

MINUTES OF THE
SANTA FE COUNTY
PLANNING COMMISSION

Santa Fe, New Mexico

September 19, 2019

I. This meeting of the Santa Fe County Planning Commission called to order by Chair Charlie Gonzales on the above-cited date at approximately 4:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

II. & III. Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present:

Charlie Gonzales, Chair
Frank Katz, Vice Chair
J. J. Gonzales
Leroy Lopez
Susan Martin
Fred Raznick
Steve Shepherd

Member(s) Excused:

None

Staff Present:

Vicki Lucero, Building & Development Services Manager
Robert Griego, Planning Manager
Cristella Valdez, Assistant County Attorney
Roger Prucino, Assistant County Attorney
Jaome Blay, Fire Marshal
Paul Kavanaugh, Building & Development Services Supervisor

IV. Approval of Agenda

Vicki Lucero, Building & Development Services Manager, said the agenda stands as published. Member Katz moved approval and Member Martin seconded. The motion carried by unanimous [7-0] voice vote.

V. Approval of Minutes:

A Approval of August 15, 2019 Regular Meeting Minutes

There were no corrections and Member Martin moved to approve. Member Katz seconded and the motion passed without opposition.

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VI. New Business

A. Request a Recommendation to the Board of County Commissioners for Approval of the 2019 San Marcos Community District Plan to Replace the 2006 San Marcos Community Plan and Amend the Sustainable Growth Management Plan

LUCY FOMA (Planning Department): Thank you for having me this afternoon. I have before you today the 2019 San Marcos Community District Plan. We are before the Planning Commission because we are in the process of hopefully adopting this plan and we are asking for your recommendation to the Board of County Commissioners to approve and adopt this document.

The San Marcos area is just south of Santa Fe along Highway 14. It is a 44 square-mile area that is designated as a contemporary community in Santa Fe County. We have a section of the Sustainable Land Development Code that pertains to this area in Chapter 9. The population in San Marcos is about 1,700 hundred people. There are about 870 houses in the area and there are 64 registered businesses which include a long history of agriculture, arts, there's the gas station, the Lone Butte there and a lot of equestrian properties in this area, a bed and breakfast, a movie ranch, it's really a unique area.

[A discussion of whether the slides were visible and where the Commission wanted to be situated occurred.]

MS. FOMA: This is an aerial of this portion of the County. It's kind of typical of the area south of the City with pretty flat terrain. There isn't a church in this area that kind of defines some of our more traditional communities but as a contemporary community it has a level of cohesion among the residents and especially the business owners. There's a lot of, as I said, equestrian properties and the equestrian culture out here is quite strong.

Preceding the 2019 plan there were two plans done for San Marcos. There was a 2006 San Marcos District Community Plan that was done by the residents as a planning committee at that time. They spent four years on that document and really took ownership of it. When we did the Sustainable Growth Management Plan and then subsequently the SLDC, we needed to do an update process to bring the core elements of what would become the land use categories into alignment with what our new framework was as the County. So in 2015 there were 14 of these community updates done and San Marcos was one of them. It's not comprehensive by any means. It mostly lays out what the vision and the character of this area is and then has a future land use map that was then translated into the zoning for this area.

As you know, the plans that we do for the County amend the Sustainable Growth Management Plan and become the basis for the Code and ideally the community plans or contemporary community plans in the SGMP are how we determine the regulation for that area. In the case of San Marcos, one of the reasons why we did the 2019 plan was because the essence of a lot of the activities, the cherished activities out in this area were not exactly translated into how the overlay was developed and so there was some

disconnect between especially the arts and the agriculture and home business activity that is out here and how the code regulates this area.

In addition to the regulation portion there is also concern in this area about the spread of the City into the countryside and the contributing nuisances a little bit, maybe light pollution, traffic, noise – so the residents of this area really want to maintain the rural character of San Marcos. We also did – going back to how the regulation in this area doesn't exactly match up with the reality in the area, we made this map that shows the parcels in the rural residential portion of the district which are towards the northern part of the boundary. The boundary goes from the Turquoise Trail Charter School all the way down to the boundary with Cerrillos. So it is that whole stretch of 14 and then to the east and west of the highway for a certain distance. When the future land use map was created in the 2015 update these land use categories were developed using a number of attributes that would go into how we would determine a rural residential zoning category from a rural category, for example. In the northern part of the district there are a lot of smaller parcels so even though rural residential is supposed to be one dwelling unit per 10 acres, a lot of these are much smaller than 10 acres as you can see. So we made this map to show what some of the people who are coming in asking for building permits were confronting. It shows that along the highway there is 200 foot setback and on all sides of the property there is a 100 foot setback so especially in this center area where there are these small lots that renders a lot of these properties unbuildable or people couldn't extend a garage or a simple structure like that. So we made this map to illustrate that and to help people who weren't living in this area or didn't understand the constraints that these people were facing to see how that could be confining.

