preliminary Draft Zoning Map dated October 4, 2012 and we oppose the proposed rezoning of our property to a "Rural Residential" designation at a density of 1 DU/10 acres. Currently the property is predominantly in the Basin Zone, allowing for lots as small as 2.5 acres, our neighbors to the east in Monte Sereno have lots as small as 1 AC, and abutting our property to the south are 5 AC lots in the County.

We respectfully request that the zoning for our property be designated as "Rural Fringe" allowing for 1 DU/ 5AC. In our opinion, it does not make sense from a sustainable planning standpoint for the zoning to jump from "Residential Estate" (1.5 AC lots) to "Rural Residential" (10 AC lots) on our property and that a gradual transition of lot density is more appropriate.

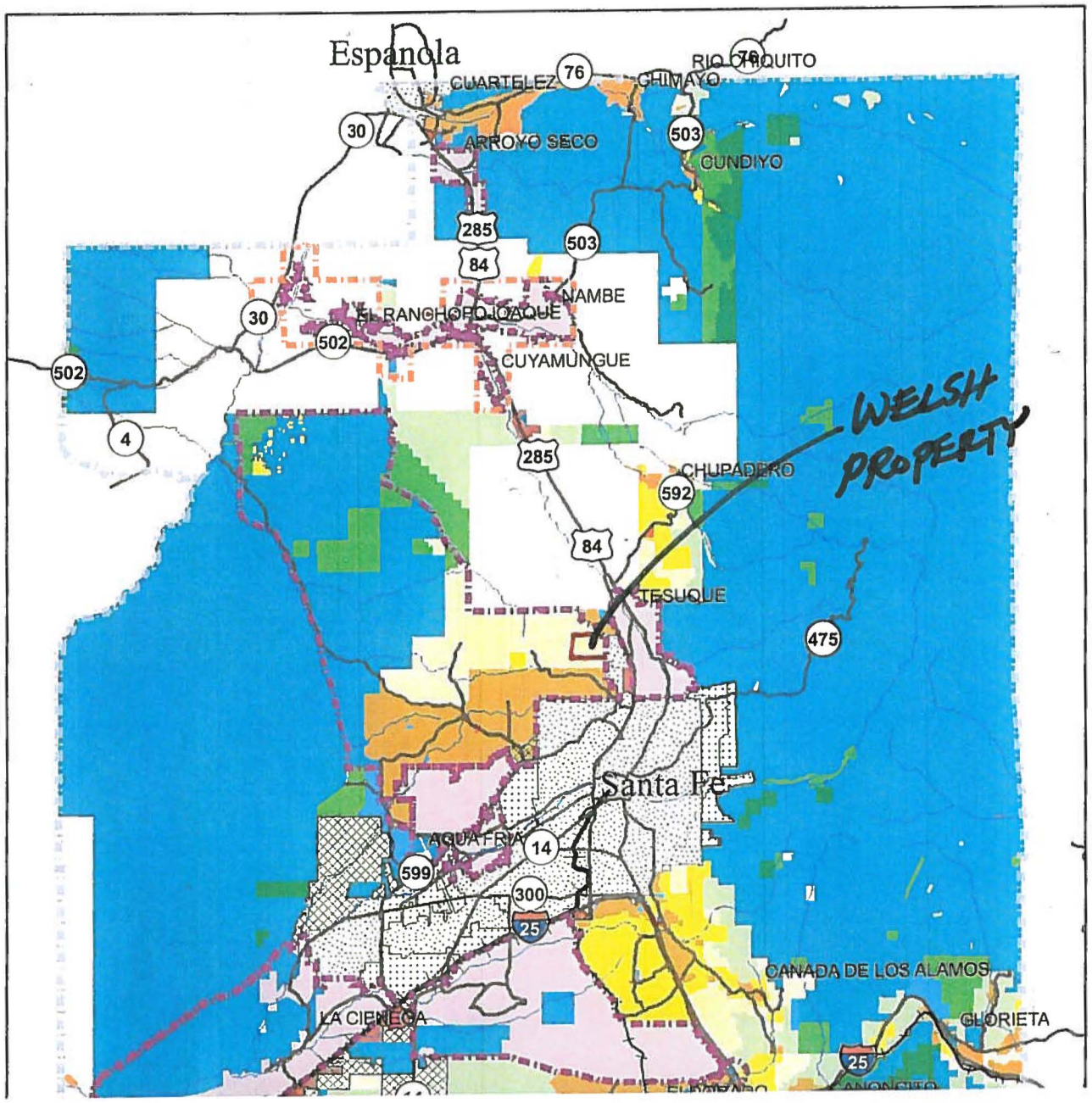
This property has been in our family for over 50 years; nobody appreciates the beauty and respects the goals of a Sustainable Land Development Code more than our family. We appreciate the opportunity to comment on Phase I of the SLDC and look forward to working with the County to create a thoughtful zoning code for Santa Fe County.

We would like to schedule a meeting with County staff at your earliest convenience to discuss in more detail and to lay out a plan on how we can work together to achieve all of our goals. We will contact you next week to coordinate a time to meet.

Sincerely,

Lee A. Welsh
(505) 250-0611

Mike Marra
(505) 362-3366



Santa Fe County
Preliminary Draft Zoning Map
October 4, 2012

Legend

- Santa Fe County
- Community and District Plan Boundaries
- Municipality
- Municipal Annexation Areas
- Tribal Lands
- Federal and State Public Lands

Mixed Use Eligible Areas, Pursuant to Future Land Use Map *

Proposed Zoning Districts, 10-4-12 **

- Community and District Plan-Based Zoning
- Ag / Ranch (1 dwelling per 160 acres)
- Rural (1 dwelling per 40 acres)
- Rural Fringe (1 dwelling per 20 acres)
- Rural Residential (1 dwelling per 10 acres)
- Residential Fringe (1 dwelling per 5 acres)
- Residential Estate (1 dwelling per 2.5 acres)
- Residential Community (1 dwelling per acre)
- Traditional Community (1 dwelling per 0.75 acres to 3 dwellings per acre)
- Commercial
- Industrial
- Public/Insitutional
- Mixed Use (2 to 5 dwellings per acre, or 2 to 12 dwellings per acre - with commercial)

ATTACHMENTS FROM MR. BACA

Philip M. Baca
Baca Ranch
6209 Acacia St NW
Albuquerque, NM 87120

HAND DELIVERED

Robert Griego
Planning Manager
Santa Fe County
102 Grant
Santa Fe, NM 87504

Re: Comments on the Public Review Draft of the Sustainable Land Development Code (SLDC) (PRD) September 2012

Dear Mr. Griego:

I have reviewed the SLDC, which designates our family's property as Mixed Use. I am offering the following comments and requesting the changes to this designation as described below.

1) In 1996 the Baca family entered into a settlement agreement with Santa Fe County after lengthy litigation that involved a state court decision related to the condemnation of our property that is now part of the landfill. The settlement agreement contains several provisions that are impacted by the draft SLDC, including provisions that the county will rezone portions of our property as Industrial Property. I am requesting that the SLDC incorporate language that reflects the language within the settlement agreement. Specifically, that Baca property on the north half of the Cieneguilla grant adjacent to and north of the Santa Fe Airport, and portions of a separate property located on the north side of State Road 599 to the north east of the Santa Fe River be designated in the SLDC as industrial property.
2) While the Mixed Use designation is suitable for the Baca's 480 acre parcel immediately the south of the landfill, the other lands not described in item number 1, but located between the 480 acre parcel and County Road 56 should instead be identified as Rural Residential with 2-5 dwellings per acre, which will require proper waste water disposal. The property is in close proximity to the village center identified as La Cieneguilla, which has largely been developed exclusively as residential, and it is our belief that the Rural Residential designation is more suitable for the development that may occur in the future.

3) Lastly, the properties located upon the volcanic escarpment north of La Cieneguilla consist of a 620 acre Baca owned property and federal Bureau of Land Management and State Land Office property leased to the Baca family as part of our ranching operation. I believe these properties would be better served with an Agricultural property designation in the SLDC.

Attached with this correspondence is a map of the referenced area depicting the changes described in the comments above.

Thank you for the opportunity to comment on the draft SLDC. I will continue to monitor the plan as the process continues and reserve the right to amend or augment the comments above at a future date depending upon the changing circumstances.