So in 2017 we initiated a planning process through Resolution 2017-93 and we put together a public participation plan and we had a kickoff meeting in February 2018. That kickoff meeting was held at the Turquoise Trail Charter School and we were thinking maybe we would get 15 to 20 and what we would do as an activity for that level of involvement and there were 120 people at that kickoff meeting. We attribute that to a couple of things: there was an extensive outreach effort on our part with a public participation plan to get mailed invitations to all of the residents in the district. And we also went out as staff and met the San Marcos Café and feed store owners and some of the people who we knew were having issues in this area to personally invite people and spread the word about it. So we feel like we did our best as staff to do a public participation outreach

Since February 2017, we've been meeting with the planning committee monthly, at least, and we have a very dedicated group that has ranged from about 15 to 30 participants at most of the meetings. The mailing list is over 80 people who I email about all of the updates on the plan. The next couple of slides just show some of our meetings that were held at the library there and we started out by identifying what were the issues that people were wanting to address through this planning process but also the vision of what they wanted the area to look like in the future and we really got to the point of identifying what is the vision of San Marcos.

What we have before you in the 2019 adoption draft of the plan. We went back out to the public with that in June for two public meetings as required by the code and we're going through the adoption process now. As the group became more and more committed to this process one of the members mentioned that they had a background in

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corporate communications, I think was his background, and he made a video to help explain to the public at the June meetings how this was an important phase and bringing San Marcos into the future and changing the code. I am hoping I can play –

COMMISSIONER RAZNICK: Mr. Chair, while that is being setup, again, what are the boundaries from Highway 14 on the south and on the north?

MS. FOMA: The northern boundary starts at the Turquoise Trail Charter School – that's on the north boundary. And then on the south it ends where Cerrillos boundary, the Cerrillos community starts.

I'll just mention while hopefully it is loading that there was a really good turnout out of the two public meetings and we got really good feedback that was truly incorporated into the final draft of the plan. We have since communicated back with the community that participated in those joint public meetings telling them how we had incorporated their feedback so it wasn't just like a one-time show up and don't know what's going to happen after that. But we're really trying to keep everyone involved as this develops and that their participation and time matters to us.

Yes, as I said this is part of the adoption phase of the plan. After this plan is hopefully adopted by the Board we will go – staff will develop an overlay for the code, for a code change and work with both the committee and with land use to make sure that that's both what the community wants and practically enforceable from our side on the County and that will also come before you in that adoption of that code change before going to the Board.

We have members of the committee here with us this afternoon and can I invite people to speak if they want.

CHAIR GONZALES: Okay, are you finished?

MS. FOMA: Yes.

CHAIR GONZALES: Robert, do you want to say anything?

ROBERT GRIEGO (Planning Manager): Mr. Chairman, members of the Commission, this is a public hearing so the Commission should hear public comments.

CHAIR GONZALES: Okay. Does the Commission have any questions of staff before we go into the public hearing?

COMMISSIONER SHEPHERD: Mr. Chair.

CHAIR GONZALES: Mr. Shepherd.

COMMISSIONER SHEPHERD: When I look at the boundaries and stuff like that, I am curious as to why it is so patchwork as opposed to a nice symmetrical block of land. And in particular on the northern side of San Marcos there's two white blocks that are obviously outside the San Marcos area that look like it's heavily populated residential. I could understand a 500 acre thing that you wouldn't want to – but why are those two particularly excluded from San Marcos?

MR. GRIEGO: Mr. Chairman, Commission member Shepherd, there was a process originally when this San Marcos plan was created those areas were included in the boundaries of the San Marcos district; however, when the plan was going for adoption and final approval by the Board of County Commissioners there were concerns from residents in those communities that they were not part of the process and so the Board of County Commissioners directed staff to go back out to the community. After staff went back out to the community and addressed those community members, we

came back to the Board and the Board then removed them from the boundaries based at a public hearing.

COMMISSIONER SHEPHERD: And when was that roughly?

MR. GRIEGO: That was back in – I believe it was in 2006.

COMMISSIONER SHEPHERD: So 13 years ago. Has there been any approach of those two blocks as to whether or not they want to be part of the San Marcos Community Plan?

MR. GRIEGO: There have been members of those communities that participated in part of the process but we did not provide a direct outreach to them to amend the boundaries. There was not an attempt to amend the boundaries for the San Marcos District as part of this process.

COMMISSIONER SHEPHERD: Thank you.

CHAIR GONZALES: Okay, before we go into the public hearing I'd like to maybe make a comment here. I'm pretty much familiar with the area. I used to have my horses on Dutch Road. One of the reasons I also became interested in becoming a planning commissioner was because when I was keeping my horses over there I was always looking around and I noticed that a lot of people in those areas are using horse manure for fill on their driveways and also I noticed there was a lot of manure going into the flow lines. One of my reasons for being on this Commission was I wanted to try and help educate the public to keep horse manure and stuff out of the flow lines and stuff as well. And I noticed after reading most of this that I didn't see anything about horse manure in the flow lines on any of the key issues. I would like to possibly add that if they would allow me to do that.

MS. FOMA: Thank you for mentioning that and we did have lots of talks with the community about equestrian uses. I believe it is in goal 3 that we talk about responsible disposal of manure. But that definitely was one of the things in working with the planning committee they talked about how they really valued the land stewardship and how they treat both the animals and the land that they're on and how a lot of the residents, at least those that were involved, are responsibly disposing and maintaining their properties. But there was also a collective suggestion about having more information to people who move into the area about things such as what kinds of things can you expect from living in the County and these are the resources that we have available to you and just kind of keeping a "good neighbor guide" is what I think we labeled it, but to have more information about responsible stewardship.

CHAIR GONZALES: I'd like to see the County get to the point where they would allow for the public to take the horse manure to the landfill and they have the heavy equipment out there, the County does, so they could maybe mix it and compost it and then offer it to the public for free at one point or another.

MS. FOMA: Yeah, definitely. There was discussion about composting and we did have those discussions. But I wanted to point out that it is goal 2, 'support the traditional use of San Marcos area for agricultural, ranching and equestrian purposes.' Under action 2.2.4, ensure the quality of agricultural related inputs and outputs, i.e., irrigation and compost, see management of excess nutrients – which that could be manure also – so as to not negatively impact the surrounding environment.

CHAIR GONZALES: I think a lot of what I'm after is the education of the public part as well.

MS. FOMA: Yes, and that's in goal 4, 'protect and preserve the district's significant archaeological, historic, cultural and scenic resources.' We put action 4.1.3, 'create and distribute a good neighbor brochure/guide with information about the 2019 San Marcos District Plan and other pertinent information to distribute to realtors and new residents.'

CHAIR GONZALES: Sounds good to me, thank you. Okay, do any of the other Commissioners have any other questions before we go into our public hearing?

COMMISSIONER GONZALES: Chairman.

CHAIR GONZALES: JJ.

COMMISSIONER GONZALES: I don't know if this is the time to bring up some corrections and things but I have quite a few little corrections to do.

MS. FOMA: Okay.

COMMISSIONER GONZALES: Is it proper now or wait until they have gone through the whole plan; what do you think?

CHAIR GONZALES: That's up to you. Might as well go through them now.

MS. FOMA: Yeah, let me get my notepad.

COMMISSIONER GONZALES: Maybe the members that wrote this plan they should be more involved with my corrections and maybe they can explain why they came up with those types of words and things. But if you want me to start now I can do that.

MS. FOMA: Sure.

COMMISSIONER GONZALES: Section 1, page 6, at the bottom of the first paragraph it says "...determined by subdivisions or land divisions plat needs" should that be plat deeds or is it needs? Last sentence of the first paragraph.

MS. FOMA: I could look back. That comes directly from the Sustainable Growth Management Plan so there is a correct word and we'll double check that.

COMMISSIONER GONZALES: Why don't you check that. I think it probably should be deeds because the next word over, a couple of words over, is functional needs.

And then I think on the bottom of page 9, now the question I have is on the community organizations and the registered organizations, who are the people that those notices get sent to? Do we have an organized group like a CO or RO?

MS. FOMA: Yes, and I am the person in charge the CO RO program for the County. So San Marcos currently has San Marcos Association as the RO. The CO has become defunct for all intensive purposes but they are not removed from our CO list at the moment. But the San Marcos Association is the RO.

COMMISSIONER GONZALES: Okay, then the other one I have is on page 22. It is somewhere on the page it was nor or should be or – wherever that is. I didn't highlight. Oh, it's the second paragraph, the third line down. "It's the village or town center nor even a church." I don't know what context that is, is it or nor?

COMMISSIONER MARTIN: Or.

COMMISSIONER GONZALES: Should be "or" that one.

MS. FOMA: Okay. Thank you for your careful reading.

COMMISSIONER GONZALES: That's minor. The way I read it was that maybe it should be or and not nor.

MS. FOMA: Okay, thank you.

COMMISSIONER GONZALES: And then on page 32, the second paragraph down, it refers to “pinyon-juniper woodland.” I think a piñon is our state tree and it probably should be spelled correctly. A lot of people spell it with a yon but it’s an enya.

MS. FOMA: Thank you. That might have gotten mixed up because the scientific name for the pinyon jay includes a y and not an enya and so pinyon juniper, I don’t know if I was listing the scientific name for the tree or the – but, thank you. I’ll double check that.

COMMISSIONER GONZALES: We write it p-i-ñ-on. I don’t know the scientific name of it. And then on the next page on page 33, I was very confused. I do a lot of work with soils and on page 33 they have all of these soil types that are very unique to the San Marcos area like the Zozobra-Jaconita complex – I’m not familiar with that type of soil. I have other soils in my area which is caliche and sandy loam but they have – I can’t even pronounce those. But I wonder is that just unique to the San Marcos area – maybe add an explanation because I’m not familiar with those types of soils and I’ve dug a lot of holes in the San Marcos area and it’s all sandy loam and caliche and very little gravel until you get very deep in the ground. That was another thing.