Sincerely,

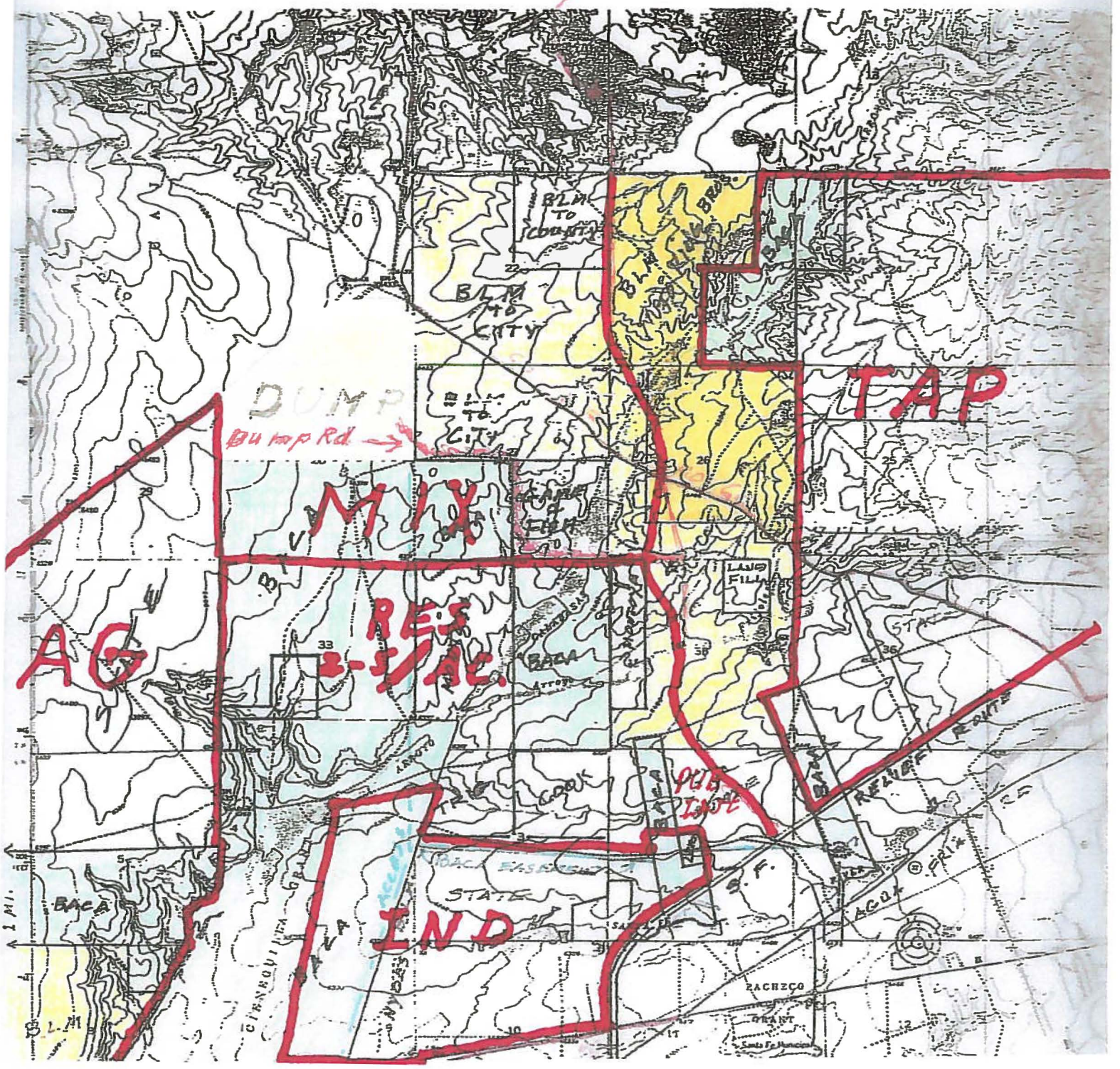
Philip M. Baca

Philip M. Baca

IND - Land Under Airport Noise Zones & Land between the Zones South of North BACA RANCH Loop to County Rd. 56

PUB/INT - State & BLM Lands west of Caja del Rio Rd.

Approx Location of Caja del Rio Rd.



NEW MEXICO
STATE LAND OFFICE

GENERAL RELINQUISHMENT, RELEASE, AND QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That Philip M. Baca Gen. Partner of PMB Limited
(State whether married or single, or state of incorporation)

and representing BACA RANCH
(wife, if any)

of P.O. Box 29205 Santa Fe N. Mex 87592

for consideration paid do (does) hereby relinquish, release, and quitclaim unto the State of New Mexico all their/its right, title, and interest in and to that certain (lease type*) Grazing Lease No. 60-2229, issued by the State of New Mexico, and now held under assignment No. _____ insofar as the same affects the following described lands:

Section	Township	Range	Subdivision	Acres
2	16N	8E	A portion of Lots 14 & 15	25.16

Provided that said Tracts do NOT encroach on needed Rt-of-way for construction of the 599/Cajo del Rio Intersection & maintain required county set backs.

WITNESS my /our hand(s) and sealed this 4th day of December, 20 06.

ATTEST: PMB Limited
(for use by corporation)

Philip M. Baca (Seal)

_____ (Seal)

(PERSONAL ACKNOWLEDGMENT)

STATE OF New Mexico)
)ss.
COUNTY OF Doña Ana)

The foregoing instrument was acknowledged before me this 4 day of December, 20 06 by Philip M. Baca

My Commission Expires: 8/16/2010. Elena

Notary Public

*Insert type of instrument such as oil and gas lease; general mining lease; potash lease; coal lease, salt lease; sand and gravel lease; right of way easement; water easement; purchase contract, etc.

PATRICK H. LYONS
COMMISSIONER

State of New Mexico
Commissioner of Public Lands

310 OLD SANTA FE TRAIL
P.O. BOX 1148
SANTA FE, NEW MEXICO 87504-1148

COMMISSIONER'S OFFICE
Phone (505) 827-5760
Fax (505) 827-5766
www.nmstatelands.org

Certified Mail
Return Receipt Requested

March 31, 2008

Philip M. Baca
2902 Karen Drive
Las Cruces, NM 88001

Mr. Baca

Please find enclosed a "General Relinquishment, Release, and Quitclaim Deed" to be signed and notarized. I have also included a copy of a plat of the property, which is shaded in red to visually describe which lands will be withdrawn.

If you have any questions or concerns regarding this relinquishment please don't hesitate to contact me at (505) 827-5760.

Sincerely,

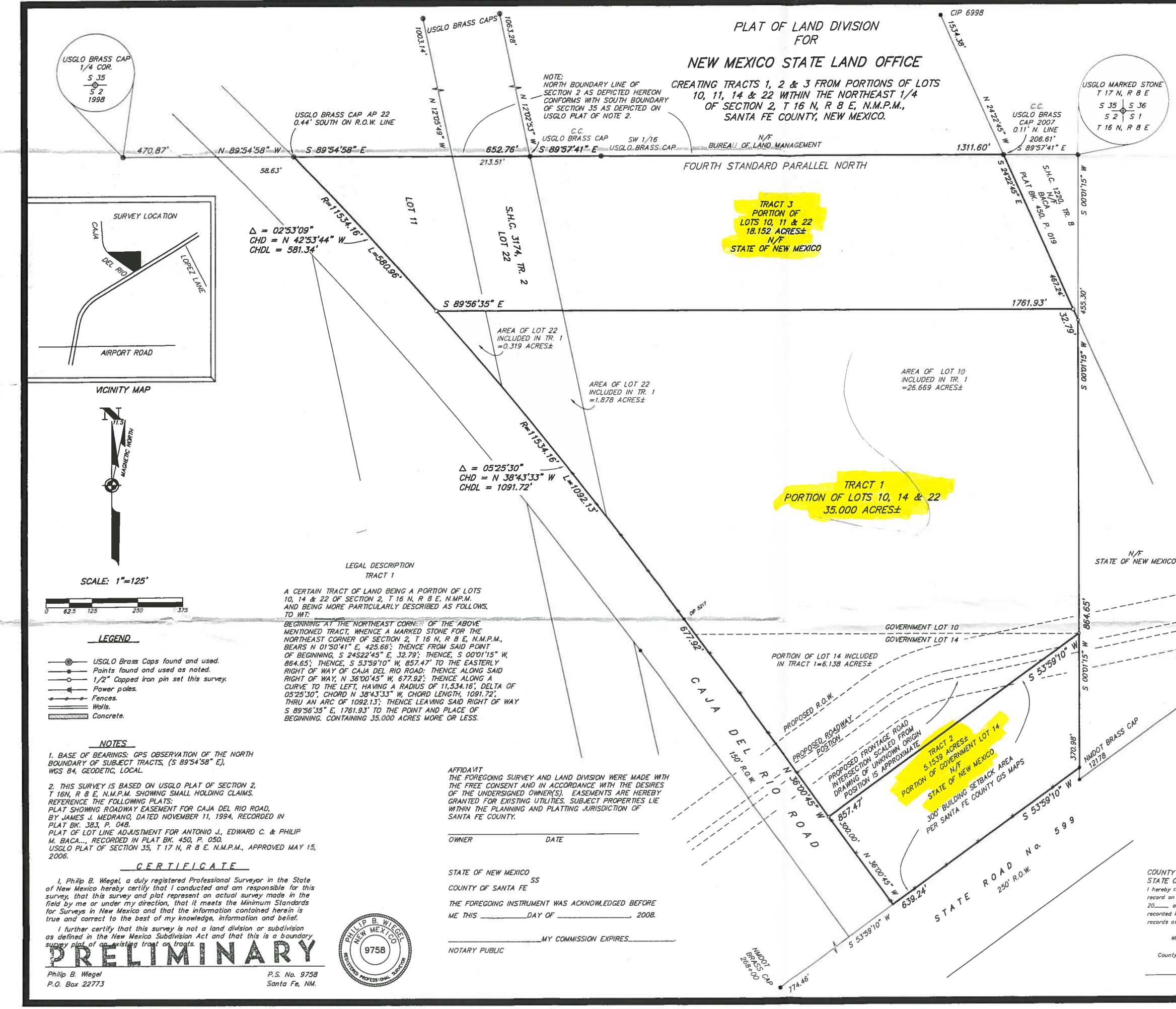
Dallas Rippy
Assistant Commissioner, Special Projects
New Mexico State Land Office
310 Old Santa Fe Trail
P.O. Box 1148
Santa Fe, NM 87504-1148
(505) 827-5760

_Enclosures

CC: Mark Johnson, CEO Easter Seals Santa Maria El Mirador

PLAT OF LAND DIVISION
FOR
NEW MEXICO STATE LAND OFFICE

CREATING TRACTS 1, 2 & 3 FROM PORTIONS OF LOTS 10, 11, 14 & 22 WITHIN THE NORTHEAST 1/4 OF SECTION 2, T 16 N, R 8 E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO.



LEGEND

- USGLO Brass Caps found and used.
- Points found and used as noted.
- 1/2" Capped iron pin set this survey.
- Power poles.
- Fences.
- Walls.
- Concrete.

NOTES

1. BASE OF BEARINGS: GPS OBSERVATION OF THE NORTH BOUNDARY OF SUBJECT TRACTS, (S 89°54'58" E), WGS 84, GEODETIC, LOCAL.

2. THIS SURVEY IS BASED ON USGLO PLAT OF SECTION 2, T 16N, R 8 E, N.M.P.M. SHOWING SMALL HOLDING CLAIMS. REFERENCE THE FOLLOWING PLATS:
PLAT SHOWING ROADWAY EASEMENT FOR CAJA DEL RIO ROAD, BY JAMES J. MEDRANO, DATED NOVEMBER 11, 1994, RECORDED IN PLAT BK. 383, P. 048.
PLAT OF LOT LINE ADJUSTMENT FOR ANTONIO J., EDWARD C. & PHILIP M. BACA..., RECORDED IN PLAT BK. 450, P. 050.
USGLO PLAT OF SECTION 35, T 17 N, R 8 E. N.M.P.M., APPROVED MAY 15, 2006.

CERTIFICATE

I, Philip B. Wiegel, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the field by me or under my direction, that it meets the Minimum Standards for Surveys in New Mexico and that the information contained herein is true and correct to the best of my knowledge, information and belief.

I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey plat of an existing tract or tracts.

PRELIMINARY

Philip B. Wiegel
P.O. Box 22773

P.S. No. 9758
Santa Fe, NM.

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

LEGAL DESCRIPTION
TRACT 1

A CERTAIN TRACT OF LAND BEING A PORTION OF LOTS 10, 14 & 22 OF SECTION 2, T 16 N, R 8 E, N.M.P.M. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE MENTIONED TRACT, WHENCE A MARKED STONE FOR THE NORTHEAST CORNER OF SECTION 2, T 16 N, R 8 E, N.M.P.M., BEARS N 01°50'41" E, 425.66'; THENCE FROM SAID POINT OF BEGINNING, S 24°22'45" E, 32.79'; THENCE, S 00°01'15" W, 864.65'; THENCE, S 53°59'10" W, 857.47' TO THE EASTERLY RIGHT OF WAY OF CAJA DEL RIO ROAD: THENCE ALONG SAID RIGHT OF WAY, N 36°00'45" W, 677.92'; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 11,534.16', DELTA OF 05°25'30", CHORD N 38°43'33" W, CHORD LENGTH, 1091.72', THRU AN ARC OF 1092.13'; THENCE LEAVING SAID RIGHT OF WAY S 89°56'35" E, 1761.93' TO THE POINT AND PLACE OF BEGINNING. CONTAINING 35.000 ACRES MORE OR LESS.

AFFIDAVIT
THE FOREGOING SURVEY AND LAND DIVISION WERE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S). EASEMENTS ARE HEREBY GRANTED FOR EXISTING UTILITIES. SUBJECT PROPERTIES LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF SANTA FE COUNTY.

OWNER DATE

STATE OF NEW MEXICO
SS
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2008.

_____ MY COMMISSION EXPIRES _____

NOTARY PUBLIC

SANTA FE COUNTY APPROVAL NOTES AND CONDITIONS

APPROVALS:

EZC CHAIRMAN DATE

COUNTY LAND USE ADMINISTRATOR DATE

RURAL ADDRESSING DATE

DEVELOPMENT PERMIT No.

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE REPONSIBILITY OF THE LAND OWNER/USER UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

LANDS SHOWN HEREON LIE OUTSIDE THE 100-YEAR FLOOD PLAIN (ZONE X) ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP PANEL No. 350069-0226-B.

EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

NEW DRIVEWAY/ROAD ACCESS FROM COUNTY ROAD IS SUBJECT TO APPROVAL BY THE PUBLIC WORKS DIRECTOR PRIOR TO ISSUING A PERMIT FOR CONSTRUCTION. THE DIRECTOR SHALL APPROVE THE LOCATION AND INSTALLATION OF A CULVERT AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUING A PERMIT FOR CONSTRUCTION.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(S) OR ROAD(S) AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

THESE LOTS ARE SUBJECT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE. THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

WATER USE/WELL WITHDRAWAL ON THESE TRACTS IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN BOOK _____ PAGE(S) _____ AS DOCUMENT NO. _____.

THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN BOOK _____, PAGE(S) _____ AS DOCUMENT NO. _____.

MINIMUM FLOOR ELEVATION FOR ALL STRUCTURES SHALL BE ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. FLOOD ELEVATIONS SHOWN ARE APPROXIMATE AND SHALL BE VERIFIED BY A PROFESSIONAL ENGINEER.

ALL LANDS SHOWN HEREON HAVE SLOPES OF LESS THAN 15% AND THERE ARE NO NATURAL DRAINAGE WAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS.

THE LANDS SHOWN HEREON LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.

SANITARY SEWERS ARE NOT AVAILABLE TO SUBJECT PROPERTY. ON-SITE SANITARY DISPOSAL IS THE RESPONSIBILITY OF THE OWNER. SEWER DISPOSAL SYSTEM MUST BE PERMITTED AND APPROVED BY THE NEW MEXICO ENVIRONMENT DEPARTMENT.

THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN BOOK _____, PAGE(S)_____ AS DOCUMENT No. _____.

NO ARCHAEOLOGICAL NON-DISTURBANCE EASEMENT(S) WERE RECOMENDED BY STEPHEN TOWNSEND, CONSULTING ARCHAEOLOGIST, AND BY REPORT No. _____.

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT No. _____.

SPECIAL BUILDING PERMIT CONDITIONS

BUILDINGS ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLAND INTERFACE CODE.

DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNITL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.
RIDGE TOP BUILDING HEIGHT REQUIREMENTS = 14'.

COUNTY OF SANTA FE
STATE OF NEW MEXICO } ss
I hereby certify that this instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock ____ m., and was duly recorded in Book _____ Page _____ of the records of Santa Fe County.

Witness my Hand and Seal of Office
VALERIE ESPINOZA
County Clerk, Santa Fe County, New Mexico

_____
Deputy

INDEXING INFORMATION FOR COUNTY CLERK
LAND DIVISION SURVEY

OWNER: STATE OF NEW MEXICO
LOCATION: CAJA DEL RIO/ SR. 599
SECTION 2, T 16 N, R 8 E, N.M.P.M.
USGLO LOT 14
UPC:

SANTA FE COUNTY, N.M.

DEL RIO SURVEYS, INC.		
PO BOX 22773	SANTA FE, NM	820-9200
Project No. 06080671	Dwg. PW / CHK. DV	Date 8/14/06 / REV: 2

ATTACHMENTS FROM MS. REYNOLDS

Comments from Walter Wait, 10/30/2012

2.1.4. Community Plans.

2.1.4.1. A Community Plan provides specific planning, design and implementation for a traditional, contemporary or other geographic community. A community plan may be implemented either through the zoning map or through creation of a community district overlay zone.

2.1.4.2. It is the intent of this subsection to permit communities to create a community planning process, directed by County planning staff. The community planning process is intended to provide diversity of representation during the planning process and provide consistency with the goals and policies of the SGMP and SLDC.

2.1.4.3. The Community Plan is intended to identify development and growth impacts for an area and provide strategies and land use recommendations including a future land use plan consistent with the SGMP.

2.1.4.4. A Community Plan is intended to permit communities to recommend adoption of particular land use regulations based on the needs and goals of the community and shall conform to the procedures set forth in the SLDC, and to subsequently update plans as necessary due to changing circumstances.