And then the other thing on page 39, I was just wondering you have some water filling stations there by the State Pen and I was wondering how this development out there can be sustained with poor producing wells because there’s 4 or 500 people that utilize that water hauling station and I just wondered how they can have domestic water if they have to haul their own water – maybe that development is saturated. I know the Sandia area is very small lots and everybody has wells and this is before they required shared wells, so that’s another concern I had with that area. And that was all on that.

I did have a couple of corrections on page 69, I believe, on the history of the area. That was Appendix 3. I was very impressed with the history of the area and the way these people like Helen Boyce, Jerry West, William Mee, Manny Lucero, Bill Baxter – I was very impressed with the research that they did to get the history of this area. But there’s just a couple – well, one major error I think in this whole history that I was able to – and it’s on page 69. One was on page 65 and it’s interesting that where they say about the race track at the very bottom of the second column on page 65, there was, Chuck Taylor was instrumental in getting Ken Newton to start the Santa Fe Downs Race Track. Chuck Taylor was my neighbor at that time and he was killed in a plane – there was a partnership starting the race track. It was KNT. There was Kaufman, Newton and Taylor and apparently during that time Chuck Taylor was killed in a plane wreck. And Ken Newton was the one that took the initiative to start the race track and they took advantage of Chuck Taylor’s widow. It went to court because they wanted to split up all the land Chuck Taylor had and there was notorious Santa Fe developers that gained up on the widow and it was a very messy thing and I was the next door neighbor so all of those people were all taking each other to court, suing each other. So Chuck Taylor really didn’t help Ken Newton get the race track. Ken Newton did that on his own.

MS. FOMA: Okay, so take out Chuck Taylor is what you’re saying?

COMMISSIONER GONZALES: Yeah. Chuck Taylor was killed in a plane wreck before. And there was one other correction that I had and I thought I had it highlighted and it just – it’s on page 59. It’s in the middle section where it says, “1970-

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1980 Subdivisions.” Okay, that’s the middle section and at that time and it still exists today was the Jarrett Ranch which extended from I-25 to the Eldorado Subdivision. It was a gigantic ranch like 44,000 acres. Anyway, it says here that the “...the giant Jarrett ranch was split in two after the death of Mr. Hughes” while it was split in two after the death of Mrs. Jarrett. And Glen Hughes was Mrs. Jarrett’s brother in-law and the whole ranch went to the sister, to Mrs. Jarrett’s sister. And the reason that they had to split it up was to pay the taxes on it. The 44,000 acres, they had to sell half the ranch and half the ranch that they sold became – what’s that subdivision by the Community College – Rancho Viejo, yes. Anyway, those people created Rancho Viejo and that was Leland Thompson, Meyer and somebody else. They’re the ones that bought out that area and created Rancho Viejo and that’s how that ranch got split up. And to this day, Glen Hughes passed away a few years ago so Mrs. Jarrett’s sister and her nephew run the ranch with the movie set on it, the Bonanza Creek Ranch is what they call it now. But that was one thing that Mr. Hughes, it was Mrs. Jarrett that passed away and Mr. Hughes and his wife inherited the 44,000 acres and split it up.

And I think on page 69, there’s one little thing I was reading on page 69 which is the first bullet on the second half of page 69. Then it says, “not all parcels are legal. A parcel must have been created by County subdivision review and permit before January 1981” – I think that has to be after January 1981 – “or have existed before then” I think that before should be an “after.” If you can look at that and just correct me to whatever it is. I read it that it has to be after January 1981.

CHAIR GONZALES: Yeah, I think basically there was no code before 1981. The Santa Fe County code came into effect in 1981, so basically a lot of stuff that was done before 1981 was grandfathered in.

COMMISSIONER GONZALES: So I think maybe that “before” should be an “after.”

CHAIR GONZALES: Okay.

COMMISSIONER GONZALES: That’s all and I compliment the people that put this plan together and especially the people that did the history of the San Marcos area, it was very informative. I learned a lot.

MS. FOMA: Thank you.

CHAIR GONZALES: Okay, Susan.

COMMISSIONER MARTIN: I have two minor changes on page 66, the very last line. It says, “The upcoming movie Paul,” delete “upcoming” and take out “last year” because evidentially this was written in 2011.

CHAIR GONZALES: Anything else?

COMMISSIONER MARTIN: That’s it.

CHAIR GONZALES: I think we’re ready to go to the public hearing.

COMMISSIONER GONZALES: Mr. Chair, there’s one more thing. A lot of the people they mention in appendix of the history of San Marcos I knew a lot of those people, like the Dillenscheiders, the Wests, the Jarretts, the Calvins, there’s was interesting things about the Calvins. So I was a young kid then but I knew a lot of those people cause that area had about five ranches and they encompassed the whole San Marcos area with five families and five ranches – big ranches there. So when I read this I knew those people were there and it was very interesting how all that area got split up into 3,000 to 4,000 lots today. So it’s interesting.