2.1.4.5. Community Planning Process.

1. The community planning process is initiated by filing a letter of application with the Administrator. Alternatively, the Administrator may initiate the planning process sua sponte. The application shall include:

a. A list of members who are proposed to be the initial members of the planning committee, which shall include residents, property owners and business owners who are generally representative of the community;

b. An explanation of the conditions that justify undertaking the community planning process, or an explanation of conditions that justify amending an existing community plan; and

c. A map of the proposed community boundary, or, in the case of an application for amendment of an existing plan, a map or the existing community boundary.

2. The application shall be reviewed by the Administrator for completeness and referred to the Board of County Commissioners. If the application is approved, the Board shall, by resolution, establish the planning committee and, if the application is for a new planning area, establish the planning area. The Board shall approve the planning committee upon recommendation of the Administrator. Once the committee is approved, County planning staff may initiate planning activities. Additional persons may participate as members of the planning committee throughout the planning process without the necessity of appointment by the Board.

3. All planning sessions and activities shall be open to the public and advertised throughout the community and coordinated by County planning staff. Open discussion and diversity of opinion shall be encouraged. The community plan shall document resident, property owner and business owner participation and representation.

4. County planning staff in coordination with the planning committee shall develop a public participation plan that assures representation of a diverse cross section of the community. The public participation plan may include public meetings, surveys, establishment of topic specific subcommittees, outreach to community groups and interested parties.

5. County planning staff shall provide planning expertise and administrative support to the planning committee. The planning committee shall determine the planning process to be used and the basic guidelines for consensus decision-making.

6. The planning committee shall work closely with County planning staff to develop and draft a community plan or amendment that is consistent with the SGMP.

7. To develop the community plan, the planning committee with support and guidance from County staff, shall accomplish each of the following tasks:

a. Compile an initial list of issues, present the list to the community, and take note of all feedback. Analyze all such feedback and make appropriate amendments to the list;

b. Describe and analyze the planning framework;

c. Develop community profile and provide demographic data of plan area;

d. Prepare a community vision statement, which must be a clear statement of the desired future of the community;

e. Prepare a description of how the community fits within the development patterns within the context of the overall County;

f. Analyze the existing land use and zoning within the community and create a map depicting existing land uses and development patterns;

g. Analyze the local cultural and natural resources, including water quality and availability;

h. Examine the local infrastructure, including utilities, telecommunications, roads and traffic; and

i. Develop a land use plan and implementation strategies which includes a future land use map, proposed zoning and design standards (as applicable).

2.1.4.5. 8 AMENDING A COMMUNITY PLAN

2.1.4.5.8.1. Proposals to amend an existing Community Plan may be made :

a. at the direction of the BCC or Planning Commission
b. by County Planning acting upon a public request for amendment
c. by a planning committee approved by the BCC
d. by a CPO approved by the BCC for the specific geographic area encompassed by the Community Plan.

2,1,4,5,8,2, COMMUNITY PLANNING AMENDMENT PROCESS

The amendment process is initiated by either a written directive to the Administrator by the BCC or through the filing of a proposal application to the administrator by any of the entities listed in 2.1.,4.5.8.1.

The proposal Application must :

A. Clearly identify the entity that is proposing the amendment. If the proposed amendment is being submitted by Planning as part of a public request, the identity of the requester must be clearly stated and any corporate affiliations or links identified.;

B .state the date that the amendment proposal has been submitted;

C..List the organizations, entities, and Agencies that the proposed amendment has been provided to for comment.

D. Include Any responses received

E. Present all proposed amendments to the existing plan, together with any existing language, charts, maps, and/or numbered sections that have relevance to the proposed changes.

F. state an explanation that justifies the proposed amendments,

G. provide a map of the existing community plan boundaries.

2.1.4.5.9. The Administrator will review the application for completeness and notify all parties listed in 2.1.2.5.8.1 and any organization with standing that an application for a community plan amendment has been received.

2.1.4.6. Review and Adoption of Community Plan Amendments.

1. County planning staff shall review and analyze the proposed amendment for consistency with the SGMP.

2. The Administrator shall make a determination of consistency before the adoption process begins.

2. The Administrator shall refer the proposal to appropriate County staff and outside review agencies for independent review..

3. Proposed amendments originating with County Staff shall be reviewed by either the Community Plan's "planning Committee" or by it's approved CPO and any organization with standing.

4. All reviews shall be incorporated into the public record by the Administrator. and shall be made available to the public at any subsequent public heating.

4. The Administrator shall hold either a legislative or quasi-judicial public hearing upon the proposed amendment, as described in Chapter 4, or shall request that the BCC conduct such a public hearing.

5. Notice of the public hearing shall be provided by publication once a week for two consecutive weeks in a newspaper of general circulation within the community, and by posting notices for at least two weeks prior to the public hearings in a conspicuous place in the community. Notice will also will be placed on the County Web-Site, and sent via E-mail to all organizations with standing..

6. Following the completion of the public hearings, the Administrator shall review all comments received during the public hearings and make a recommendation on the proposed amendment to the Planning Commission and the Board of County Commissioners .

7. The Board may approve the community plan amendment as submitted, approve with amendments, or deny.

2.1.4.7. Status of Community Plans. After approval by the Board, a community plan amendment shall constitute an amendment to the SGMP.

2.1.4.8. Implementation. Following approval of a community plan amendment, County staff shall develop the appropriate overlay district(s) changes to implement the Community Plan amendments.

2.1.4.9. Periodic Review. Each community plan will be reviewed periodically by either a planning committee or County staff. The review will be made for recommendations for appropriate amendments and shall include at least one public meeting in the community. The recommendations of the planning committee and any recommendations received during the public meeting, and a recommendation of the Administrator, shall be presented to the Board of County Commissioners. The BCC shall approve or reject recommendations for amendments to a Community Plan following the process described in 2.1.4.5.8.

2.1.5. Plan Amendments.

2.1.5.1. The Board, the Planning Commission or the Administrator may initiate proposed amendments to the Community Plans. Proposed amendments to a community plan shall be accomplished through the procedure set forth in 2.1.4.5.8..

2.1.5.2. No amendment to the Community Plan or the zoning map, involving a majority of the land within a single tract or parcel of land in the same ownership shall be adopted unless it is demonstrated that there has been a substantial change in the condition of the area surrounding the owner's property, or there was an error or mistake made in the adoption of the future land use or zoning map. An application to amend any plan described in this chapter shall be processed according to the procedures set forth in Chapter 4.

2.1.5.3. An application to amend any plan described in this chapter shall be filed with the Administrator.

2.1.5.4. The Administrator shall review the application and shall determine if the application is complete pursuant to the provisions of §4.4.6. The Administrator shall inform the applicant of the status of the completeness of the application. If the Administrator determines that the application is incomplete, the application shall be returned to the applicant. The applicant shall be instructed in writing as to the reasons for the incompleteness of the application.

s**2.1.5.6.** In determining whether a proposed amendment shall be approved, the Planning Commission and Board shall consider the factors set forth in the SLDC, New Mexico judicial decisions and statutes. No SGMP amendment, Area, District or Community plan amendment or SLDC zoning map amendment

will be approved unless it is consistent with the SGMP or the applicable Area, District or Community Plan.

2.1.5.7. The applicant, and any person that could have proposed a plan amendment under this chapter, may appeal the decision of the Planning Commission to the Board so long as the person or the applicant files a written notice of appeal with the Administrator within ten (10) days of the date of the Planning Commission's development order or decision.

2.1.5.8. Approval of an amendment to the Community plan does not authorize the use, occupancy, or development of property. The approval of a plan amendment shall require the applicant to apply for development approval pursuant to the provisions of the SLDC, which may occur concurrently with the plan amendment process.

2.1.5.9. The Board, Planning Commission or the Administrator shall initiate a county-wide review of r Community plan, and the zoning map, every three (3) to five (5) years. All recommended amendments shall be processed as described in 2.1.5.8.

2.1.6. Consistency. The SLDC and all amendments thereto shall be consistent with the SGMP and applicable r Community Plans, the CIP and the Official Map.

Comments from Walter Wait, 10/26/12

12.13.2. TDRs or PDRs.

- The goal of the TDR program is to preserve:
  sensitive lands such as agricultural land, wetlands, wildlife preservation areas, conservation areas, areas requiring cultural preservation, areas within traditional communities, open space, trails, and other significant preservation areas identified on the Official Map.
  - Sending areas are set aside for non-impacting uses
  - Receiving areas purchase a density bonus within limits
  - The county would manage a TDR bank to facilitate sale and transfer.

Denominations of TDRs are in "dwelling units".

12.13.2.1. A transfer or purchase of development rights for a specific parcel, tract , lot ,or trail segment to the County land bank may be authorized by the Board, consistent with a development order granting BUD relief, or may be created by the issuance of "a TDR certificate by the Administrator as part of a development order. TDR certificates for trail creation may be created without any subsequent division of property and will not affect the remaining property's zoning status.

12.13.1.1.1.Transfer of Development Rights or TDR's may be considered a vehicle leading to the retirement of a property owners right to develop a specific piece of land in Santa Fe County. A land owner who retires a property by transferring those rights may no longer utilize that property for any development that requires a development review, development plan, or building permit.
The retired property, still owned by the owner of record, may utilize the retired property for the following uses:

ranching
agriculture
parkland
trails
wetland preservation
wildlife preservation
open space
grazing
hunting
fishing
any other non-land impacting use not specifically outlawed by statute.

Property retired through the use of a TDR is owned by the deed holder, and no transfer of title has taken place. A PDR, on the other hand transfers the title of a designated property to a new owner, with permanent restrictions as listed in 12.13.1.1.1. in place in perpetuity.

12.13.1.1.2 Property listed as "retired" after a TDR has been issued may be transfered by the owner. However, retired property cannot be developed by any subsequent owner, as dictated in 12.13.1.1.1. Property listed as "retired" through the issuance of TDR Certificates may be purchased by the County Land Bank from a willing seller, or presented to the County Land Bank as part of an approved Level of Service (LOS) plan, its associated Land Use Development Order or as part of any approved subdivision application.

12.13.1.1.3 The deed for the property within which a portion has been retired is annotated by the County Clerk upon notification of the County Land Bank Administrator. The location of the retired portion and the number of the certificates being provided by the County Land Bank Administer is attached to the deed, and like an easement, "goes" with the deed. Property retired through the use of the TDR process cannot be bought back through the use of the TDR process.

12.13.1.1.3. Property acquired by the County Land Bank as part of the TDR Process may be incorporated into the County Open Space, Parkland and Trail System and may be opened for public use.

12.13.2.2. 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 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 the certificate shall have a copy of the deed attached.

12.13.2.2. Once a transfer or purchase of development rights is approved. the Administrator shall issue to the owner of the parcel a certificate or certificates equal to the acreage being retired from development.

The deed for the property within which a portion has been retired is annotated by the County Clerk upon notification of the County Land Bank Administrator. The location of the retired portion and the number of the certificates being provided by the County Land Bank Administer is attached to the deed, and like an easement, "goes" with the deed.

The "retired" property is recorded in the "Retired Properties" data base and is recorded to the land use map database, and with the County Assessor.. Once a parcel of land has been retired through the TDR process, the administrator shall issue a development order to the retired property owner , all present and future heirs, successors, and assigns stating that all development rights to the described parcel have been retired except for those specifically described in Section 12.13.1.1.1. 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 provide the serial numbers of the TDR Certificates issued by the Administrtaor as compensation for the retirement of the development rights attached.

12.13.2.3. 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 ,surrendered in perpetuity. Such certificate shall include a copy of the "TDR certificate or certificates signed by the property owner.

12.13.2.4, The TDR Certificate:

The TDR Certificate, issued upon acceptance of an application for the transfer of development rights to a specific property, is a controlled document, produced by the land bank, issued according to the following formula:

Retired Acres/Base Density.
To clarify this, a donor wishes to retire one acre of land and generate a TDR certificate in an area zoned 160 acres, the One acre divided by 160 would generate a .00625 Dwelling Unit TDR certificate. A Transfer of Development Rights for 160 acres would generate a TDR certificate worth 1 dwelling unit.
If the same TDR was created in an area zoned at 20 acres per dwelling, the TDR certificate would equal .05 dwelling units. Transferring development rights to twenty acres would generate a certificate worth one dwelling unit.
The certificate can be traded, much like the papers of a registered quarter horse or a Registered vehicle. A valid certificate is produced for the owner of the retired property in the amount determined by the approved application to the Land Bank. When the certificate is sold to a third party, it is signed over to the new owner, who must likewise register the document and pay a transfer fee based on the purchased value of the certificate. A new certificate is issued to the new owner. When a certificate is needed for an actual transfer to a new, "receiving" property, it must be turned in to the land bank, where it would be retired once the necessary approvals have been granted. Retired certificates and records of "active" certificates would be held by the Land Bank as proof that specific properties in Santa Fe County have indeed been retired. A database linking numbered certificates with retired properties will be maintained by the Land Bank Administrator.

The Value of a TDR Certificate

The value of a third party transfer of a development certificate will largely be set by supply and demand. TDRs purchased by the land bank directly from willing sellers could not exceed 2/3 the appraised value of the property or 100% of the assessed value of the complete parcel divided by the retired portion. Available TDR certificates would be sold by the Santa Fe Land Bank at a price determined by the average of all certificates sold in a specific period (ie. Six months).

Developers may negotiate for TDR's with willing sellers of any property that is within a designated sending area. Upon agreement, buyer and seller will apply to the Land Bank for TDR certificates equal to the dwelling units required in the development order. Once all

other sub-division requirements are met, and the proposed development has been approved, the Land Bank Administer will:

1.retire the development rights for the identified property
2.issue the TDR certificate(s) for the sending property to the buyer
3.collect fees for the transfer.
4. The new owner will then retire these certificates with the County Land Bank.

12.13.2.4. Application. A TDR or PDR is granted through the BUD process and an application for a BUD is an application for the TDR or PDR or the TDR or PDR is granted through development agreement between the County and the Landowner.

12.13.2.5. Application to DCIs. Owners or lessees of property applying for an overlay zoning district classification for a development of countywide development (DCI) shall only be authorized to transfer or sell development rights to the Coiunty Land Bank.

12.13.3. Receiving or Sending Properties.

12.13.3.1. No property shall be designated as a receiving or sending property for a TDR or PDR from or to a DCI, unless the Board has concurrently granted to both the sending and such receiving properties by development order.

12.13.3.2. 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, trails, 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 or areas designated as trail easements identified in an applicants response to LOS requirements.

12.13.3.3. 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 (see 12.11.1.1.1).

12.13.3.4. Receiving areas shall be located in approved planned districts. Receiving areas shall be entitled to a bonus incentive as follows:

SDA-1: TDR Certificates may be utilized anywhere in SDA-1 at a density of 2 times the underlaying zoning unless prohibited by this code, the zoning map, or community plan, or with an approved development order for a major subdivision In this case, TDR certificates may be utilized by a developer for up to 3X the underlying density. Using TDR Certificates in SDA-1 where the underlaying zoning is one house per 2.5 acres, a one dwelling unit TDR would permit a second house to be built.

SDA-2: TDR Certificates may be utilized anywhere in SDA-2 at a density of 2 times the underlaying zoning unless prohibited by this code, the zoning map, or community plan, or with an approved development order for a major subdivision. In this case, TDR certificates may be utilized by a developer for up to 3X the underlying density. Using TDR Certificates in SDA-2 where the underlaying zoning is one house per 20 acres, a one dwelling unit TDR certificate would permit a second house to be built.

SDA-3: TDR Certificates may be utilized anywhere in SDA-3 unless prohibited by this code, the zoning map, or community plan on a 2X the underlaying zoning density, or with an approved development order for a major subdivision. In this case, TDR certificates may be utilized by a developer for up to 3X the underlying density. Using TDR Certificates in SDA-3 where the underlaying zoning is one house per 160 acres, 1 one dwelling unit Certificate would permit a second house to be built.

The receiving area shall, as appropriate, apply to amend its final subdivision plat or final site plan to accommodate the TDRs or PDRs. Developers applying for approved planning districts must purchase TDR certificates sufficient to cover dwelling unit certificates equal to the zoning requirement for each additional housing unit planned. For example; A development planned for a Residential Fringe Zone (1 dwelling per twenty acres) could apply for a second dwelling unit with the purchase and retirement of of a 1 dwelling unit TDR certificate, or certificates totaling 1 dwelling unit.

12.13.4. Notification of the County Assessor. The County shall notify the County Assessor of the transfer or purchase of development rights within thirty (30) days of any of the following:

12.13.4.1. the approval a TDR or PDR;

12.13.4.2. the issuance of a certificate for the TDRs and PDRs;

12.13.4.3. purchase of development rights by the County for the County Land Bank;

12.13.4.4. the receipt by the County or the County Land Bank of a donation of development rights; and

12.13.4.5. the sale, lease or conveyance of development rights by the County Land Bank.

The Assessor shall adjust the valuations 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.

12.13.5. Establishment of the County Land Bank.

12.13.5.1. The Board will 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.

12.13.5.1.1 **The Santa Fe County Land Bank Shall:**

Purchase TDRs for property in any designated "sending area" at 2/3 the appraised value of the property, when directed by the BCC.
Purchase TDRs for property in any designated "sending area" ar the assessed value of the property, upon direction by the BCC.

Accept donations of Property TDRs, designated as “open space” through development agreements.
Accept donations of property TDR’s from land owners wishing to alter the assessed value of property so “retired”.
Create TDR certificates for property that the County purchases for open space or is donated to the County fee simple.
Produce trackable TDR Certificates in 1,5,10,20,50,100 acre denominations.
Sell TDR certificates to the public.
Develop and Administer the TDR Certificate program
Issue TDR certificates to willing landowners who desire to “retire” property in designated “sending areas”
maintain the San Fe County “Retired land” database
Administer programs to track valid ownership of TDR certificates.
accept TDR certificates as part of the land use process

12.13.5.2. The Administrator shall have the power and authority to negotiate a purchase of development rights, subject to the approval of the Board.