CHAIR GONZALES: Looks like your staff should have interviewed JJ. Okay, let's go into the public hearing. Anyone want to speak please come forward and get sworn in.

[Duly sworn, Janet McVickar testified as follows]

JANET MCVICKAR: My name is Janet McVickar and my address is 17 Vista Alondra, Santa Fe, New Mexico it is in the San Marcos district with one exception which I'll discuss momentarily.

First, I want to compliment and thank these people doing a fantastic job working with a rowdy group like us. The end product looks pretty good. I am pleased. I have a couple of things. One to respond to whomever asked about – Mr. Shepherd, the little chunks that are excluded, I happen to live in one of those so I suppose technically I shouldn't be here but I consider the greater district is my living area. And that discussion as stated was quite a few years ago and it would be my interest and I don't know about the others to at some point in time revisit that exclusion. I don't really know about the other exclusion but that area is known as the Silverado area. But it wasn't really the appropriate thing to address during our meetings on this code, this plan, so I did bring it up but it wasn't really the right time.

So on to what I wanted to discuss and it's not terribly heavy duty. It's on page 51, this is Section 3, Goal 5, Actions 5.2.1 and 5.2.2, the setbacks. I appreciate the language that this has been changed. We had a bunch of different iterations of this throughout the many months we discussed this. What I would like to see is some clarification. It says in 5.2.2, "the setback standards in the district align the setback standards in the district with the highway setbacks in the County to maintain scenic byway." What I'd like to actually see, is having read County code on that there is a lot of variability on what those setback standards are and so for me it's not very clear and so if any future inquiries about setbacks come up, it doesn't seem to me that those individuals will get a very clear direct answer. So I feel like it would be important to have further clarification particularly on that particularly on that section. And I agree with 5.2.1 because, in fact, as Lucy said, some of those lots if the 200 foot setback was to be enforced that the only place that they would have to build would be in an arroyo or something of that nature. And that's really all I have. Thank you.

CHAIR GONZALES: Thank you, Janet.

[Duly sworn, Karen Keeney testified as follows]

KAREN KEENEY: Hello, my name is Karen Keeney. My address is 16 Paseo de las Palomas, Cerrillos, just on the very, very far edge on the south of this district and have participated in this process. And I have to say the patience of these amazing people, Lucy and Robert, with all the gyrations of the group have been quite remarkable.

So there's a couple of hot button issues, and with my background – I'll confess it's a little bit of a legal background, it's a blessing and a curse – but when you look at this and know it's going to be the template for the rules that are actually implemented there are a couple of areas that seem to be a little shaky. And the two hot button issues, and Janet already brought one up, the setback areas, and action 5.2.1 on page 51 is a compromise that due to give the people in the rural residential area better use of their property. And the group is also clear that people in the rural sections thought the current setbacks of 100 feet were just fine and I think that's what this says. I think this is intended – reduction setbacks to just the rural residential area but if I was trying to make

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an argument against this, I could do it pretty easily. So by just adding one word on the top line where it says, “reasonable use of their land by reducing some setback standards...” And then the further clarification with a reference to the rural residential area, I think that would head off some grief down the line. So that’s one suggestion.

Another area as I’m sure this isn’t a surprise to anyone here that cell phone towers and all of that is pretty contentious out that way especially. I just attended a meeting right by Cerrillos where they were attempting to put up a tower in the Highway Department yard there. I’ve never seen so many angry people – they had to call the police. I don’t think that was necessary but anyway. If we go to on page 49, Strategy 3.2 which talks about internet. I’m on the internet all the time. I have no problem with people having good access. I know it is critical these days. But it also needs to be located in a way that is respectful to people’s property, to the viewsheds, to people’s reasonable health concerns. Section 3.2, to me reads like just a blanket anything goes, put your tower wherever you want it, whatever. It would seem to me to be wise and there again head off some potential real problems in the area if you added a little bit of language in there about the improvements being appropriately scaled and located, designed to protect viewsheds, respect reasonable health and safety concerns, maintain reasonable distance from residences and businesses, etc. Some sort of qualifying rule here because I don’t know if any of you can read this section under Strategy 3.2. and do you see any cautions or is it just like put that dang thing in my backyard if you want to.

So those are my only two concerns. This has been an amazing process and I don’t know if any of that makes sense.

CHAIR GONZALES: There may be some information to add there about siting and criteria, for siting of the structure. They may be some kind of wiggle room or flexibility for the siting of the structures because the actual site of the structures have to be approved by the County.

MS. KEENEY: By the County itself?

CHAIR GONZALES: Correct.

MS. KEENEY: Yeah, I just take the lesson from the truck stop when they tried to put it out at – and they said, No, they said you could have a gas station. So lawyers can do interesting things. Thank you for your time.

CHAIR GONZALES: Thank you. Frank, go ahead.

COMMISSIONER KATZ: I sort of have a question for staff. My impression reading through this is it is quite a wonderful plan but it’s very general. Horses, yay; swimming pools, no; rural, yay; suburban, no, but that there really aren’t the details and I assume that the details after the general sort of sense of what the neighborhood wants is then distilled into changes into governing rules, setbacks shall be xyz, cell towers are allowed under these circumstance, all of that kind of stuff; is that correct?

MS. FOMA: That’s correct.

COMMISSIONER KATZ: Are we being overly concerned about details here rather than in the regs?

MS. FOMA: Yes, and that was – actually, that’s a good segue into that we’re hoping to show the film because that took a couple of months to understand why we couldn’t just go straight to the code to make changes but had to put a foundation in a plan document. The way that we do planning now is that our plan documents don’t have

regulatory language in them. It was very difficult to figure out how do we say what we want without saying what setback we want and it was a careful balance. But that was actually the reason why this film was made by one of the committee members was because just getting to the point that plans are important because they are a foundation for changes in regulation, it's the policy before the regulation.

COMMISSIONER KATZ: Let me ask one other question along those lines. This is the community's plan, what role do we plan other than saying that we recommend its adoption or we don't recommend its adoption? I mean, we're not of the community, do we get to tinker with it and suggest amendments and I'm not clear how that works?

MR. GRIEGO: Mr. Chair, Commission member Katz, I think the role of the Planning Commission is to review and make recommendation to the Board of County Commissioners. Santa Fe County has done as part of our process in accordance with the Sustainable Land Development Code, Chapter 2, identifies a process where plans are reviewed and adopted which includes a consistency review. So staff has already done the consistency review through the Land Use Administrator. We're bringing up to the Planning Commission as part of the adoption process for recommendation to the Board of County Commissioners, but staff has already determined that it is consistent with the Sustainable Growth Management Plan. I think that part of this public hearing is for the Commission to hear comments from the public and make recommendations back to the Board on the plan based on the comments that you hear from the public.

COMMISSIONER KATZ: Thank you.

MR. GRIEGO: Mr. Chair, if it is possible, we would like to show the film that was identified in order to provide a little bit more background of what this process is. The film is queued up now and we've got our IT people ready, it's about five minutes.

CHAIR GONZALES: Okay, let me first take a question from Fred.

COMMISSIONER RAZNICK: Just so I am clear, the plan is being presented, there have been some suggestions or comments made by committee members. What happens to these comments or suggestions? If the Planning Commission votes in favor of this is it subject to these comments and suggestions? Is it all incorporated into our action?

MR. GRIEGO: Mr. Chairman, Commission member, the item in front of you today is for a recommendation to the Board so that recommendation could include recommendation for approval, recommendation for denial or recommendation for approval with specific conditions that you've identified or specific recommendations that you have.

COMMISSIONER RAZNICK: Well, the comments that were made by committee members are they considered specific recommendations or do we have to go back and reiterate that these are specific recommendations so that the Board of County Commissioners knows that we have concerns about those specific items.

MR. GRIEGO: I think it would be from a clarification point, it would be good to see what the Commission is recommending when you make a recommendation for approval and identify the changes. And, again, some of them could be the clarification changes that you have identified but if there are specific recommendations, it would be useful to include those in your recommendation to the Board.

CHAIR GONZALES: So when we do a recommendation we can say including our comments we made today and it would be up to the County Commissioners to use them or not; correct?

MR. GRIEGO: Yes, that's my understanding.

CRISTELLA VALDEZ (Assistant County Attorney): Mr. Chair, that is correct. It would be most appropriate if there are substantive comments to include those in the motion to make a recommendation or if it's for instance just minor clarification and grammar or word changes, I would specify that. I would kind of categorize what the conditions that you're doing are.

COMMISSIONER RAZNICK: Mr. Chair. So nothing gets lost, is it my understanding that if it is a specific recommendation rather than it be part of the record in any motion those specific recommendations/comments should be incorporated into the actual motion; is that correct?

MS. VALDEZ: That is correct.

CHAIR GONZALES: I would imagine our comments are going to be included in the staff's report to the Board of County Commissioners; correct?

MR. GRIEGO: That's correct.

CHAIR GONZALES: Okay, let's continue.

MR. GRIEGO: Mr. Chair, with your permission, we'd like to show the film.

CHAIR GONZALES: Sure.

[The video was shown]

MS. FOMA: Were there any more question I could answer?

CHAIR GONZALES: I guess I have a question. So is that overlay district document going to come before us?

MS. FOMA: Yes.

CHAIR GONZALES: It will?

MS. FOMA: Yes.

CHAIR GONZALES: Any other questions?

COMMISSIONER SHEPHERD: Mr. Chair, I have a question for staff. Earlier in your presentation you talked about one of the drivers of doing this particular plan was the disconnects in the 2006 plan; can you describe what you meant by disconnects?

MS. FOMA: For one the format of the 2006 plan didn't exactly coincide with the format that we use in our documents now. So the basic – how they laid out what they wanted to see and what they listed as the abilities of the community and those kinds of things were not in alignment with the current documents. There were also things like we realized the equestrian heritage and the agricultural and arts heritage that is so prevalent in the San Marcos district did not get translated into the code in how the use matrix is laid out and so a lot of things ended up being prohibited that have been historical uses or just uses that the area identifies with. We tried to put that into the plan document to say really we can see arts and agriculture and even business, small trade and trade in general, date back to San Marcos Pueblo and so putting lots of restrictions on small business owners, lots of restrictions on home artist studios and also equestrian uses

does not really fit with how this area has been used and how it's being used but people were just confronting a lot of barriers to operating in the way that they've been operating.

COMMISSIONER SHEPHERD: Thank you.

CHAIR GONZALES: Lucy, it's the district overlay when all of the nitty-gritty stuff will come in like the right-of-way widths, the road widths and all of that good stuff; correct?

MS. FOMA: Well, I don't know whether road widths will really enter this because we have different specification on that for the County but yes, the setbacks, the use table and home occupation stuff – yes.

CHAIR GONZALES: Okay, thank you. Should we continue our public hearing here. Was there anybody else?

COMMISSIONER SHEPHERD: Mr. Chair.

CHAIR GONZALES: Mr. Shepherd.

COMMISSIONER SHEPHERD: As we proceed forth in deliberation I had three comments that I believe in my view should be advisory comments to the Commissioners as opposed to conditional comments. I think these three I am going to mention now I would like to have them incorporated as advisory comments into our vote. The first one is –

MS. VALDEZ: Mr. Chair, if I might interrupt. It would be most appropriate to close the public hearing and then go on to Board comments, just for formality.

CHAIR GONZALES: Thank you. We're going to close the public hearing and Steve please continue.

COMMISSIONER SHEPHERD: The first one is the two light blocks that looks like residential neighborhood in that overlay map. They look very different than blank blocks indicating like farm land or large plots, and I think it would be very beneficial to reach out and embrace those two blocks because I think there is a lot of benefit for the people who live in those two blocks to be part of the community plan and perhaps it hasn't been asked aggressively enough to see if they want to because it has been 13 years since they've been discussed before. That would be the first piece of advice.

The second one is the Turquoise Trail Scenic Byway is a very unique and in my opinion a very precious road and whatever happens in the San Marcos plan it should not change or alter the intent or the overlay of the Turquoise Trail Scenic Byway.

And the third one is the San Marcos, I believe in the plan you say there really isn't a local source of water. That the water has to be either brought in or it's part of the aquifer which actually goes all the way to Eldorado and seeing as how I live on Highway 14 in Madrid, that water table has been declining for years because of the heavy uses in the Eldorado area. And I realize there's a lot of pressure – people who have an opportunity to move more out into the suburbs and get a nice big piece of land and maybe have a horse or two for a price comparable or less than Santa Fe property and they also want the benefits of city living. They want things close by, they want stores, they want this and that. So there's a lot of pressure to increase the density of the land when there's no real water to support it. And I understand that a lot of people within the community would want to, Hey, this would be really nice to have this or really nice to have that, but I got this huge caution around water. I don't know if the pressure of being so close to

Santa Fe should override our basic quality of life needs like preserving their fixed amount of water. I don't think there is any forecast out there that says our current drought is going to change, in fact, it is going to get worse. We need to be looking at these community plans within that light. So that would be my third one.

CHAIR GONZALES: Okay, thank you, Steve. Anybody else, any discussion from the Commission?

COMMISSIONER GONZALES: Mr. Chair.

CHAIR GONZALES: I think Frank was waiting here.

COMMISSIONER KATZ: I think that was really helpful, Steve. Just sort of lay a sort of a perception and I got a sense that a lot of JJ's comments were sort of exactly that, was this the right word that you intended or you might want to check your history on this because that's not how I understand it. I'm not sure that any of those are recommendations from us to change the plan and if there are those we need to really focus on that.

CHAIR GONZALES: Thank you, Frank. Anybody else? JJ.

COMMISSIONER GONZALES: Chair, yes. I see that the Fire Marshal is here today and I would like to ask him a couple of questions.

FIRE MARSHAL BLAY: Mr. Chair.

COMMISSIONER GONZALES: Thank you for coming and I think it's your duty to be here and enlighten us a little bit. The San Marcos area is like 44 square miles and ranges from Turquoise Trail to the outskirts of Cerrillos, now what kind of fire stations do you have in that area?

FIRE MARSHAL BLAY: We have one in the Village of Cerrillos. We have actually two on Highway 14 between Cerrillos and the Pen. As far as fire stations, we have plenty of fire stations in that area. There's three within a five mile radius.

COMMISSIONER GONZALES: Are they manned by mostly volunteers or do you have paid staff?

FIRE MARSHAL BLAY: Those are volunteer fire stations. The closest manned station would be Station 6 in Rancho Viejo Boulevard.

COMMISSIONER GONZALES: Where is the closest one on Rancho Viejo?

FIRE MARSHAL BLAY: Rancho Viejo Boulevard and Highway 14.

COMMISSIONER GONZALES: Okay, that's the closest one. What about the impassable roads in the winter time? I know that there's a lot of dirt roads in that area. Are you responsible for the Sandia Subdivision and the other subdivision that are not included in the plan? Do you cover the entire area?

FIRE MARSHAL BLAY: We include the whole County area. Anything that is within the jurisdiction of the County we are responsible for.

COMMISSIONER GONZALES: And how many volunteers are in the San Marcos or is it the Turquoise Trail Fire Department that they call it what do they call it?

FIRE MARSHAL BLAY: That is correct, the Turquoise Trail Fire District are volunteers. I cannot give you an exact number for that particular district. We have about 250 volunteers in the County. So that particular district I would guess anywhere from 10 to 15.

COMMISSIONER GONZALES: And as far as emergency responders, do you have just fire protection out there or where do the ambulances come from when they need a medical emergency?

FIRE MARSHAL BLAY: Some of the fire districts have their own ambulances where volunteers respond to that type of particular. The manned stations also have ambulances that respond to that district.

COMMISSIONER GONZALES: Thank you very much for your explanations.

FIRE MARSHAL BLAY: You are very welcome.

COMMISSIONER SHEPHERD: Mr. Chair, if I could add to that. Being a member of Madrid Volunteer Fire Department, if there's an incident within the Turquoise Trail District, not only does Turquoise Trail roll on the call but all of the adjacent districts will roll as well. So we could get up to four or five different districts responding to a call within the Turquoise Trail area.

FIRE MARSHAL BLAY: That is correct, thank you.

CHAIR GONZALES: Any other comments from the Commissioners. Okay then do I have a motion.

COMMISSIONER KATZ: I would make a motion to recommend to the Board of County Commissioners that they approve this plan and that the Board of County Commissioners take into consideration the comments that have been made seeking clarification of some issues. But I don't think that we have any conditions that we want to impose, but I may be wrong and I will be told that.

COMMISSIONER MARTIN: Second.

CHAIR GONZALES: Okay, we have a motion and we have a second. All in favor say "aye."

The motion passed by unanimous voice vote.

CHAIR GONZALES: Okay, it passes. Thank you all for coming.

MS. FOMA: Thank you very much.

COMMISSIONER RAZNICK: Mr. Chair, I just want to make a comment.

CHAIR GONZALES: Mr. Raznick.

COMMISSIONER RAZNICK: I was so taken by the history. I've now read it three times and having been a resident of the County since 1978 and having had the pleasure of knowing some of these people when I was previously on CDRC and I was involved in Santa Fe County, it was very, very well written, very well written.

COMMISSIONER KATZ: Hear, hear.

MS. FOMA: Thank you. Almost all of the history was taken from the 2006 documents and we asked a couple more people who were interested in adding to it to add to it. But I cannot take ownership of that so I will relay that compliment, thank you.

CHAIR GONZALES: Again, well done. Thank you.

VII. Petitions from the Floor

None were offered.

VIII. Communications from the Commission Members

Mr. Raznick advised the Commission that he will not be attending the October meeting.

IX. Communications from the Attorney

None were presented.

X. Matters from Land Use Staff

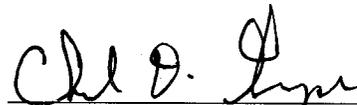
Ms. Lucero advised the Commission that the move to the new building will be happening throughout November. The October Planning Commission will be held in these chambers but the November meeting will be at the new building at 100 Catron Street.

XI. Next Planning Commission Meeting: October 17, 2019

XII. Adjournment

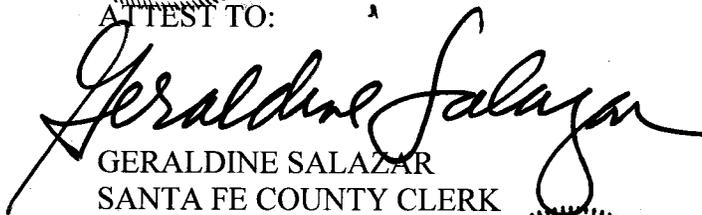
Having completed the agenda and with no further business to come before this Committee, Chair Gonzales declared this meeting adjourned at approximately 5:15 p.m.

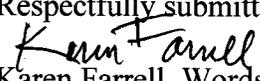
Approved by:


Charlie Gonzales, Chair
Planning Commission



ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted by:

Karen Farrell, Wordswork



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss PLANNING COMMISSION MI
PAGES: 16

I Hereby Certify That This Instrument Was Filed for
Record On The 18TH Day Of October, 2019 at 08:20:12 AM
And Was Duly Recorded as Instrument # 1899676
Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 10/18/2019