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

12.13.5.4 Duties of the Land-Bank Administrator

The Santa Fe Land Bank will be administered by the Santa Fe Land Bank Administrator. The Administrator shall be appointed by the Board of County Commissioners.:

12.13.5.4.1. The Santa Fe Land Bank Administrator shall:

Maintain the Santa Fe County Land Bank
Administer funds generated by the Land Bank
Produce Santa Fe County TDR Certificates
Maintain the Land bank database, including mapping software that will:
locate all property that has been retired by the issuance of a TDR certificate”
locate all “sending” and receiving areas
Track certificate ownership
Track certificate links to specific land parcel
Track all notification and provide updates to the County land use map.
Generate monthly TDR Certificate average value report
Serve as a central contact point for re-assessment of retired properties in conjunction with the County Assessor.
Insure that retired properties are as noted on County deeds with restrictions indicating that development rights have been retired
Serve as the County Code Enforcement arm to insure that deed restrictions on retired properties are enforced.
work with the assessor’s office to define a “retired Development Rights’ category for tax purposes.

Set a monthly value for the sale of County Owned TDR Certificates based on average price paid for Certificate transfer from one owner to another.

12.13.6 TDR or PDR certificates are required when:

12.13.6.1. As part of the Development Review process, TDR certificates are required by any development that requires a variance from the Santa Fe County Code. Certificates must be presented to the Land Bank equal to twice the area requested for variance.

12,13,6,2. for any development that requires a lot-split, in any area, and for any Guest House or compound that rental status has been applied for. In these instances, Certificates must equal the total land area affected. For example, a request to make a guest house that sits on a ten acre plot a rental would require a certificate for 10 acres to be transferred to the land bank.

12.13.6.3. TDR Certificates would be issued TO the Land Bank when property is designated as "open space" by a developer as part of a development agreement.

12.13.6.4. An applicant desires to bring a non-conforming property to "conforming" status (see 12.13.7)

12.13.6.4 As part of the LOS requirement for Trails, whereby the subdivision application must indicate a specified trail segment to meet its requirement for approval (see Table 12.1). The identified trail segment would generate a TDR or PDR certificate once the subdivision is approved.

12.13.6.4. As part of a LOS requirement for Parks or Open Space.

12.13.7. TDR's and non-conforming or "antique" subdivision

12.13.7.1 Non-conforming subdivisions are any parcel of land that was platted prior to the establishment of the New Code's zoning Ordinance, and does not conform to the conditions set by the New Code.

In order for an owner of a non-conforming parcel to establish conformity with the codes zoning, the owner may elect to purchase Transfer of development Right (TDR) certificates equal to the number of acres needed to establish conformity. As an example, a developer that owns an undeveloped five acre lot in a zone that requires ten acres (Rural Residential) to be in conformance, may purchase five acres of TDR certificates. This would essentially transfer sufficient development rights to the property (in this case 5 + 5 = 10) to create a conforming lot. Presented to the administrator as part of an application for a building permit, the developer would not have to apply for a variance and could receive a building permit with ministerial approval. The Land bank Administrator would issue a certificate of conformance that would be attached to the deed filed with the County Assessor.

Walter Wait
Recommendation to apply the strict language used for sexually oriented businesses to sand and gravel extraction.

10.20.1.5. There is convincing documented evidence that gravel mining businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values;

10.20.1.6. It is recognized that gravel mining businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to blight and downgrading the quality of life in the adjacent area;

10.20.1.7. The Board desires to minimize and control these adverse elects and thereby protect the health, safety, and welfare of the citizenry; preserve the quality of life; preserve property values and the character of surrounding neighborhoods and deter the creation of blight;

10.20.1.8. The Board has determined that locational criteria alone do not adequately protect the health, safety, and general welfare of the people of the County;

10.20.3.1. It is unlawful:

1. For any person to operate a gravel mining business without a valid gravel mining business license issued by the County pursuant to this section.

2. For any person who operates a gravel mining business to employ a person to work for the gravel mining business who is not licensed as a gravel mining business employee by the County pursuant to this section.

3. For any person to obtain employment with a gravel mining business without having secured a gravel min ing employee license pursuant to this section.

10.20.3.2. An application for a license must be made on a form provided by the County. All applicants must be qualified according to the provisions of this section.

10.20.3.3. The application shall be notarized and shall include all information required in this section*, including the following:*

1. The full true name and any other names used in the preceding five (5) years, address, social security number and date of birth;

2. The current business address;

3. A set of fingerprints suitable for conducting necessary background checks pursuant to this section;

4. If the application is for a gravel mining business 1icense, the name, business location, legal description, business mailing address and phone number of the proposed gravel mining business;

6. The issuing jurisdiction and the effective dates of any license or permit held by the applicant relating to a sgravel mining business, and whether any such license or permit has been denied, revoked or suspended, and if so, the reason or reasons therefore.

7. If the application is for agraval mining business license, the name and address of the statutory agent or other agent authorized to receive service of process.

10.20.3.4. Information provided pursuant to licensing shall be supplemented in writing by certified mail, return receipt requested, to the Administrator within ten (10) working days of a change of circumstances which would render the information originally submitted false or incomplete.

10.20.3.6. If the person who wishes to operate a gravel mining business is an individual, he or she shall sign the application for a license as applicant. If the person that wishes to operate a sgravel mining business is other than an individual (such as a corporation), each officer director, general partner, or other person who will participate directly in decisions relating to management of the business shall sign the application for a license as the applicant. Each applicant must be qualified under the section entitled "Issuance of License," and each applicant shall be considered as a licensee if a license is granted.

10.20.3.7. A person who possesses a valid business license is not exempt from the requirement of obtaining any required gravel mining business license. A person who operates a graval mining business and possesses a business license shall comply with the requirements and provisions of this section, where applicable.

10.20.3.8. The information provided by an applicant in connection with the application for a license under this section shall be maintained by the Administrator.

10.20.4. Issuance of License.

10.20.4.1. Upon the filing of a completed application for a gravel mining business license or a gravel mining business employee license, the Administrator shall issue a Temporary License to the applicant, which Temporary License shall expire upon final decision. Within twenty (20) days after the receipt of a completed application, the
Hearing Officer shall either issue a license or issue a written notice of intent to deny a license to the applicant. The license shall be issued unless one or more of the following is found to be true:

1. The applicant is less than eighteen (18) years of age.

2. The applicant is delinquent in the payment to the County of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to a gravel mining business.

3. The applicant has failed to provide the information as required by this section for issuance of the license.

4. The applicant has been convicted of a Specified Criminal Activity. The fact that a conviction is being appealed shall have no effect under this Subsection. For the purposes of this subsection, "convicted" means a conviction or guilty plea, and includes a conviction of any business entity for which the applicant had, at the time of the offense leading to the conviction for a Specified Criminal Activity, a management responsibility or a controlling interest.

5. The required license application fee has not been paid.

6. The applicant has falsely answered a question or request for information on the application form.

7. The proposed gravel mining business is in a zoning district other than a district in which gravel mining businesses are allowed to operate, or is not in compliance with the location restrictions established for gravel mining businesses in the appropriate zoning district(s).

10.20.4.2. An applicant that is ineligible for a license due to §10.20.4.1.4 may qualify for a sgravel mining business license only when the applicable time period has elapsed:

1. more than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

2. more than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

3. more than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any twenty-four (24) month period.

10.20.4.3. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the number of the license issued to that applicant, the expiration date, and whether the license is for a gravel mining business. A gravel mining business employee license shall contain a photograph of the licensee. The gravel mining business license shall be posted in a conspicuous place at or near the entrance to the gravel mining business so that it may be easily read at any time. A gravel mining business employee shall keep the employee's license on his or her
person or on the premises where the licensee is then working or performing, and shall produce such license for inspection upon request by an authorized County official.

10.20.5. Fees. The non-refundable initial license fee and annual renewal fee for a gravel mining business license or a gravel mining business employee license shall be set by the Board at an amount determined to be sufficient to pay the cost of administering this program.

10.20.6. Inspection.

10.20.6.1. For the purpose of ensuring compliance with this section, an applicant, operator or licensee shall permit the Administrator and any other federal, state or county agency in the performance of any function connected with the enforcement of this ordinance, normally and regularly conducted by such agencies, to inspect, at any time the business is occupied or open for business, those portions of the premises of a gravel mining business which patrons or customers are permitted to occupy.

10.20.7. Expiration of License.

10.20.7.1. Each license shall expire one (1) year from the date of issuance and may be renewed only by making application as provided above. An application for renewal shall be made at least thirty (30) days before the expiration date, and when made less than thirty (30) days before the expiration date, the expiration of the license will not be affected.

10.20.7.2. When the County denies renewal of a license, the applicant shall not be issued a license for one (1) year from the date of denial. If, subsequent to the denial, the County finds that the basis for denial

of the renewal license has been corrected or abated, the applicant shall be granted a license if at least ninety (90) days have elapsed since the date that the denial became final.

10.20.8. Suspension The Administrator shall issue a written intent to suspend a license for a period not to exceed thirty (30) days if it determines that a licensee or an employee of a licensee has:

10.20.8.1. Violated or is not in compliance with any portion of this section;

10.20.8.2. Refused to allow an inspection of the gravel mining business premises as authorized by this section.

10.20.9. Revocation.

10.20.9.1. The Administrator shall issue a written statement of intent to revoke a gravel mining business license if a cause of suspension occurs and the license has been suspended within the previous twelve (12) months.

10.20.9.2. The Administrator shall issue a written statement of intent to revoke a gravel mining business license if the Administrator determines that:

1. The licensee gave false or misleading information in the material submitted during the application process;

2. The licensee has knowingly allowed possession, use, or sale of controlled substances on the premises;

3. The licensee has knowingly allowed prostitution on the premises;

4. The licensee knowingly operated the gravel mining business during a period of time when the licensee's license was suspended;
5.

10.20.9.3. The fact that a conviction is being appealed shall have no effect on the revocation of the license.

10.20.9.4. When, after the notice and hearing procedure described in this section, the Administrator revokes a license, the revocation shall continue for one (1) year and the licensee shall not be issued a sexually oriented business license for one (1) year from the date of revocation becomes effective, provided that, if the conditions for a provisional license are met, a provisional license will be granted. If, subsequent to revocation, the Administrator finds that the basis for the revocation found in §10.20.9.2.1 or §10.20.9.2.4 has been corrected or abated, the applicant shall be granted a license if at least ninety (90) days have elapsed since the date the revocation became effective.

10.20.10. Hearing; License Denial, Suspension, Revocation; Appeal.

10.20.10.1. If the Administrator determines that facts exist for denial, suspension, or revocation of a license under this ordinance, the Hearing Officer shall notify the applicant or licensee (respondent) in writing of the intent to deny, suspend, or revoke the license, including the grounds therefore, by personal delivery, or by certified mail. The notification shall be directed to the most current business address on file with the Hearing Officer. Within five (5) working days of receipt of such notice, the respondent may provide to the Administrator, in writing, a response that shall include a statement of reasons why the license or permit should not be denied, suspended, or revoked. Within three (3) days of the receipt of

respondent's written response, the Administrator shall notify respondent in writing of the hearing date on respondent's denial, suspension, or revocation proceeding.

10.20.10.2. Within ten (10) working days of the receipt of respondent's written response, the Administrator shall conduct a hearing at which respondent shall have the opportunity to be represented by counsel and present evidence and witnesses on his or her behalf. The Administrator shall issue a written opinion within five (5) days of the hearing. If a response is not received by the Administrator in the time stated or, if after the hearing the Administrator finds that grounds as specified in this ordinance exist for denial, suspension, or revocation, then such denial, suspension, or revocation shall become final five (5) days after the Administrator sends, by certified mail, written notice that the license has been denied, suspended, or revoked. Such notice shall include a statement advising the applicant or licensee of the right to appeal such decision to a court of competent jurisdiction.

10.20.10.3. If the Administrator finds that no grounds exist for denial, suspension or revocation of a license, then within five (5) days after the hearing, the Administrator shall withdraw the intent to deny, suspend, or revoke the license, and shall so notify the respondent in writing by certified mail of such action and shall contemporaneously issue the license.

10.20.10.4. When a decision to deny, suspend, or revoke a license becomes final, the applicant or licensee (aggrieved party) whose application for a license has been denied, or whose license has been suspended or revoked, shall have the right to appeal such action to a court of competent jurisdiction. Upon the filing of any court action to appeal, challenge, restrain, or otherwise enjoin the County's enforcement of the denial, suspension, or revocation, the County shall immediately issue the aggrieved party a Provisional License. The Provisional License shall allow the aggrieved party to continue operation of the sexually oriented business or to continue employment as a sexually oriented business employee, as the case may be, and will expire upon the court's entry of a judgment on the aggrieved party's action to appeal, challenge, restrain, or otherwise enjoin the County's enforcement.

10.20.11. Transfer of License. A licensee shall not transfer his or her license to another, nor shall a licensee operate a gravel mining business under the authority of a license at any place other than the address designated in the application.

10.20.12. Location of gravel mining Businesses.

10.20.12.1. A person commits a misdemeanor if that person operates or causes to be operated a gravel mining business in any zoning district other than a district in which gravel mining businesses are allowed to operate.

10.20.12.2. A person commits a misdemeanor if that person causes or permits the operation, establishment, substantial enlargement, or transfer of ownership or control of a gravel mining business within one-hundred (100) feet of another gravel mining business. For purposes of this section, the distance between any two gravel mining businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.

10.20.12.3. A person commits a misdemeanor if that person causes or permits the establishment or maintenance of more than one gravel mining business in the same property

10.20.12.4. A person commits a misdemeanor if the person operates or causes to be operated a gravel mining business within one-thousand (1,000) feet of the following. For the purpose of this section, measurement shall be made in a straight line, without regard to the intervening structures or objects, from

the nearest portion of the building or structure used as the part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed below. The presence of a County, City or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

1. A church, synagogue, mosque, temple, or building which is used primarily for religious worship and related religious activities;

2. A public or private educational facility including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools,
private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;

3. A boundary of a residential zoning district;

4. A public park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas or other similar public land within the County which is under the control operation, or management of the County park and recreation authorities;

5. The property line of a lot devoted to a residential use;

6. An entertainment business which is oriented primarily towards children or family entertainment;
7.

10.20.13. Non-conforming Use.

10.20.13.1. Any gravel mining business lawfully operating on the date of adoption of this ordinance, which is in violation of §10.20.12 shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed one (1) year, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such nonconforming uses shall not be increased, enlarged, extended, or altered except that the use may be changed to a conforming use.

10.20.13.2. If two or more gravel mining businesses are within 100 feet of one another and otherwise in a permissible location, the gravel mining business which was first established and continually operating at a particular location is the conforming use and the later established business(es) is/are nonconforming.

10.20.13.3. A gravel mining business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the gravel mining business license, of a use listed in §10.20.14.4, within 1,000 feet of the gravel mining business. This provision applies only to the renewal of a valid license, and does not apply when an application is made for a license after the applicant's previous license has expired or been revoked.

10.20.18. Hours of Operation. No gravel mining business,, may remain open at any time between the hours of ten o'clock (101:00) p.m. and eight o'clock (8:00) a.m. on weekdays and Saturdays, or on Sunday.

Comments submitted by Walt, 10/16/2012

LEVEL OF SERVICE (LOS) FOR SANTA FE COUNTY TRAILS

Table 12-1 states that the Trails have a 1.0 mile requirement for every 1,000 residents, where the impact area is “countywide”. What does this mean?

First, lets try to define “Countywide” The 2011 US Census states that Santa Fe County has 145,648 people, The City of Santa Fe has 68,500 (2012 estimate) and the City of Edgewood has 3,735 (2010) Deduct the City Population and you have the County’s population. This would be 73,413. This would give us a total of 73.4 miles of trail as the “level of Service” needed. Figure 6-1 in the Santa Fe County n Sustainable Growth Management Plan states that the County currently owns 34.00 Miles of trails. That would mean that in order to achieve the County LOS for trails we would have to create about 40 more miles of trail,countywide. If you looks at Map 6-1 in the SFSGMP you would immediately note that this figure would not even come close to matching the proposed “regional” trail routes listed on the map.
There is something wrong with Table 12-1 LOS for trails. First, it is currently based on the Rutgers University 2010 draft report which based its numbers on existing trails, mostly found around the City of Santa Fe. It did not address the differing needs of the more rural parts of the County. Because of that, there is virtually no way to create new trails in the SDA-3 areas. Our LOS numbers for trails are simply too low.

One of the big questions concerning land use is how to preserve what are now informal rural trail systems, when development and subdivision overrun a largely agrarian community. Trail systems are the first thing to disappear with increased density.

I would propose that the LOS requirements for Trails be based on SDA area. Use population numbers of 1000 as a base for SDA-1, 200 in SDA-2, and 250 for SDA-3. Couple these numbers with the base zoning requirements.

Let’s see how this would work:

SDA-3 would require 1 mile of trail for every 250 residents in Ag/Ranch Zoning. If we assume 4 residents for house, and zoning that permits one house per 160 acres (in general), then LOS requirements would require 4 miles of trail for every 10,000 acres of newly developed land. At a zoning of 160 acres, 10,000 acres equals 62.5 houses (roughly 15 square miles) . This is roughly 4 square miles and 4 miles of trail. That’s enough to require development of at least one trail segment that would transverse the property. Trails that go from one edge of a property to another mean that eventually, trail segments would link up and form the basis for a County-wide trail system in sparsely populated portions of the County.

SDA-2 and 3 would require 1 Mile of trail for every 200 residents in RUR areas (40 acres). That works out to fifty houses on 2000 acres or 3.1.miles square (three sections). This would require 1 mile of trail to match the Required Level of Service.

SDA-2 would require I mile of trail for every 250 residents in Rural Fringe zoning (20 acres) and 500 residents in Rural Residential (10 acre) zones.

250 residents, where 4 residents per house, equals 62.5 houses. 62.5 houses times 20 acres equals 1,250 acres, ora LOS of one mile of trail for every 1.95 sections.
500 residents, where 4 residents per house, equals 125 houses. 125 houses times 10 acres equals 1,250 acres, or a LOS of one mile of trail for every 1.95 sections.

The same arguments can be applied to each of the zones

TRAILS AND THE TDR CERTIFICATE

I have described in the suggested TDR certificate program (Section 12.13), that TDR's form the basis for identifying a county-wide trail system. If LOS requires the identification of trail segments that cross a proposed subdivision, then TDR certificates, issued as part of a development order,lock in the easements for future trails. The trail "segments" become "sending" units and the developer is issued TDR certificates for the acreage contained in the segment. As described in the TDR, the acreage is not "public" nor is it open to the public. TDR trail segments are "easements" only.

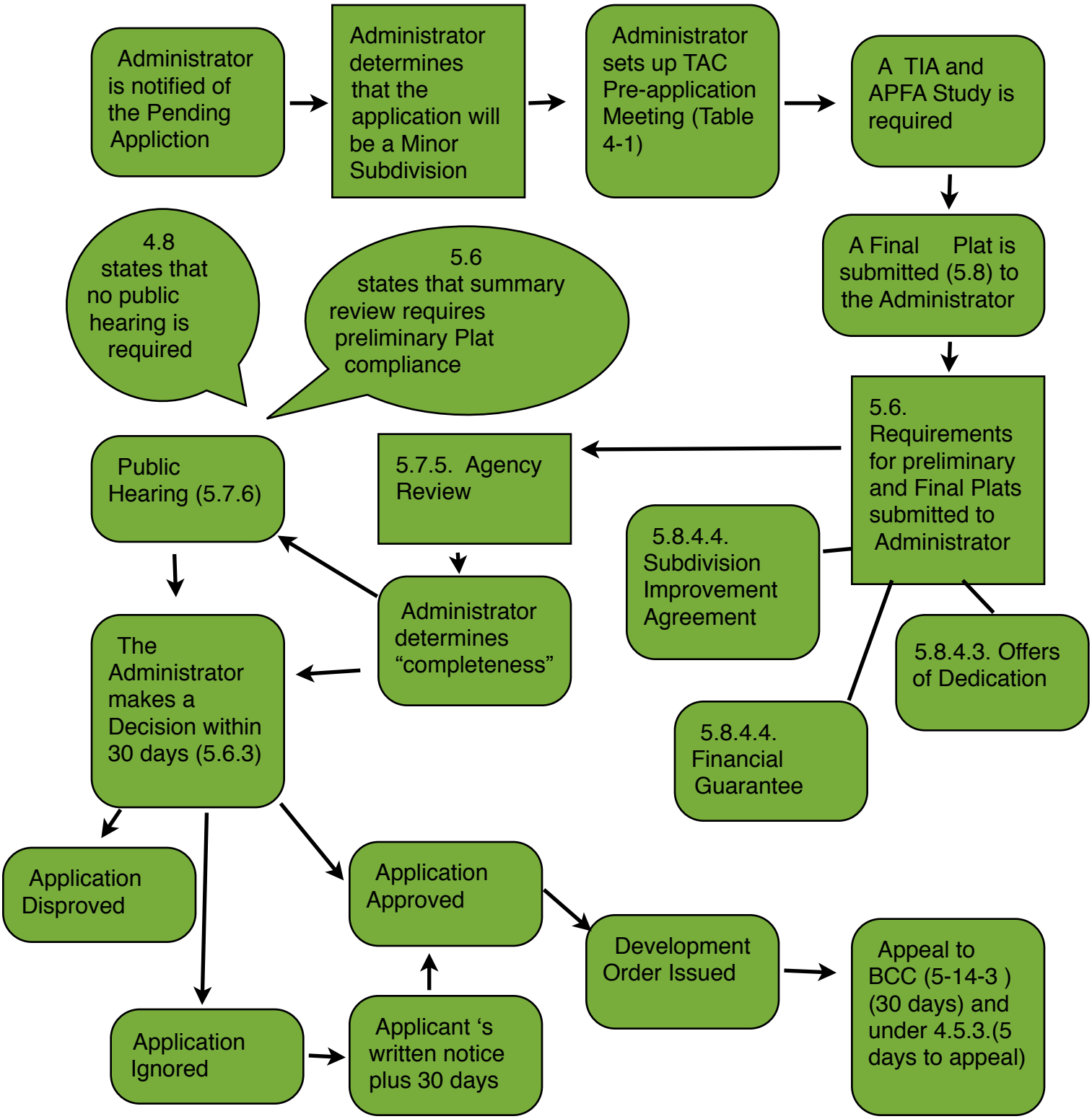
Property that has been retired with the issuance of a TDR may not be separated from its "parent" property of record with the following exceptions:

a) The identified trail segment is recorded on any deed of record that would result in the subdivision of the parent property. The "retired" property "goes with the land, and is subject to the following :

a) A TDR Trail Segment may be sold to the Santa Fe County Land Bank or to a non-profit corporation that creates and maintains trails for public use.
b) A TDR Trail Segment may be given to the Santa Fe County Land Bank as part of a Development Agreement or as part of an LOS agreement, to create public trails, open space or parks..
c) A TDR Open Space property may be sold to the Santa De County Land Bank or a non-profit Corporation that creates and maintains open space or parks for public use.
d) A TDR Open Space property may be given to the Santa Fe County Land Bank or a non-profit Corporation that creates and maintains open space or parks for public use, as part of a development agreement.

Santa Fe County as a right to purchase TDR trail and open space segments by either negotiation with a willing seller, as part of a development agreement, or as part of a BUD process.

SUMMARY REVIEW OF MINOR SUBDIVISION APPLICATION
Scenario 1. Application to approve a Minor Subdivision of 24 parcels, on 240 aces, each ten acres in size, in SDA.2, where zoning is 10 acres.



What is required by the Administrator to determine “completeness”.

1. An Application for a final Subdivision Plat Approval which includes the following:

All requirements listed for the preliminary Plat found in 5.7.3., and final plat 5.8.4.
A copy of the report of the Pre-application TAC meeting.
All studies and Reports required in Table 6.1. These are a) Traffic Impact Assessment (FIA), and b) Adequate Public Facilities and Services Assessment (APFA}(Chapter 12)
Compliance with sustainable Design Standards of Chapter 7.
A deposit to cover review costs and hearing officer fees, as determined by the Administrator. (6.2.1)
A Development Agreement (12.4)
An Affordable Housing plan approved by the Affordable Housing Administrator. (13.3).
A development order for any TDR or CDR issued by the TDR Administrator (12.13)
A report by the Administrator stating that the application is complete.

What is required to obtain a development order

All Agency and Tribal Government Review found in 4.4.1.5., and in 5.7.5.
A Quasi-judicial public hearing as required in 4.4.1.7, 4.4.1.8,, Table 4.1,and 5.7.6.
The issue of a development order by the administrator.

Problems: The document is unclear on how requirements demanded of preliminary plat approvals are compressed into a “complete” application that only requires a final plat. 5.6 states that Summary review of a minor subdivision requires that the application “comply with all requirements of the SDLC including the requirements and submittals imposed on both preliminary and final plats”. It is implied, therefore, that minor subdivision must tender all of the information required under 5.7 Preliminary Plats (Major Subdivision) and must be subject to a public hearing.
This must be made clear, as in the absence of a Water Service Availability Report (WSAR) the only reference to water planning can be found under section 5.7.3.1., and in the standards found in Section 7.13. There does not appear to be any requirement that the applicant produce any documentation indicating that the County Utility is ready and able to hook up the subdivision - as a necessary part of the “completeness” study.

There is no opportunity for public input into the process except for the “public meeting”. Since this application is decided by the administrator (5.6.2). one would have to assume that the public meeting would be handled by a hearing officer.

Chapter 4.8 appears to contradict 5.7.6 and 5.6.1.. as it clearly states that a minor subdivision approval is strictly a ministerial process (4.8.3). If this is the case. then no

public meeting is required. and the public has no input whatsoever, except during an appeal.

4.5.3 states that there is only a five day window to appeal a summary review decision. 5.14 states that there is a thirty day window to appeal Administrative decisions “of a delegate of the Board”. Which is it? A five day window as in 4.5.3. is not enough time to grant notice to either the applicant or parties with standing. The five day window of appeal is in conflict with 4.6.6. (Notice of Administrative action) which requires a fifteen day posting of any development permit. One would assume that the posting is done to give residents an opportunity to object to the development order

Scenerio 2:

The Administrator rejects the application described in Scenario one because with roads factored into the final plat, the subdivision failed to match the Table 5-1 Type Five Minor Subdivision rules of each parcel being greater than 10 acres in size. Also the final plat did not provide sufficient detail concerning how the parcel’s would be hooked up to the County Water System.
Rather than re-survey the property to include fewer ten acre lots and re-submit the application, the developer opts to design and submit a Planned Development zoning district containing 200 houses on a tightly clustered 40 acres, leaving the remaining acreage as dedicated open space. The Application is diagrammed as follows: