

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING

September 23, 2014

Danny Mayfield, Chair - District 1
Kathy Holian - District 4
Liz Stefanics - District 5

Robert Anaya, Vice Chair - District 3, excused
Miguel Chavez - District 2, excused



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 102

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SANTA FE COUNTY

SPECIAL MEETING

BOARD OF COUNTY COMMISSIONERS

September 23, 2014

This special zoning map meeting of the Santa Fe Board of County Commissioners was called to order at approximately 6:00 p.m. by Chair Danny Mayfield at the County Fairgrounds, 3229 Rodeo Road, Santa Fe, New Mexico.

Chairman Mayfield welcomed those present and outlined the items to be discussed and procedures. He introduced staff members present, including County Manager Katherine Miller, Land Use Administrator Penny Ellis-Green, County Attorney Greg Shaffer, Planning Manager Robert Griego, Building & Development Supervisor Vicki Lucero and Planner Tim Cannon.

II. Roll Call

Roll was called and indicated the presence of a quorum as follows:

Members Present:

Commissioner Danny Mayfield, Chair
Commissioner, Kathy Holian
Commissioner Liz Stefanics

Members Excused:

Commissioner Miguel Chavez
Commissioner Robert Anaya

Chair Mayfield advised the public that this was a formal Board of County Commissioners meeting. He pointed out that the Santa Fe County fair occurs in August and encouraged the public to attend.

V. Approval of Agenda

Following the Pledge of Allegiance and State Pledge, Commissioner Holian moved to approve the agenda. Commissioner Stefanics seconded and the motion passed unanimously.

2014 SEP 23 PM 4:00
SANTA FE COUNTY
CLERK'S OFFICE
3229 RODEO ROAD
SANTA FE, NM 87505
505.825.4000

VI. Public Meeting on An Ordinance Amending Ordinance 2013-6, The Sustainable Land Development Code (SLDC)

PENNY ELLIS-GREEN: Thank you, Mr. Chair, Commissioners, we only have a couple of changes proposed in the SLDC ordinance, the amendment ordinance. On page 1, staff is proposing to delete the section that had previously been added regarding development approvals for applications in process. And on page 3, Table 7.9, this is in the parking section of the SLDC, there's two amendments on that table to be in align with ADA standards. Those are the only additional changes that are shown in yellow on the draft 9/18/14 documents.

I would like to say that in addition we have received numerous emails regarding cell towers and the cell tower section in Chapter 10 of the Land Development Code so staff and legal will be re-analyzing that section in relation to the FCC requirements and regulations. So we'll be presenting that to the Board at a later date when we have done our full analysis prior to asking the BCC to making any decision.

CHAIR MAYFIELD: Thank you, Penny. Commissioner Stefanics.

COMMISSIONER STEFANICS: Yes, thank you, Penny, for being responsive to the numerous emails and presentations that we received. When you're ready to present something could we have it in a chart form about what we're proposing and about what any state or federal statutes are that would back us so we can see a layout please? Thank you.

CHAIR MAYFIELD: Penny, along that also, if the City of Santa Fe has any of their own rules or provisions on this specific to cell towers, could I also ask that that be included with the chart.

MS. ELLIS-GREEN: Okay, Mr. Chair.

CHAIR MAYFIELD: Thank you. Penny, do you want to move to the zoning map now and also, Penny, if you could just give our audience who is with us tonight and hopefully everyone has this packet and hopefully everyone has seen the Sustainable Land Development Code but if you could just reference the sites, Penny, and where they're located electronically or if somebody needs a hard copy how that could be obtained.

ROBERT GRIEGO: Mr. Chair, Commissioners, the information that we will be discussing tonight is in the back of the room. We have both the background memo, we have maps and analysis of which – and we've also got large maps in the back of the room as well. The packet of Board information is also on the County website. In addition, we are still collecting public comments and you can go to our County website to submit your public comments at this time.

CHAIR MAYFIELD: Mr. Griego, we've had a couple of public hearings, and thank you for that, throughout Santa Fe County and here tonight to receive public comments. How are you all incorporating public comments that you're hearing at the various areas that we've been?

MR. GRIEGO: Mr. Chair, Commissioners, at the May 28th Board of County Commission meeting we had at that time we had concluded our initial public review process. At that time the Board of County Commissioners opened up for public comments again. We have been continuing to accept public comments and we are

including in our public comments database. So we are managing the public comments database as comments come in we're including them in public comments and we will provide the Board with the full public comments with all the public comments in future meetings.

CHAIR MAYFIELD: Thank you, Mr. Griego. So I will turn over item VII to you now.

VII. Public Meeting on the Zoning Map of All Land in the Unincorporated Area of Santa Fe County to which the Santa Fe County Sustainable Land Development Code Applies

CHAIR MAYFIELD: Staff.

MR. GRIEGO: Mr. Chair, Commissioners, we can provide a brief background to the Board in regard to the process today. The Board adopted the Sustainable Land Development Code in December of December of 2013. The effective date of the ordinance will be 30 days after recordation of the SLDC and the accompanying zoning map. We are in that process right now. The zoning map adoption process was initiated in March of 2014 with the release of the zoning map adoption draft. Letters were sent out to all property owners in the county identifying the zoning map adoption process and establishing a public review process. The Board has had several public meetings on the zoning map. On May 28th meeting the Board determined that further public review was needed before adoption hearings would be held. And through that process the Board has held special meetings in areas of the county including Estancia and there was meeting that was held last week in Pojoaque which focused on the El Norte area. This meeting tonight will focus on the El Centro and Galisteo growth management areas.

Staff has previously provided the Board with the background report, the general criteria used to assign the zoning districts on the zoning map adoption draft and the public comment report which identified the public comments as of dated May 2014.

Specific issues regarding the zoning map for Galisteo and El Centro growth management areas have been identified through a staff analysis for the public review process. The following is a brief summary. There are zoning district assignments for existing community districts. Those community districts are listed in the Board memo. Those communities for El Centro and Galisteo growth management areas include Los Cerrillos Community District, the Madrid Community Planning District, the San Pedro Community District, the US 285 Highway Corridor District, and Tres Arroyos del Poniente District, the Village of Agua Fria Planning District, San Marcos Community District, Galisteo Community District, the Santa Fe Community College District – in addition to those specific community districts there have been individual petitions that have been submitted to the County. The majority of these comments related to individuals who have submitted comments regarding single properties. These comments have been incorporated into the analysis of the issue areas. There are specific issues for these areas that I want to highlight for the Board including a major issues identified in the Galisteo Growth Management Area was a mixed-use zoning district assignment for areas adjacent to State Road 14. A major issue identified in the El Centro Growth Management area was the commercial/general assignment for a 330 acre parcel adjacent to NM 599

and also a mixed use area in the Las Campanas area. Additional issues that staff has identified countywide includes planned development districts. The zoning district criteria identified areas where previously approved master plans that did not fit closely into another zoning district would be assigned planned development districts. Several has identified several of those.

With that, Mr. Chair, Commissioners, staff does have additional information and analysis if the Board wishes for us to present that information. That concludes our presentation.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I believe that this will be presented to us in the future but I have a few introductory remarks that I would like to make. [Audience indicates that the audio is too low]

Mr. Chair, I was just saying that I think the information will be presented to us in the future. I would like to make a few introductory remarks however before we go into the public hearing. Thank you, Mr. Chair.

Again, thank you all for being here. I just want to re-emphasize that the purpose of this meeting tonight is for public comment on the zoning map and we, the BCC, will not actually be making any decisions at this meeting. That's an important thing to emphasize.

I also want to emphasize that zoning is very important in my opinion. And it's the first time that the County will ever have had true zoning. In the past we have had what we called geohydrological zoning. You may be aware of that term. But what that did is it really set minimum lot size only and that was for the purpose of protecting our groundwater. We in the County almost entirely – well, up until a couple of years ago, we almost have entirely depended on groundwater supplies either through private wells or public wells and we wanted to make sure with our geohydrological zoning that we did not put more development on a piece of land than could be supported by the groundwater supplies underneath that piece of land.

But comprehensive zoning is not just about lot size. Comprehensive zoning also sets uses. It also can possibly set building standards as well but in our case we – while we are including new building standards in our new Land Development Code they are countywide they are not specific to a specific zone.

I will just sort of – this is kind of an interesting historic tidbit, but the first zoning that ever occurred in the United States was in New York City a little less than 100 years ago in 1916 in New York City. And what happened there was there was a huge building built and the building was so big that and so overwhelming that it blocked the windows of the neighboring residences in the area and it cut off the light that people were used to going into their windows and it cut off their views. And that's what motivated New York City to put in zoning for the first time in the United States. It took off and in the next 10 years there was a lot of zoning that occurred at the local level especially at the east and in the mid-west.

But implementing zoning is not an easy task. I really want to emphasize that. We have over 35,000 properties in Santa Fe County. And we have notified all of those property owners about the proposed zoning but it's going to take a lot of time to put this all together and to do it right. It's also difficult because people often have different ideas

about what they want in their community or their neighborhood. In some areas there's a controversy over whether people want to preserve the rural character or they want to have more development more growth. There's often controversy over whether people want to keep the agricultural capabilities of their area or again do they want to allow people to be able to subdivide their property to provide lots for their children or for their aging parents and that sort of thing.

We often have to think about people's different needs in a given area and the fact that people often have different ideas. But there are real advantages to zoning and I want to just emphasize this because I think it's important for everybody to understand what it is actually going to mean for you to have zoning. One is that people will know what to expect. They'll know what to expect if they move into an area or, in fact, if they live in an area. They'll know not only what kind of lot sizes are allowed but also what kind of uses are allowed in an area. What kind of businesses are allowed and so on. Also, it's going to help reduce development by variance. We have a lot of people come in front of us and they want a variance to the current land development code. They want to change what's in there. So what that means is that we have development that is somewhat random in nature just depending on how comes in front of us to ask for some kind of a variance and that's not necessarily a very good way of preserving what's near and dear to us about the community that we live in.

Also, I think by reducing the number of variances that we are going to be considering that that's going to be a much more effective way of truly protecting our groundwater supplies which is extremely important in this environment.

Also, I think another thing that I do want to just point out that I think is a real strength in our new land development code is that we have the concept of overlay zones. And so what that means is that traditional communities can create an overlay zone and that means that they can customize the zoning in their area so that it is compatible with perhaps the way their community has been for many, many years. And, I think that this is recognition of the fact that one size does not fit all in Santa Fe County. That there are different areas that have different visions and different needs and we can customize the zoning process with this overlay zone idea.

But, it's really important that we do this right. We need to do this right and that's why we are encouraging a lot of public comment and we are urging homeowners and business owners to contact County staff if they have any areas of concern about the zoning map. It's going to take time but we're going to do it right. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Holian. Also, I would like to recognize our County Treasurer with us tonight, Patrick Varela, thank you for being here. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chairman. Penny, could you identify for the audience the process for the existing community district ordinances and what will happen with those in relation to the growth management code once it is passed?

MS. ELLIS-GREEN: Sure. Mr. Chair, Commissioners, Chapter 9 of the SLDC addresses community districts and it states that these individual community district ordinances shall remain in until such time as the new community plans are adopted in accordance with Chapter 2 and corresponding overlay community district is

established. So, that being said, we need to make sure that we have transitional language. For example, the community districts use base zoning districts, have names of different base zoning districts than what we use, even though we have tried to choose the closest possible match, there is still that conflict. So we understand that we need to draft transitional language. We are working with the legal department to do that and we will be presenting that an option to the Board before we ask for any decisions to be made.

COMMISSIONER STEFANICS: Thank you.

CHAIR MAYFIELD: Penny, thank you. And let me just, reading Chapter 9 now and hearing Commissioner Holian's comments, so what Chapter 8 is saying is that community district overlay may apply or may be done once there's public hearings. How can an overlay within a community district be accomplished on our current code and our current zoning that could be proposed to us?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, in the SLDC? So in the SLDC a community district can create a community overlay district similar to communities that have gone through a planning process already and have created their own ordinance that amended the existing land development code. That would amend Chapter 9, an overlay district could amend Chapter 9 when they talk about the uses and strict design standards, height and things like that. And, so, on the existing ones we would start – the starting point would be the existing community ordinances and we would write them to fit into Chapter 9 using the existing ordinances as the starting point but obviously, we've got a different code now than we had in the 1996 codes so some portions of that may have different references and require some additional language.

CHAIR MAYFIELD: Respecting and understanding staff's time and resources, how are you guys going to manage the 10 – the community plans? Is it going to be first come first serve? Is it going to be alphabetically? The one that was first established? I just think that that process could be very luminous with time. Correct me, please, if I'm wrong.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, since we started the growth management plan the SGMP we understood that we needed to go back and look at those existing community ordinances, existing community plans and so that is something that we are proposing to do. As far as which one comes first I'm not sure that we can immediately answer that. Some may be easier to write into this code than others. Some may require that they want to amend their plan prior to writing an overlay district. So we would need to analyze that.

The SGMP called for those to be done within three years of adoption of the SLDC. So when the SLDC goes into effect that's what planning department will continue to work on is all of those community planning areas and the community overlay districts.

CHAIR MAYFIELD: Thank you. Does staff have anything else at this time?

VIII. Public Meeting on an Ordinance to Establish Development Permit and Review Fees for Projects in Santa Fe County, New Mexico

[Exhibit 1: Staff provided costs of development as proposed in the fee ordinance]

MS. ELLIS-GREEN: Mr. Chair, I don't believe so on the zoning map. If you'd like Vicki to do a very brief presentation on the fee ordinance and then we could take public comments on all three items.

CHAIR MAYFIELD: Yeah, let's do it that way because we never got to the fees in Pojoaque.

VICKI LUCERO: Thank you, Mr. Chair. At the September 9, 2014 meeting staff presented the proposed fee ordinance to the County Commission. We did get feedback from the Commission on several issues and we've actually put together a document showing some recommended modifications if the BCC would like to go that route addressing some of the concerns.

One of the things that was brought up, are there facilities that we should not require a permit for such as small sheds, chicken coops, carports and PV solar. So on the attached document it's some redlines. We've actually put a comment that a permit will not be required for an accessory structure less than 200 square feet unless it is required by CID. One of the other things that was brought up was for us to provide examples of fees for specific types of development so we have done that. We did a cross comparison of proposed fees for a residential dwelling unit with a valuation of \$200,000 and with the what the current fees are right now and then we also did a comparison of non-residential development permit with a valuation of \$500,000 and showed what the current fees are versus [inaudible] right now. One other thing that the Commission wanted us to address was to specify that burial permits would be for human burial. So we recommended that we add a comment on the ordinance that specifies for human burial. And, I believe the last point that was brought up was regarding the demolition fees. The Commission thought that the demolition fees were a bit high. So what we've done is we've actually recommended to separate demolition permit fees. So we've got one fee if the demolition is due to a natural disaster such as fire or a flood that has damaged the structure and will require demolition and that will be just a base fee of \$15. And then for all other demolition permits it would be – we reduced the fees to \$100 instead of the \$700 total that it would actually be.

And, then the other thing we've done or we've recommended is that the grading and clearing permit for a single family residential or community service facility, if it's actually part of a development permit application then we wouldn't charge that additional fee for the grading and clearing.

Mr. Chair, those are the proposed possible modifications suggested for the fee ordinance and I stand for any questions.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Ms. Lucero, Vicki, we had discussed adding in another category or two for film and I don't even see that here in the book. Has staff looked at that?

MS. LUCERO: Mr. Chair, Commissioner Stefanics, we are still

reviewing that so that section of the ordinance or the fee schedule we haven't proposed any changes at this point other than what was presented to you on September 9th.

COMMISSIONER STEFANICS: Okay, and Commissioners, what I had suggested is that there be an educational film category and that the large commercial films or TV series might have a different, higher –

CHAIR MAYFIELD: Penny, is that all from staff. Thank you.

PUBLIC COMMENTS

Exhibit 2: Public Sign-in Sheet

Exhibit 3: David Stupin presentation re: cell towers

Exhibit 4: Las Candelas de Los Cerrillos, letter dated 9/23/14

Exhibit 5: Turquoise Trail Preservation Trust, letter dated 9/23/14

Exhibit 6: Santa Fe Planning Group, Al Lilly, letter dated 9/22/14

Exhibit 7: Bonanza Creek Ranch – Preliminary Zoning Map

Exhibit 8: Map – supplied by Carl Dickens

Exhibit 9: F. Herdman, proposed language to 8.10.2.5

Exhibit 10: F. Herdman, Letter dated 7/30/1999 from County Land Use Administrator

D. Lucero to Las Campanas Limited Partnership re: zoning approval

Exhibit 11: F. Herdman, Santa Fe Extraterritorial Zoning Authority Ordinance 2002-1

CHAIR MAYFIELD: So now we're going to go to public comment. Please, how many folks are here to comment? Okay, I have been known to let people talk for too much time so if you could please be cognizant of who is behind you please and knowing that they too would have something to say and it can go longer than 20 minutes hopefully you'll stay for their presentation – I'm joking. But that you just won't speak and leave. You'll afford everybody that same respect to stay in here and hear what everybody has to say.

We're just going to – whoever comes up first please. No, this is a public hearing, I don't believe we have to formally swear anybody in. You can give your name and address, if you care to. Can you correct me on that, Mr. Shaffer? If you could say your name and address if you care to and unless I'm corrected by our County Attorney I don't believe you need to be sworn in.

FELICIA TRUJILLO: Is this working?

CHAIR MAYFIELD: One second, Ms. Trujillo, please.

MR. SHAFFER: Mr. Chair that would be correct. This isn't an adoption hearing on a proposed ordinance so there would be no need under the Board's rules of order for anyone to be sworn in.

CHAIR MAYFIELD: But again any comment you made will make our official record and it will be included in staff's notes. Ms. Trujillo, would you please introduce yourself for the record.

FELICIA TRUJILLO: Honorable Commissioners and staff, I really would like to thank the staff in particular for the fact that they're going to look over the FCC regulations, thank you. My name is Dr. Felicia Trujillo. I reside in the traditional village of Agua Fria. And I wish to thank you for trying to address these complex issues

which will affect generations beyond your own life time. We appreciate that in the enormous task of writing a coherent County code you have invited the public input to address a few gaps that you are willing to re-examine.

I represent Santa Fe's Doctors WARN, comprised of 95 healthcare professionals. In 2011 we offered City Attorney Kelly Brennan consultation with a leading cell tower specialist, attorney Andrew Campanella, in formulating the City's Telecom Ordinance. City Attorney Brennan welcomed three pivotal protective clauses which passed the City Council unanimously.

This is a very specialized legal area and we offer the same assistance to you. And in fact, I'm going to offer one such clause that attorney Campanella has suggested for your code. We are very concerned that there's no application or guidelines required for the initial 130 feet of your cell towers. However, the 2012 federal Wireless Facilities Deployment Act, Section 6409, mandates there will be no limit to height or number of antennas added once a cell tower is built. And I have that in your notes.

Two, there are no setback provisions or proof required that the proposed antenna supporting structure is designed so that in the event of structural failure the facility will collapse within the boundaries of the leased lot. In the US, 12 cell towers collapse each year. Four cell towers burst into flames each year. Now, this is the new material, thanks for your patience.

Three, cell towers are being replaced by miniaturized towers the size of a 2 inch square rubric cube yet cell tower lease contracts find lessors for 25 years or more. This has been known about the new small antennas since 2011. It's been published in *US Today*, *Wireless*, *Huffington Post*, *MIT News* and *Wireless Week*.

Four, who will pay for the lawsuits from aesthetic concerns, harm to migratory birds per the official protest by the Department of Interior that has done the research on this, structural failures, fires, property value devaluations or violation of FCC emission regulations? Are we the taxpayers paying for all of this?

Five, the Appraisal Institute is the largest local professional organization for appraisers with 91 chapters. The results of their sales analysis showed prices of properties were reduced by around 21 percent after a cell phone base station was built in the neighborhood.

Six, I'm getting to the end here, six, in a national survey including property owners in Santa Fe, 94 percent said a nearby cell tower or antennas would negatively impact their interest in buying a property and lower the price that they would be willing to pay for it. 79 percent said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antenna. Please see excerpts which are stapled on to the back of this packet from the Appraisal Institute report and market value survey.

Seven, because the FCC regulations specifically limit radiation levels for the general population and you have to specify them in your ordinance. If you don't specify them the telecoms will use the professional FCC levels which are 600 percent higher than what children and people living year around are supposed to be exposed to. But because the FCC does not test these levels only towns and counties can formulate their codes to have them tested. Most cell towers when tested show they are up to 700 percent higher than the allowed FCC levels. Therefore, US jurisdictions and I gave notes to staff last

time of who some of them were and I can find more of them, have added to their code these two simple sentences: 1) That the telecom must pay for periodic random testing by a third-party engineer selected by the County. That is an independent engineer. 2) If the tower is found to be over the FCC radiation limit, the telecom must pay to pull it down.

This has provided a lot of safe margin for people because some of the largest billion dollar fires that started in California were begun by a cell tower crashing and setting fire – setting a forest fire that cost billions in loss of homes and everything. But this is a very good little clause which I implore you to add. Again, thank you to the Commission and to the staff which has to do all of this hard work. All of you who are working to address these issues which as I said will affect us for generations to come.

CHAIR MAYFIELD: Thank you.

DR. TRUJILLO: Thank you.

JOHN GUTTING: Mr. Chair and other Commissioners and staff, I am John Gutting and I live in Pojoaque. I was last last week and I'm second this week, so I'll be here for only a minute or two. My concerns after going home and rereading all of this information that I could gather up, I don't see anywhere in any of the volumes of paper, any idea of what it's going to cost to implement and police these ordinances that are being proposed and I'm concerned about that because looking at the fee schedule – I'm not so sure that the fees here can be, will be collected in all cases unless the next door neighbor or the property owner from next door or somebody else turns somebody in and is there staff to take care of that investigation and go out and do all of that. In the early days of the Sustainable Growth Management Plan the group of us that were working on it had many, many questions to the staff and all of us that were working on it is, is what is the true cost of the Sustainable Growth Management Plan going to be? How is it going to be funded? And the only way that I can see it can be funded is to be passed on to the community and I think the community should know what this is going to cost going forward. And with that, I hope I stayed on message as far as the fees are concerned. I was interested tonight to see that some of them are going down. I guess one of the issues that I bring up that maybe in the rural area where everybody's got a tractor or a neighbor or a brother with a tractor -- the way I read this is if we go out and do a little bit of work on our driveway, we've got to have a permit. And how are you going to get any revenue from that unless the neighbors turn you in and I'm not one that wants to turn my neighbor in. He might have a bigger gun than I've got.

CHAIR MAYFIELD: John -- staff, if somebody is doing general maintenance work on their driveway in an urban or rural area you're not going to have to pay for anything. I know I read that somewhere in this code.

MS. LUCERO: Mr. Chair, currently we do require anybody to come in for a maintenance permit even if they're just blading a driveway or redoing base course, redoing bar ditches that sort of thing, they are required to get a permit.

CHAIR MAYFIELD: So, Ms. Lucero, what about snow removal, inclement weather?

MS. LUCERO: Snow removal we don't require a permit for.

CHAIR MAYFIELD: I knew I'd get a couple of laughs for that. But this is on all new or is it for general maintenance? If someone wants to come and put a little bit of gravel aggregate down on their road they're going to have to get a permit from

Santa Fe County?

MS. LUCERO: Mr. Chair, we do require a permit.

CHAIR MAYFIELD: Well, will you put that on my list again, my next list to question that one please. Thank you, John, for bringing that up.

MR. GUTTING: And with that I'll sit down and I'm going to try and stay and listen to everybody tonight as I did last week. Thank you.

DAVID STUPIN: I have copies of my presentation.

CHAIR MAYFIELD: Sure and if from now on people will hand their documents over to Mr. Griego and then Robert will pass them out to us please.

MR. STUPIN: May I have the Commission's approval to use -- [Mr. Stupin requested the use of the County's computer to show a video -- which took time to set up and other speakers continued.]

CHAIR MAYFIELD: If you'll go to the end of the line while it is set up, that's fine.

DAVID BIRNBAUM: Members of the Commission and the staff. I'm David Birnbaum. I live at 7727 Old Santa Fe Trail and I am the preside of the Preserve the Trail Association, a community organization that was formed to try to keep Old Santa Fe Trail Cañada de los Alamos area intact for the benefit of the people who have lived there for years and for the people who are moving in.

What I'm concerned about and I had come to some of the earlier meetings and had not realized that the hearings on the adoption of the map we're going to actually end up with so many changes being made to the ordinance itself and I think that's very confusing for a lot of us. That changes have been made already in the draft ordinance after what I thought was kind of the creation of the final version just waiting for the approval of the map. That's just a general comment.

What I'm really here about tonight is that there's been some language deleted from the code regarding the community service facilities and there was actually a section 10.15 that has been removed. And now there's only a reference in appendix A, a definition which says, a community service facility is a facility which provides service to a local community organization. Such communities may include governmental services, such as a police and fire station, elementary and secondary daycare centers, schools and community centers and churches and other places of worship. But in the process of taking that from being a section in itself you have removed entirely the requirements which were that the proposed facilities are necessary in order that the community services may be provided for in the County so some of a requirement that not anything can be considered a community service facility. It has to meet some kind of standards of actually serving the community and that the use is compatible with existing development in the area and is compatible with development permitted under the code.

Why in the world this language has been deleted is beyond me but I have to say I suspect special interests, including the people we have been battling against in my area have managed to get these changes made and there doesn't appear to be any logic behind this. Why would you take out this language which says that a community service facility has to be compatible with existing development and it has to be compatible with development under the code? And, the third item that has been developed, of these, the third, is a master plan and a preliminary and final development plan for the proposed

development are approved. So basically, these were all very reasonable requirements for somebody who wants to establish a community service facility. And I think it is outrageous that they have been deleted. They have been deleted and replaced with some better language, that would be one thing. But to completely remove them just opens a huge hole in the restrictions and in a residential area like ours we have been battling with people who wanted to set up a community service facility and it was really inappropriate. It was going to bring a huge amount of traffic. It was going to use way too much water. It was going to be a fire danger in an area that has very restrictive access for fire prevention and also for people to escape what is a large cul-de-sac. So we were protected by this language and – but to remove this is just an outrageous thing. So I really implore you, please restore these requirements that give a reasonable protection to a residential area where a community service facility is proposed. Thank you very much.

CHAIR MAYFIELD: Thank you, Mr. Birnbaum. Penny, can you address that one please as far as why some of those are redlined?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, that section was removed because it was addressed or it was added into the use table. However, the first two standards may be standards that we should look at again. The third one about master plan and preliminary and final development plan, the code no longer has a requirement of master plan, no longer has a procedure for master plan so that did need to be removed. And the Chapter 4 of the code is what regulates how you move through a process so whether it's a permitted use or a conditional use. So as we amended the use table and worked with our legal department to look at how we needed to accommodate community services facilities that section was deleted.

I do know the facility that this gentleman is concerned about. It is quite an intense facility that has been proposed and so it may be appropriate to look at those first two standards again.

CHAIR MAYFIELD: Thank you, Penny.

KATHY LAIRD: Thank you for allowing me to address my concern over my property. My name is Kathy Laird and I have previously sent letters, emails, made personal visits to the County, several staff members, Commissioner Holian, Mr. Griego, Ms. Ellis-Green about my issue. So my property, I have approximately 6.5 acres that's off Old Pecos Trail and that's my ingress and egress through that property not through Old Agua Fria. And I go in it's actually running along between the Interstate 25 and Waldorf School and that's how I get in. My property is on – as these were stapled, there's no number on the map but it's number 4.

CHAIR MAYFIELD: Tim is going to bring it up on the map.

MS. LAIRD: It's map number 4, I counted down to four. So it's just a little section of property that I have which actually was originally in a larger piece of developer's property and the developer has approximately 50 acres of property and my piece of property was included in that larger piece at one time and then the man who owned it agreed to sell just 6.5 acres from someone who I bought it from. So my little piece of land which is right there kind of in the center, to the left it says east 6-27, was actually part of the larger piece of land which is considered residential estate right now but my proposed zone would make me residential fringe. Someone from the County suggested that perhaps when it was originally proposed that I get the residential fringe

there was an assumption that I came in through Old Agua Fria. But I don't. I come in, as I said through Puesto del Sol between the Interstate and the Waldorf School building.

My property is not just near or adjacent that larger piece which is residential estate, it's actually contiguous. It was part of that big larger piece of property. It just broke off and a little bit of it was sold. So that's how I have my ingress and egress is actually posted at the County. I spoke to the developer when I put power poles in. He allowed me to actually put poles on his property – that's how close I am to him. I mean, I'm actually part of his original property. What's very interesting is when I first talked to the developers realtor who was handling that, I just when I saw the for sale go up I just wanted to remind everybody that I was back there and not to forget me because you can't see me from that Puesto del Sol and he agreed that they knew I was back there and they wouldn't forget me and wanted to know if I would actually be willing to sell my property. So if you go back into that larger piece of property – so that's one of the things I find interesting that he's interested in purchasing my land to put back into the large piece. So at that time, if he did that, he'd have to have me back into residential estate because that's what he is now.

So, I have to maintain the dirt road. I've always been able to go in and out but I have to maintain my own dirt road which is difficult but it's the only way I have to get in. My only access is off Old Pecos Trail. So I just wanted to review it again. This is my concern and my request to be moved back into residential estate as my contiguous developable property is. I've already reviewed this once but I just wanted to have the opportunity to say it again. So, thank you very much.

CHAIR MAYFIELD: Thank you.

HEATHER NORDQUIST: Chairman, Commissioners, this time I'll remember my name. I'm Heather Nordquist. I'm from Pojoaque and there's a number of us in the room from Pojoaque, you guys want to raise your hands for a second. We had our meeting a week ago which was quite lively. I'm going to try keep it short. But Commissioner Mayfield suggested we come and listen to the rest of the communities in Santa Fe County and that's what we're here to do partly. And, also, to let you know some of our concerns from last week which I will summarize very quickly. Some of them may also apply to you and some of them may be unique to our area which I will try to keep short.

The takeaway that I got from last week's meeting and anyone can correct me was that in general Pojoaque Valley wants to keep its rural agricultural nature. If there were people that were wanting to subdivide into smaller lots than the give .75 acres that we have now there weren't many in the room or they were very quiet. And we are concerned with the density increase that has put into the SLDC for our area.

The second point would be, and I think the largest, is that if urbanization is what is going to go forward as a result of SLDC for the Pojoaque Valle that we are very, very concerned that we do not have the infrastructure to support this and the point of this code is to be sustainable. There is no public septic system, water system, no trash removal and we have a very large issue which is perhaps unique to us but since we have four tribal communities that are patch worked and surrounding us, I'm thinking of four in particular, we do have some existing rights-of-way issues with tribal government which are already severely impacting our property values. So unless these are settled in a permanent way

we have a lot of fears about trying to develop even more when we are possibly facing ingress/egress problems to our private properties and our businesses.

In particularly, Devin Bent, one of our community members mentioned something that the SGMP puts in a stipulation that the services be available before the development happens. But he pulled out a specific portion of the SLDC which seems to say the opposite. It's Section 12.2.3.2, and I'm going to skip to somewhere in the middle where it says it will be assumed in all cases that the adopted level of service requirements are presently being met whether or not this act is true. This statement does worry us a lot because it seems this goes forward whether or our concerns about the infrastructure are heeded or not.

It was also brought up that if you look at the map overlays and I didn't have as much time today to get some visuals together about 90 percent of all of the irrigated crop land in Santa Fe County is targeted for urbanization under the SLDC and almost 100 percent of acequia irrigated crop land is targeted to be urbanized. As a traditional community with agricultural roots we are very concerned that there is no mention of incentivizing agricultural activities in our area and so we wanted to bring that up.

We also have a surface hydrologist that mentioned the problems that can come with higher density as far as drainage and flooding issues. If you watch the news recently you know we have problems occasionally in Nambe, Pojoaque. We have a lot of natural arroyos and adding more people the same existing land will actually exacerbate this.

So, to support these goals we have a few bullet points. We want to encourage the sustainable agricultural and not infill. And we want to concentrate fulltime non-residential uses, in other words, commercial properties to the main corridors of the Pojoaque Valley which is 84/285 and State Road 502.

The transfer development rights that are mentioned in the SLDC might make sense to add some commercial properties of the right kind on State Road 503 this is the highroad to Taos which is a scenic byway and we can see an antique shop and coffee shop or something of this sort could be useful in this area. And we also need to make sure that since we are very rural that if there is new development going in that we have accessible emergency services if more of such development is approved.

I also have a set of questions from people who were not able to be here tonight which I will quickly read off and I can provide these by email if I go too quickly. From Mr. Steve Parson who is our surface hydrologist and small business owner last week he asked, What is the benefit of the SLDC to the average citizen/landowner in the Pojoaque Valley? And, question number two, How does the County benefit from this plan? What is it in for you? Then Mr. Devin Bent who I am sure you remember has his questions, We like other traditional communities voluntarily accepted the smallest lot sizes in the County with our own Pojoaque Valley Plan, 3/4 of an acre. The other zoning districts range from 1 acre to 160 acres. So we are voluntarily the densest; why ask more of us? For those of you that may not be aware, our current zoning would allow up to three houses per acre in the SLDC. And, question number two, a question that I asked and might be repeated is, What is the maximum density possible for us under the SLDC? If a developer transfers any development rights from another area and does various things to get density bonuses, then what is the maximum density? As I read from the SLDC the amount of the density bonuses is simply unspecified.

So I think that pretty much does it – I forgot one more thing in the tribal issues because I wasn't going to stress them so much. But we have a unique situation where it doesn't really matter what you all do, and the hard work that you do to do these zoning maps if we're patch worked in because our tribal neighbors can honestly do whatever they want. Now, they may not do that but realize for instance that my own private property, my home, is skirted on three sides by San Ildefonso, so we can make it nice and pretty and zones meet in a certain way but, in fact, that tribe can do whatever they want on the surrounding land, on three sides of my property. Thank you very much for your time.

CHAIR MAYFIELD: Thank you. Penny, just in Ms. Nordquist's comments – I drive home every day and I'll drive home tonight and now I pass a really nice, beautiful McDonald sign and McDonald's establishment on 285/84 and kind of hearing Ms. Nordquist, where is anybody who would have a private claim along that corridor would they be afforded the same provision to build such an establishment?

MS. ELLIS-GREEN: Mr. Chair, I'm not sure I understand the question. The SLDC does not –

CHAIR MAYFIELD: For the zoning, the zoning.

MS. ELLIS-GREEN: Well, the zoning map for the SLDC do not apply on tribal land.

CHAIR MAYFIELD: Well, I understand that. But let's say the adjacent piece of private claim that is right across the street from it, right across the highway from it.

MS. ELLIS-GREEN: Mr. Chair, I'm not that familiar with the Pojoaque Valley Ordinance to know whether or not that area was slated as being non-residential. I did not that the Pojoaque Valley Ordinance did identify the same area as is currently traditional community as traditional community and did also identify the areas along the two major roads as being an area that would be mixed use so it would allow non-residential uses. But then they also had a specific use table that allowed some uses to be permitted, some as conditional, some as special and some as not allowed.

CHAIR MAYFIELD: Okay, and then Ms. Nordquist's comments or concerns about how did staff come up with the SDA 1, 2, and 3 concept, understanding community plan or traditional community? How were they, I guess say, fit in – say that area that is SDA 2?

MS. ELLIS-GREEN: Mr. Chair, the SDA 1 was our growth area. SDA 3 was more of a rural area. SDA 2 was on the outside of the growth area and also included the community districts as we would look at that more of being infill, we would necessarily look at that becoming in the future our next growth area because a lot of our traditional communities are already developed. I don't know if Robert wants to add anything to that.

CHAIR MAYFIELD: Okay, thank you. And we'll get back to your questions also, Ms. Nordquist, thank you. Mr. Siebert.

JIM SIEBERT: My name is Jim Siebert. I'm a planning consultant here in Santa Fe. Let me just preface this by saying that we really need to acknowledge what you've accomplished to date, both Commission and staff, which is phenomenal in my opinion to take on this monumental effort. My guess is it's probably one of the first

efforts to establish zoning countywide in the United States.

The specific comments I have – first of all there is a recent deletion of development approvals applications that are in process and that has been scrapped. Anything that has been submitted as a complete application or continue under the existing land development process and what that means is that it takes a year to a year and a half to go through the process to get to the point where we are now and a considerable amount of money and if you delete this provision it means that we have to go back and start all over again. Another year to a year and a half and considerable amount of money to accomplish that.

My recommendation is to allow those people who have begun the process who have completed applications to go ahead and continue on through the process in the current code.

The other issue that I submitted something previously on the 40 and 160 acre lots, what happens is under the code, my understanding of the code, I'm on .13.3, is that even if you have a lot that is 160 acre lot or a 40 acre lot you still either have to do a reconnaissance study or a geohydrologic study. If you go to that cost and the cost of that is somewhere around the order of – if you have well that is 500 to 700 feet deep you're probably talking somewhere around \$25,000 to \$30,000 to do the well and the geohydrologic testing. It would seem that if you go to that expense and those two larger lot categories that the density should be something that you're doing right now. It becomes a hybrid. It would simply be what the land and what the groundwater will support over, in this case, a 99-year period. If you go to this expense the problem is – let's say you can support a higher density, the only way to achieve that higher density is to go through a rezoning process so you're not only having to go through the cost of the geohydro, you're also having to go through the expense of a rezoning of the property.

The other provision that we have a concern about, I just came from a planning conference in Albuquerque, it was the New Mexico Planning Association, and it's interesting that the current trend for zoning is to allow a greater flexibility and a little more authority to staff to administratively approve certain things. And in particular I think there's a lot of developments that would continue on as planned development districts. What I would have you suggest – what I would suggest is that there be a 10 percent allowance for those kinds of things that had previous master plan. The reason for that – a 10 percent allowance for increase and for example the lot coverage would take place, certain things would have to establish as a matter of record and those would be setbacks that protect the neighbors. But it just seems that – and some flexibility in terms of uses. We have no idea over the next five to ten years what kind of uses are going to take place. Ten or fifteen years ago who would have anticipated that the internet would have the kind of impact in terms of business community today. I think you need to have that kind of flexibility and this is the trend around the nation. If you talk to land use attorneys they'll be able to provide some guidance on that.

But let me just say again, that I just really appreciate the effort that staff has made to work with us in this process and thank you very much.

I have something 40 and 160 acre lots which I provided previously and I'm just going to pass that out again. Thank you.

CHAIR MAYFIELD: Thank you. We'll let this language speak and then

that gentleman.

NANCY BURGAS: Good evening. Mr. Chair, and Madam Commissioners and staff. My name is Nancy Burgas and seven years ago my husband and I bought a lovely home on 18 acres in Rancho San Marcos which is adjacent to the Turquoise Trail Charter School. We have burrowing owls nesting on our property. We have meadow larks who sing us awake in the morning and we coyotes who sing us to sleep at night. We have incredible night skies; they are very, very dark. And we have quiet, quiet, quiet. I don't know what will happen to us if the mixed use zone that is right next door to our community – please, don't let that happen. Thank you.

CHAIR MAYFIELD: Mr. Stupin, Dr. Stupin, please.

DAVID STUPIN: Yes, my name is David Stupin. I'm going to talk to you today about cell towers. I'm speaking about [inaudible] radio and cell towers in your neighbors yard – on your house. You might think this is kind of an oddball strange thing to talk about so I'd like to show you this video of a falling cell tower in Wellesley, Massachusetts.

CHAIR MAYFIELD: Why don't you go ahead and give your presentation while Tim tries to get it up, please.

MR. STUPIN: I did an internet survey – can you make it larger [video is shown] can you go back and show it from the beginning.

CHAIR MAYFIELD: Mr. Stupin, can you just go on and give your presentation, please.

MR. STUPIN: I did an internet search of cell towers that have collapsed and I found that at least one cell tower collapses per month. At least one cell tower collapses per month in the United States. And the internet shows that at least 15 cell towers collapsed in 18 months that I did this survey in June 24th of this year. This is an under estimate because no one compiles these events. For example, it does not include the effects of hurricane Sandy in 2012. In areas of 10 eastern states all cell towers were inoperable during and after Sandy. And 25 percent of all the cell towers in the United States were inoperable. But the actual number of those that collapsed [inaudible]

Also, about one cell tower, it says one cell tower fire every three months in the United States. In the interim months I looked at there were six cell towers that caught fire. These are not trivial fires – if you watch this video it changed the whole way I thought about this. These are things that cannot be put out by a garden hose and a guy in his yard when this falls into your yard.

Now the cell phone falling towers problems has been resolved in other communities. FCC regulations limit the radiation levels for these towers. But the FCC does not monitor those levels. The County can require tow owners to pay to have their level monitored by electrical engineers and then they require if the tower is putting out more power than they can legally, then the County can require them to pay to remove those towers. Now, most cell towers that were tested are seven times higher than the allowed FCC level. And that's because each cell tower, antennae tower, radiates the amount of energy that the FCC permits. So if you have five or six of these different providers on the one tower, it's five or six times the total radiation of a tower.

But with this ruling each tower would be limited to one antennae and then the tower will meet the FCC limit. There won't be any reason to add another antennae

because that will exceed the FCC limit and that will self regulate and how high they'll go. Right now in the County from the SLDC, no application is required for a cell tower that is less than 30 feet. So, again, a 29 foot cell tower which would now – that could have five providers, the tower height could go up to 130 feet and you haven't [inaudible]

If you look at the last two pages of the handout there are [inaudible] sheets that showed falling are burning cell towers. That's also published in the web in a different format.

So if you add these three conditions you can prevent burning radio and cell towers in your neighbors yard from falling in your house by adding three conditions from the FCC regulations. You need to add three conditions to the SLDC – these first two were pointed out by Dr. Trujillo: 1) The tower owner of telecom must pay for periodic random testing by a third-party engineer selected by the County but paid for by the telecom company and measure the radiation from the tower. If the tower is over the FCC limit, the owner pays to take it down. And then require that all radio towers apply for a permit regardless of the height.

Thank you for your time. I look at all of the work you guys are doing and it's fantastic you on the staff. It's amazing to me. Thank you very much.

CHAIR MAYFIELD: Thank you.

JERRY ROGERS: Mr. Chair and members of the Commission, I thank you for your work. Thank you, Mr. Chair. My name is Jerry Rogers. I too thank you for the good work you're doing and for the herculean task of creating a plan for this county. I live in the Rancho San Marcos Subdivision just to the east of Route 14 south of here. And my concern is the same as you heard before, for the harsh contrast of the mixed-use development immediately bordering our planned subdivision which was carefully planned to have 10 to 12 to 20 acre lots. Our subdivision is substantially built out so that our investment has already gone into creating a very very pleasant neighborhood. At some time in the future if the mixed-use proposal proposed to our north if that is approved as proposed, sometime in the future when that is built out as mixed-use it's going to look like a completely unplanned boundary.

I urge you if you cannot keep that area in the ranching natural configuration that it is now, at least give us a buffer. Give us some type of gradual introduction to the heavier usages. I thank you very much for your time.

CHAIR MAYFIELD: Thank you.

JAY DRATLER: Honorable Commissioners and staff my name is Jay Dratler. I am also a resident of Rancho San Marcos. I'm a retired lawyer and law professor. And I'm here to oppose the mixed use designation which is the pink area in the portion of the screen right now. I wonder if you could zoom out just a little bit because I want to make a point about the surrounding. If you zoom out by about a factor of two. Our community consists at the moment of about 80 plus homes and there are a number of lots that are still unsold so I suspect at some point in the future we will be at about the 100 home level in our community. It's a gated community. The lots are all in the 10-acre to 20-acre size. My particular one is 15. I'm in the middle along Calle Galisteo which is the street running through of the circle there on the map.

Now, I just wanted to point out something, a couple of things. There are other people as well in addition to the two previous speakers who are going to oppose the

missed -- mixed use, missed use might be a better term for it -- the mixed use zoning there. But I want to speak particularly to the industrial the proposed industrial zoning right in the middle of the mixed use area. Now if you could zoom out just maybe one or two stages more still keeping that honeycomb of Rancho San Marcos on the screen, I'd like to point out something. May I approach the screen?

CHAIR MAYFIELD: Sure. Watch the wires.

MR. DRATLER: Okay. I'll try to stay out of the light stream. Here's Rancho San Marcos, here are the mixed use area and this is the industrial area. Now, up here is the airport and it's an unzoned area. Some of it is what I believe you call municipal annexation but it's basically a free for all up here and this is where all the industrial stuff, the quarries and all of that are and it's appropriate for them to be there because -- can you bring that up again -- it's certainly appropriate and good planning for them to be there because they're right near the airport for light stuff and light transportation. They're right near 599 and they're right near I-25. So why, and this is my question, are you going to put an industrial area just 2 miles south of this huge already industrial area which will probably take 25 or 50 years to fill up? Why are you going to put it in the middle of a development that if you look around here is all rural, these are the prisons which of course are quiet and non-polluting, these are the rural development areas and they're rural residential. They're rural fringe, rural -- I forget what this designation is but they're all essentially rural areas. This is a rural community.

Our valley is a rural community. We have virtually no industry and very little commercial activity in our community. Up here and I can't see it exactly on the map we have a light industrial park at Rancho Viejo. In that park there is a cracker and tortilla factory which I believe uses coal for its ovens. When I'm down in Rancho San Marcos doing my bicycle runs, anywhere from three to five rounds three times a week, I can smell that coal pollution and when I go up through Rancho Viejo industrial park to go to my Spanish class at SFCC, I can smell can smell this horrible coal pollution. I frankly cannot understand how anybody can work in that little industrial park. Now that's not even industrial zoning. I'm not sure, but I think it's commercial zoning where they are and not industrial.

We have this whole community here, our whole valley, we have no industry to speak of we have the San Marcos Café and Feed Store which is a community resource. We have a few little businesses up here. We have the gas station at Lone Mountain but our whole valley is a residential valley. Why would anybody want to put industry in the middle of that valley when you have a perfectly established industrial area just two or three miles to the north with access to all the transportation? Why would you want to burden Route 14? Why would you want to burden all of the people living in a peaceful, non-polluted, quiet, lovely valley? Thank you for your time and I do like others appreciate the herculean task that you have to do. But thank you for your help.

VALERIE NYE: Thank you, Chairman and Commissioners. I appreciate this opportunity to be able to speak. My name is Valerie Nye and I also live in Rancho San Marcos on 71 San Marcos Loop. And I'm speaking in opposition to the mixed use zoning north of Rancho San Marcos and the industrial zoning on Highway 14.

Also, I wanted to bring to your attention that as of this morning 317 people have signed a petition that you should have in your documentation opposing the mixed use on

Highway 14.

Many of us who moved to this part of the County have a need to be near Santa Fe but we want to live in a rural area. The Rancho San Marcos neighborhood where I live is a neighborhood with homes on lots that are between 10 and 40 acres. Mixed use zoning allows for dense, multi-family housing and commercial use. These things are out of character with the area and especially an area adjacent to a neighborhood with such large lots. My family has lived in New Mexico for over 100 years and I grew up in Albuquerque and I saw Rio Rancho develop through the 1970s to become what it is today, the third largest city in New Mexico. I do not want to see this kind of development along Highway 14. I don't want to see my community turned into Rio Rancho. I do not want to live in Rio Rancho.

My husband and I have chosen to live in Santa Fe because we have the best of several worlds. We are close to jobs and services but in this part of the county we have the rural environment. We could live anywhere in the world. As a matter of fact we've given up lucrative job opportunities to live in different parts of the country to stay in Santa Fe because of the rural environment we have. The mixed use zoning and industrial use zoning along Highway 14 is totally out of character with this part of the county. The zoning plan creates business, industry and housing in areas that leapfrog over land that is undeveloped and adjacent to the City of Santa Fe.

While I recognize that this land will probably be developed in my lifetime, I ask that the County carefully consider the development plan before handing it over to a developer who may have a wide range of options to them under mixed use zoning. I ask the Commission to please change the zoning map to reflect the current use of the property. Please change the mixed use zoning and industrial zoning on Highway 14 to its current use which is ag-ranch. Thank you.

CHAIR MAYFIELD: Thank you.

AL LILLY: My name is Al Lilly. I'm with Santa Fe Planning Group. And I'd like to bring attention to Section 8.12 of the development code and unfortunately this section has been left unfinished or labeled as reserved and it has to do with bonus and incentive zoning. And the biggest problem comes with the location of properties in SDA-2 and SDA-3. These properties are currently being zoned on the map based on onsite utilities and no design standards. So what I've done is to provide some information of suggested language that would provide as a matter of policy a density bonus if public utilities are brought to a property or if the applicant has planned for cluster zoning, cluster housing rather, has provided for a minimum of open space of 50 percent and has also provided for substantial setbacks from arterial roads. I believe that this is consistent with the intent of the Sustainable Land Development Code and I hope you will consider these standards in your future plan. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Lilly. Commissioner Sullivan, welcome

JACK SULLIVAN: Good evening. Thank you, Mr. Chair and members of the Commission. I have one specific issue to discuss this evening and I've met with staff previously on it during one of the open house study sessions that the staff conducted. And I think that we're making or have made some progress on it. And I still have however a recommendation that I think would be useful.

It specifically deals with Map Sheet 34 and the existing communities that were in place when the Community College District was formed about 10 years ago. These existing communities vary in lot size. I happen to live in one of them and it's shown now as EC 21. And it is shown on the draft zoning map as a zoning map issue area in black. And the current status as I understand it in the ordinance that the Commission is considering is shown on paragraph 26 of that ordinance. It's very short and to the point and it simply says, Existing neighborhood zones established in the Santa Fe Community College District shall have a minimum lot size of 2.5 acres per dwelling unit. So that's fairly clear. Except what's not clear is if you go to the Community College District Plan it's a little unclear as to what these existing neighbors are in the plan. And, in fact, there were several plans that were bandied about and the one that was ultimately passed by the Commission was fairly general in nature. So these existing neighborhood zones are there. People live in them. But they're not adequately delineated in the existing Community College District Plan.

My suggestion is that the zoning map is a wonderful thing. This is the thing that buyers can look at very easily, that they can understand. And you've done a great job with it, the staff has. It's something that title researchers look at when they research your title insurance. And I think the very best way to handle this is to take the EC 21 little strip of land that is shown in the Community College District off of Dinosaur Trail which is the Churchill Road neighborhood and to color it in the color that you already have on your zoning map which is a kind of a puce color, which is called residential estate, one dwelling per 2.5 acres. I think makes it very easy. I find that ordinances tend to get changed without the public knowing too much about it but maps are very easy to understand and so my suggestion for the staff and the Commission's consideration is to simply go one step further in addition to paragraph 26 regarding existing zones and specifically delineate on this particular one which is outlined right now in black in a residential estate category. Thank you, very much.

DONNA HERRING: Mr. Commissioner, Commissioners, staff my name is Donna Herring. I am a member of the San Marcos Association Board of Directors and we are concerned about the designation of an industrial area along our area. I have a letter that I'd like to read that was written by one of our member, Leslie Hancock, and he says, "A large industrial zone is proposed on the west side of Route 14 just south of the state prison. That's not a good idea. My next door neighbor Jim as an established Santa Fe artist. Whenever we drive down 14 toward home and past the prison he stares over rolling country backed by the Cerrillos Hills then the Ortiz Mountains then the Sandia crest and the horizon. He told me that when he came here from California it was this view that captivated him. To residents and visitors, the two prisons mark the northern end of the Turquoise Trail and the beginning of Santa Fe's more settled less scenic southern reach.

The Turquoise Trail is a National Scenic Byway designated as such 14 years ago as part of a comprehensive corridor management plan. It's role in Santa Fe's tourism industry is more important than any industrial park in what is now ranch land. Many other areas in the County have already been developed as industrial zones. As more such zones are needed they should be located there. In fact, this new zone was created not out of need but on the basis of some theory about percentages. A theory apparently based on

zoning in California. Many of us came here precisely to escape that kind of zoning. There are many specific arguments against an industrial zone at the proposed location. Transportation is one. Development there would certainly bring heavier traffic and more maintenance on route 14. Water availability is another. The prisons are served by an 8" pipe from Santa Fe. That pipe also supplies potable water to many residents of the San Marcos District whose wells have gone dry." One of them is my well. "As we all know the trend is toward less water in the district and more straws in a declining water table. A residential district should not have to compete with industry for this scarce resource. Because the Turquoise Trail is a residential area, there is no denying the world needs industry but the appeal of our neighborhoods is that the industries are somewhere else in areas specifically set aside for that purpose. The real charm of this area is the charm of the west famous wide open spaces with distant views, clean air, low traffic, bright stars at night away from the city lights. Remember we were here first and we're still here."

And I'd like to mention the antelope herd too. You know, they suffer from pressure from the drought and I don't think they need pressure of an industrial zone and those are some of our thoughts. Thank you.

CHAIR MAYFIELD: Thank you.

ROSS LOCKRIDGE: My name is Ross Lockridge from the Village of Cerrillos and I'm speaking today for Las Candelas de los Cerrillos, the community association for Cerrillos. And there's a bunch of us here today including Todd Brown. People raise your hands. Todd Brown is the president.

We have several items found in the Sustainable Land Development Code draft amendments use table and the zoning map we're concerned about. One is this large and recently proposed industrial zone along the Turquoise Trail. And the second one is the permitted unregulated wireless towers reaching an initial 49 feet regardless of the location including all areas from traditional communities to rural areas and lacking buffer zones adjacent to County open spaces. The proposed industrial zone – there is a proposed 320 acre industrial zone just south of the old pen on the Turquoise Trail that has been proposed by the land owner, Richard Hughes, and depicted on the draft zoning map. We do not feel that an industrial zone, at this point, along our National Scenic Byway is at all appropriate. Such as some planted at this gateway area to the byway would both be a poor entrance to the byway as well as to Santa Fe. This is clearly contrary to the Sustainable Economic Development and the direction that has been merged over the years. Through the years of working with the County and planning we have never had sessions on the placement that I recall of industrial zones. We were encouraged to attend planning meetings on such subjects as to identify special places for recognition and preservation. We recall that the Turquoise Trail received high marks and has become a National Scenic Byway which is proving itself economically sustainable. The viewsheds that open up to the Cerrillos Hills at this proposed industrial site are breathtaking.

We propose the following action, since the citizens of the County had very little to no say in such industrial planning we therefore advise a motion to direct the County Planning Staff to reserve the location of industrial zoning and eliminate it from the initial official zoning map leaving this area, for now, as is agricultural residential. Then rather than hastily zoning by right from poor logic under the pressure to meet a percentage quota of industrial space, the risk of getting it very wrong, we and the County as a whole

can have the time needed to work together on these issues and get it right.

Pre-permitted unregulated wireless towers which an initial height of 49 feet. Although we recognize the need of wireless towers, recent draft amendments to the SLDC use table would permit towers in all zoning areas of an initial height, initial height, of up to 49 feet. This could mean that the County Code could set aside all meaningful input from citizens or the County itself of the placement of such unregulated towers. Towers then could be set in zones from traditional to rural and even directly adjacent to open space, County open spaces or within open spaces located on private [inaudible] holdings right in the park. Additionally, in light of the understanding that federal regulations could further permit modifications beyond a community's or citizen's ability to get input, this includes elevations to the height of many tower – or any tower once it has been approved and constructed.

We encourage the following actions: a motion to direct the Planning Staff to change the use table and amendments of text concerning 49 foot wireless towers from P to C, conditional so that adequate public comment may be presented if needed. And, two, a buffer zone be established at ½ mile from all County open spaces for all new wireless towers.

We'll be sending further concerns regarding the use table in traditional communities and I hope that you'll look forward to those.

And I have just a few other brief comments. Reserve any mixed use zoning south of the County jail and State penitentiary for separate County review and submission to the BCC as a rezoning submission. Mixed use should be eliminated from the initial zoning map for this area.

In a letter from an owner, Richard Hughes, of a large tract of land south of the old state pen, he writes that he supports the concept of density bonuses, surely encouraged in the SGMP, being granted when substantial setbacks and cluster housing design are implemented. He goes on to point out that this language had not been provided within the code as of May. So as a consequence his desire was that the tract would be designated for a minimum lot size of 10 acres. I hope that the code will have by now included the missing density bonuses and if not that the Commission will make sure that such landowners have that option. Please support a 5-mile protective overlay zone for the entire length of the Turquoise Trail in Santa Fe County. When driving this National Scenic Byway the viewshed from the edge of the road to the hills and mountains need to be considered and in the light of economic sustainability such an overlay zone needs to be implemented with the adoption of the Code.

And one last comment. We support the current density of 160 acres along the Waldo Canyon Road. Any increase in the density of this area would likely induce long extensions of the County water system. So thank you very much.

CHAIR MAYFIELD: Thank you, Mr. Lockridge.

ANN MURRAY: My name is Ann Murray. I'm from the Village of Cerrillos. I've been asked to read a statement from the Turquoise Trail Preservation Trust. This is signed by Karen Yank as vice-president. "Dear Commissioners and staff, the Turquoise Trail Preservation Trust requests an addition of an overlay preservation zone of at least 5-miles on both sides of the Turquoise Trail to help protect from encroachment of negative impacts to our National Scenic Byway and the communities

along it. Also, the TTPT wishes to request that the proposed 320 acres marked as industrial and the areas marked as mixed use zoning south of the County jail and the State penitentiary be reserved for a separate County review and submission to the BCC as a rezoning submission at a later date when all communities affected can properly weigh in. Until that time, all industrial and mixed use should be eliminated from the initial zoning map leaving this area for now marked as agricultural residential. Furthermore, the Turquoise Trail Preservation Trust supports Las Candelas de los Cerrillos motion to direct the planning staff to change the use table and amendment texts concerning 49-foot wireless towers from P to C so adequate public comment may be presented, if needed, and that a buffer zone be established of ½ mile from all County open spaces of all new wireless towers. Sincerely, Karen Yank, Vice President." Thank you very much.

CHAIR MAYFIELD: Thank you.

BEVERLY DURAN CASH: Hello. My name is Beverly Duran Cash. I am president of Northern New Mexicans Protecting Land, Water and Rights. We're a non-profit organization whose mission is to relieve the stress in our communities by having unfair representation and regulation and laws being forced to residents without their consent and without realizing the impacts to community.

Commissioner Danny Mayfield was nice enough to invite our community to speak. I realize this is for zoning for a different district and I will try to be short. The Commissioners were gracious enough to give my community of over 200 people close to three hours if not more last week or a couple of weeks ago.

I just wanted to say that although we are different districts, I really feel that we have the same interest of keeping New Mexico a peaceful community. Keeping the agriculture. Keeping our wildlife and keeping the way of life that many of us have stayed here living and some of you have come to live and have been long-time residents. We have joined with San Diego Cattle Company in a lawsuit in which the federal government has fenced off water to their cattle which is going to make our cattlemen extinct in northern New Mexico because they were listening to special interest groups and did not bother to ask the cattlemen the impacts that would have on their livelihood. We also have joined with Common Cause New Mexico which are doing ads on the radio for electronic petitions and what they're asking for is transparency in our government and demanding vote for all New Mexicans not just special interest groups.

Although, like I said, we are up north some of our issues are different and I ask you to give me a couple of minutes to let you know how I think they will affect you as Santa Fe County although we're on the northern part. One of them is the Aamodt and I know the water system is something that a lot of people in the County support and a lot of people up in our area also support that. What we don't support and something that maybe many people don't know is that our federal representatives put a stipulation in the settlement that allows the pueblos all of the water rights pretty much 2/3s of the water rights which they can't even use a 1/3 and they're allowed to lease these water rights and pump water out of the aquifer for basically development in Santa Fe. That means a lot of you that are talking about the industrialized companies that are going to come in, the reason that they're not here is that we don't have water. That aquifer will be used to bring them in. And bring big business and bring industry into Santa Fe because they can't do it up north. I want you all to think about that. It will trickle this way. They are

turning the water into a commodity. That's what we're protecting.

The other issue that we want to bring up is the gaming. Although we know, many of you have heard what our interests are as northern New Mexicans protecting our water rights is that we fear that with them dropping the age of gaming, with them allowing free alcohol on the floor, cashing welfare checks, child support checks, and actually giving loans will raise the poverty, the DUIs, domestic violence – they would be putting our youth at risk and so our organization is trying to merge with all kinds of organizations that will come in and help support the way of life and again this will trickle to the County whether it's crime, whether it's low property values, this will come throughout our county.

Again, I just want to introduce our organization. Thank you for inviting us. We would ask as a community what my community has asked for me to ask tonight, I'm sorry, is that we would really like to have after you have all done these type of meetings which I know this has been a priority of meetings that we have a meeting in our area to discuss to things like our easements and what your legal is doing in order to support us in the easement that we have purchased in 1989. Right now we have no title insurance capability. Our titles are basically worth zero because we don't have easements which means that we've had two people that were building homes that were using companies in Santa Fe for construction that no longer do that. They can no longer build because the banks pulled so therefore, Santa Fe is losing a lot of business. We also have the realty companies in Santa Fe they're being devastated because now they can't sell any properties all up north and it is going to trickle. It really is. And, so, this is concerning even to Santa Fe City what will be happening so we would ask that maybe we would meet as a community and ask some questions and as we've said before, we know that some of these issues are federal, state and county and we feel that our County Commissioners are closest to home. We feel that you represent us and we ask for your support in trying to basically level the playing field a little bit so people can continue living the life that all of us are asking for tonight. Thank you.

CHAIR MAYFIELD: Thank you, Ms. Duran Cash. Katherine, let me ask a quick question. I'm just going to speak loud. Based on some of the concerns I've heard and continue to hear and I might have broached this with you as some of the title issues that are going on in the northern part of Santa Fe County. We had the assessor at our last Pojoaque meeting, excuse me, assessor elect, Mr. Martinez was there, if individuals come in to protest, again individually, because they might be landlocked on their property my question is going to be if the community as a whole in totality, whatever happens that pans out with that issue, how when we do property tax assessment if Ms. Duran Cash I'll use her example, if her home value is assessed lower, I live in that valley also, if my home value is assessed lower and everybody comes in protests the rest of Santa Fe County is going to have to pick it up as I understand the mill, the mill levies and that's where I do think it has an impact. Correct me if I'm wrong. But, again, if we're losing a segment of taxation through property tax, how is Santa Fe County not going to have to absorb that some way or another to pay for our budget?

KATHERINE MILLER (County Manager): Mr. Chair, you're correct that the way the property tax rates work is on the totality of the value within Santa Fe County boundaries or any taxing authority within the boundary. The value times the rate equals a

certain amount of revenue and state law says the revenue should stay about the same with an inflation factor as well as state law says you will generate enough property taxes on general obligation bonds or debt to pay the [inaudible] entities at issue. So if we have area of the County that significantly goes down in value it can increase the rate countywide in order to generate enough revenue to cover debt whether it's a school district, a community college or district or the county, state or the city's. So that's the way the formula works.

I did talk to the assessor about this issue. He says it's on a property by property basis that's why it requires a protest to look at each property because they may not all have collectively the same issue. So, I can't say what that effect would be countywide on the tax rate without knowing how many protests and what that total change in value is.

CHAIR MAYFIELD: Thank you for that. Thank you. Mr. Martinez.

MS. DURAN CASH: Can I add to that. Just to let you know, we've already asked that question and just to say the other thing is the protest that went in this year were for last year. So the protests that you all will be seeing is next year and when next year happens there will be a lot more protests just to let you know. If you haven't seen them because we went to ask about it. We're in arrears.

CHAIR MAYFIELD: Thank you. Mr. Martinez, please.

DANNY MARTINEZ: Mr. Chair, members of the Commission, staff, again, I do want to compliment everybody. This has been a horatious task to get this thing together. It's not over. It's got a long ways to go. And I would only hope is that that's what we look at, a long ways to go instead of trying to shove something down our throats that we're not ready for. And I really believe we're not ready for this.

I also want to compliment Mrs. Duran Cash. That committee has formed and they are doing an excellent job getting the information out in the area of Pojoaque Valley. You know, I grew up in Pojoaque Valley. I have land in Pojoaque Valley. Dealing with the tribes is going to get worse. It's going to get to the point where, you know, it's not going to be pretty is what it comes down to because the Indians have taken such a proactive approach to everything that is going on in this valley that they want total control. That's got to stop. Somehow we've got to stand up for the people that have to deal with this issue with the pueblos. We grew up with them. We went to school with them. And now they're actually turning enemies against us, is what they're doing. I see that as being a real serious issue coming down the line. And, again, I compliment Mrs. Cash for the fine effort that she's doing there.

Again, staff, I compliment staff. They do have a big task ahead of them. My big concern, again, one of them, Mr. Siebert was right. I cannot understand how you can adopt an ordinance and then turn around and amend it before it's actually in full force. This article 1.11.8 it's very disturbing because we fought for this. We actually wanted this clause in there because we got projects that are in the process. The process of elimination it's not an overnight thing. We're working seven years on one development. Four years on another development. It's not overnight so to just give us all of a sudden give us 12 months to get it right doesn't happen. I have subdivision approvals that go from last year March and November of 2012, and we're still not final on some of them. So how can you turn around and say get it done in 12 months. It's just not fair. I'd like to see that language put back in there and I'd like to see that extension to two years in

order for us to meet our personal commitments on the developments that we have.

The big project that we're working with and I represent Mr. Miller and I represent a lot of other people from Española all the way through Santa Fe and south. In particular, Mr. Miller's property located south of the Lamy train station which consists of quite a number of thousands of acres in there is currently being designated as 40-acre parcels. This parcel of land is within the Eldorado Area Water and Sanitation District. It is being taxed by the district. So all of a sudden we're being stuck with a 40-acre minimum acre. The cost of running to serve 40-acre lots is just not possible. It just doesn't work. Everything else within the Eldorado District is zoned 2.5 acres. This property should also be zoned 2.5 acres. In our previous meetings with staff we have asked for a mixed use designation. The response that we got back was you'll have to spend hundreds of thousands of dollars to come in and rezone it later on into a mixed use district. That's not fair. I see mixed use districts all over the place. They are going to have to spend money to come in and present their developments down the line. We want that same opportunity. By leaving us at 40 acre minimum lot size, first of all, there's not a market. These 12.5 acre or greater parcel of land just aren't selling in this county and for us to all of a sudden be stuck with 40 acre lots, that's a real hardship. And, again, I relate that hardship to infrastructure costs, to extension of water lines – the fact that this property falls within the Eldorado Water and Sanitation District should allow us the same right as minimum lot sizes of 2.5 acres per lot. I just don't understand the mentality behind it of, well, if you want to rezone it spend hundreds of thousands of dollars and come back in and we'll try it then. We want that mixed use now and we're willing to fight for that mixed use. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Martinez.

JOAN MORRIS: Mr. Chairman, Commissioners, and staff. My name is Joan Morris and I'm on the board of directors of the Old Pecos Trail Homeowners Association. It's an established development of 24 lots and it is zoned residential fringe one dwelling for 5 acres. The majority of our lots are under five acres and as I understand it we can have an accessory building such as a studio. My question is, will variances be given for second dwelling units, such as guest houses on these less than 5 acre lots? And do you foresee any change to the residential fringe designation in the future? My reason for asking this is we're trying to bring to our CC&Rs to come into alignment with the County regulations. Right now the CC&Rs approve of having a guest house on the lots. The County does not currently. I just want to know if things are going to remain as they are on the map now.

CHAIR MAYFIELD: Penny, real quick, could you address accessory dwelling units, really quick, please. I don't know if this will answer your question.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, Chapter 10 of the SLDC allows for accessory dwelling units on all parcels with some limits. The heated area shall not exceed either 50 percent of the building footprint of the principal residence or 1,200 square feet. So there is a limit to the size but under the SLDC we are allowing accessory dwelling units.

MS. MORRIS: Under five acres in the residential fringe?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, in all zoning districts.

MS. MORRIS: I'm sorry. You have the map up there now. This is off of

Old Las Vegas Highway right here. So it says residential fringe, one dwelling – so

MS. ELLIS-GREEN: Mr. Chair, Commissioners, those are principal dwellings. So the principal dwelling you only have one but a five acres – if you're dividing your land you can't divide it less than one unit of a five acre lots. That would be the smallest. If you have two principal dwelling units; so two dwelling units that were 2,000 square foot in size they wouldn't be considered an accessory dwelling because of the limit.

MS. MORRIS: So I am so sorry.

CHAIR MAYFIELD: It's okay. But can you just meet with Ms. Ellis-Green and she can explain to you. Right now Santa Fe County is going to afford an accessory dwelling on pretty much on any zoning area as long as it's no greater than 1,200 square feet or 50 percent of the primary residence.

MS. MORRIS: I see.

CHAIR MAYFIELD: And that will allow now a kitchen and a bathroom. Whereas now you have one or the other as I understand it. So Penny can offer more details.

MS. MORRIS: I will talk to her.

CHAIR MAYFIELD: Thank you.

TOM WEINER: I'm Tom Weiner. I live in Santa Fe County in the Las Tierras area. I formerly lived in Jaconita and I want to make two points although I have many points I would like to make. One is about zoning expectation. Zoning expectation is the reason that we buy property and live in a neighborhood. We all buy our houses and property based on many factors but the neighborhood is one of the them. And maybe a most important one. When you change the zoning you're changing the neighborhood. And you're doing that wholesale throughout the County. Most homeowners will not be happy with the changes that you're proposing especially when you're changing the density to higher densities on properties adjacent to people in a neighborhood.

The County should cease and desist on the wholesale rezoning and the changes that negatively impact neighborhoods.

Secondly, you need to show people what you're doing. The maps that you put out are not adequate. You need to have at least three maps for each person who is affected. One that shows the existing zoning. A second map that shows the proposed zoning and a third map that shows just the changes that are being made. Without these three maps people can't tell what's up. And each individual homeowner that is experiencing change whether it's his own property or adjacent to his property needs to be so informed. Thank you.

CHAIR MAYFIELD: Thank you.

WALTER WAIT: Mr. Chair, members of the Commission. My name is Walter Wait.

CHAIR MAYFIELD: Mr. Wait, excuse me, give me one second.
Commissioner Stefanics.

COMMISSIONER STEFANICS: When Penny gets back to her seat I'd like for her to explain about all existing property that is recorded because I think that when we talk about new zoning and you can correct me if I'm wrong, Penny, but when we talk about zoning here we're talking about new zoning every entity that is legally

recorded. Every piece of land that is legally recorded would not be changed even if it is sold. I think that it is well taken. The point is well taken that zoning around existing property is of concern but your existing property would not be changed. So could you address that?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I think what's being asked is – let me just confirm this. If for example if I'm in the 5 acre zoning district and I have a 4 acre lot, can I still develop that lot? Is that what you're asking?

COMMISSIONER STEFANICS: Right.

MS. ELLIS-GREEN: Okay, and the answer is yes. In the non-conforming section we specifically have a section that says if your lot is existing when this zoning map and code comes into effect and is smaller than the zoning district you can still do everything that is allowed in that zoning district. You couldn't further divide. If you only had a 4 acre lot and you're in the 5 acre minimum that means you couldn't further divide it but yes you could build a house and you could do anything else that is allowed in that zoning district.

COMMISSIONER STEFANICS: And, Mr. Chair, Penny, if lots – if your lot is larger or surrounding lots are larger and they are legally recorded they would remain large?

MS. ELLIS-GREEN: Mr. Chair, Commissioner, if there was a 20 acre lot in a five acre minimum that could allow future division but not to be smaller than 5 acre in size.

COMMISSIONER STEFANICS: The other issue is – if people haven't read the couple of hundred pages in the code many of these land use decisions won't be coming in front of the County Commission like they are now. They would be going through administrative procedures and they would be going through a hearing officer. So if you have not read the process, that's another thing you might want to look at. And what chapter is that?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, the process is in Chapter 4 of the Code and there is a spreadsheet, a little table, that tells you what the process is for each type of application.

COMMISSIONER STEFANICS: Thank you. That's all we need right now, thanks.

CHAIR MAYFIELD: Mr. Wait, thank you.

MR. WAIT: Thank you. At the June BCC meeting Penny Ellis-Green made it very, very clear that there would be no changes made to the draft zoning map unless they were specifically requested by the Board of County Commissioners. The San Marcos Association Board of Directors therefore formally requests that the BCC bring forward the following changes to the draft zoning map and the SDLC and urge you to pass them. We have put them in the form of motions that we wish at least one of you would make and that then the Board should then pass and then direct the Planning Staff to implement.

The first motion is based on the San Marcos Association's arguments submitted May 25th and the majority of the petitions submitted to the Board of County Commissioners. We would like for you to make a motion to direct the Land Use Planning staff to either alter the draft zoning map to the effect of all current ranch and/or

farm land taxed as such be zoned as agricultural ranching, ag/ranch. Option two, alter the draft zoning map to the effect that current ranch or farm land under the same ownership who currently utilize collectively as ranch or farmland be zoned consistently as either ag ranch, rural or rural fringe. And, option three is after the draft zoning map to the effect that the acreage listed in the draft zoning map is either mixed use or industrial and lay across State Road 14 south of the state penitentiary and south of the county jail be changed to conform with the surrounding ranch land as a rural fringe zone.

Second motion, is that we would like for you to make a motion to direct the County Planning Staff to one, reserve industrial zoning and eliminate it from the initial zoning map altogether and to reserve any mixed use south of the county jail or state penitentiary for separate county review and submission to the BCC as a rezoning submission. Mixed use should be eliminated from the initial zoning map for this area. We would also like you to include in this motion that the County Planning Staff look at the County as a whole for places attractive to industrial uses should industrial opportunities arise and bring such opportunities to the table for zoning changes as envisioned by the 2013 Land Use Code.

Now it is our belief that boilerplate zoning on Highway 14 corridor is inappropriate and that the Highway 14 community needs to be intimately involved in any decision to place industrial in high density zones south of the county jail and the state penitentiary. It is our belief that high density zoning [inaudible] in the Highway 14 corridor would damage this entrance to Santa Fe and would forever destroy this portion of the National Scenic Byway.

The third motion that we would like for you to pass or direct the County Planning Staff to include is we would like for you to make a motion to direct the Land Use Planning Staff to add requests for subdivision of ag ranch zoned property or property that was currently taxed as agricultural land into anything other than ag ranch be treated as a development of countywide impact under Section 11. 2.3 substantial land alteration.

As we discussion in our May letter we would argue that any proposed development of ranch land is implicitly a DCI as development carries with it the probable change to the visual character of a wide area. Development of portions of ranch land also must be evaluated under the continuing viability of ranching activities often miles away from the proposed development and any impact to scenic values associated with non-ranching development. This designation of DCI calls for a yet to be written Section 11. 2.3 substantial land alteration. And it's under this section that rezoning of current ranch land to other commercial uses including industrial, overlay zoning and high-density mixed use must be placed.

We'd also like for you to make a motion to direct the staff to add industrial use of County water system resources over a ¼ foot per annum to the list of development of countywide impact.

Given the very real likelihood that there will be water shortages over the next 30 years in Santa Fe County it seems reasonable to restrict uses of County drinking water supplies for industrial use. The allocation of large quantities of water for industrial use which could be millions of gallons could have an impact of substantial numbers of residential users should the utility be confronted with diminishing availability of supply. Limiting industrial use to the same amount of water afforded domestic use unless it

conforms to DCI rules promulgated to protect residential users domestic needs. It appears to be an appropriate addition to Chapter 11.

And, finally, we would like for to direct the planning staff to change the use table of the 2013 Land Use Code for cell towers from P to C so that adequate public comments may be presented prior to any County approvals being granted. You've already heard many arguments on that and I won't go further but it's in our notes.

I would also like to – and in final, I would like to suggest that we do have a problem with large ranch lands. When you have a person that has 13,000 or 15,000 or 20,000 or 100,000 acres of ranch land they have a different perception of how that land should be developed. I don't think that that kind of large section of property should be managed in a piecemeal fashion. They should be allowed to look at their entire holdings and come up with a master plan, if you want to call it that, for those areas that may be different from the zoning that is required or suggested in the land use code. And given the opportunity for the public to look at an entire ranch rather than small portions. That's my own thought, not those of the San Marcos Association.

Thank you very much.

CHAIR MAYFIELD: Thank you, Mr. Wait.

EIRIK JOHNSON: I can't make these things work but I can usually make myself heard. My name is Eirik Johnson and I'm at 2843 Turquoise Trail in Madrid, New Mexico. And I came down here mostly to support the four motions that the San Marcos people just announced and let you know that it's very unlikely that there is anybody south of San Marcos on the Turquoise Trail that feels differently than anybody around San Marcos. I think also though that speaking as parts of a gallery that the unique character of Santa Fe depends partly on the gateways as our visitors come into the city and one of them, of course, is the Turquoise Trail and that requires special protection but it may not be the only one. I suspect that the gateway from the north and further from the southwest and from the east also require similar protections to the one that protect the Turquoise Trail although the others may not actually be National Byways. Thank you.

CHAIR MAYFIELD: Thank you.

RICHARD HUGHES: Good evening, Chairman, Commissioners and staff. I'm Richard Hughes. I own Bonanza Creek Ranch, live at 15 Bonanza Creek Lane. And I've got several comments. Ranging – basically because it's such a large area that I'd like to start out with a little bit of history.

This ranch has been in our family since the 1950s. Since then it has also been used not only for ranching but it's also been used for movies and has been part of the movie industry since the 1950s and even earlier. We've been engaged with the County for many, many years regarding potential zoning of our ranch in the area. This has gone back to the time when Mr. Kolkmeier was still here and we worked with him regarding future zoning for this area. Some of the things that had been pointed out at that point was the possibility of establishing somewhat at that time was called economic centers for the County to develop both income and things like affordable housing for County residents. Through the years we have gone through this through several gyrations through many revisions and everything else and we have made recommendations and requests to staff but most of what we have done recently has been based on things that we have gotten back as feedback.

We have talked at great length with members of the County staff not necessarily zoning but economic development, utilities things like that in regards to areas that could have the potential for development and could have the potential for areas that are still used for agricultural uses.

I'd like to talk about an area basically of the north 14 that many people have been discussion tonight about mixed use. Many of the things in the table that fall under mixed use support the movie industry. Currently, the movie industry is using the state penitentiary for offices. They're using it to build sets. They're using it for back of house. They're using it for storage. But that is on state land and that is not used or is not controlled by County zoning. So therefore, that industry is one industry that would benefit from mixed use zoning in that area. And it's already established itself with the studios on one side and with the state using the penitentiary for sets and back of house type work.

We've addressed also some changes to the map. Some of those changes are along 14. We've requested that we be granted some basic entitlements or zoning that is consistent with our neighbors. Much of San Marcos is zoned one unit per 10 acres that is on the east side of 14. On the west side of 14 most of the property is zoned one unit per 20 and one unit for 40 acres. Those areas have utilities. The water service has been brought down to those areas. It's been brought down to the school and so County utilities are already in those areas and are addressed on the map with the SDA lines. If the larger zone, the zoning acreage is left as is, it will facilitate nothing more than a cookie cutter type development with one house per every 30 acres which will require more wells, more roads, everything else. With a smaller lot size and also I would like to emphasize that we do support the provision of cluster zoning. So that areas that we can get benefit for a clustering would allow individual roads, things like that, to serve as more than one dwelling unit and situation. This would allow for a greater density but have less impact on the surrounding area. That would open up open space. It would allow for less wells, less septic systems and it would preserve open space for the visual aspects of the area.

In asking those things I would like the Commissioners to realize that much of the mixed use that has been shown in the northern part of 14 is based upon the fact that we have been working with the County in regards to establishing economic centers for the County. This would provide places for people to work; however, without that initial zoning the possibility of any type of development for jobs or anything like that will probably go away. Most people that are looking into that will not take the time nor will they invest the money to go through the process to try and get it. They will go somewhere else and the County I believe will lose out some opportunities in this area.

This moves me on to another thing. We notice that there's some mixed use zoning more toward the center part of our ranch which is the movie set area. We have submitted a letter and worked with staff regarding this area. This area for years has been established sets, they have filmed many movies there, and it has been growing over the years that movies and movie production, film production has become a pretty good industry for this County, the state and especially for the Santa Fe area. What we are requesting this to be mixed use is to allow – we actually asked that this be zoned in a different category which would be maybe movie commercial or something like that which is not currently in the code. The reason for this is that we would like to see some

developments that would be helpful to the movies. For instance, sets of a more permanent nature. We'd like to see support structures and small production offices which currently would not be allowed. Crew staging areas, small scale production facilities. We are constantly being asked by movie production companies if we have the ability or would be willing to build or to develop small scale production facilities that would facilitate for instance, digital media, things like that. These are all potential job opportunities for the County.

We've also spoken with County staff through their Economic Development Department in regards to ecotourism or movie tourism for the area. There has been some thought that it would be a good idea to be able to bring tourism out to these sets when obviously the sets aren't being filmed on and allow people to do tours. Currently, those are done but to do it in a more established nature. Do it actually where people could go and see several of the movie sets. And then by doing that establish some facilities that would enhance their theme. Possibly a restaurant possibly curio shops or things where people could purchase things that would facilitate their experience as they go and visit these sets.

Special event facilities, we would like to say if someone wants to have weddings, meetings, something like that they could do it in these settings. Currently, that is done but without the mixed use zoning that wouldn't be allowed.

Also, if you would establish any type of film school in this area or any kind of educational facility. I know that both the Community College and also CNM in Albuquerque have programs for digital media and digital schools, to be able to have them come out and establish some office or thing at the actual film set this would require those type areas. So that is another reason to have that in there.

I want to just emphasize that the movie industry supports many local businesses. Many Santa Fe County residents are supported by the movie industry and that us at Bonanza Creek Ranch have used the movie industry to continue ranching. Many people don't realize that ranching has become a very difficult thing recently and especially in the last 20 years ranching has become very difficult to make it a viable option. So without some of these other areas being able to develop into economic centers, ranching alone will not sustain all the open area in the County. The County is going to have to be able to help them along.

Just so everyone knows the cost of ranching has gone up probably 60 to 70 percent in the last 10 years that's why New Mexico and I'm sure we could probably get people up here from the Cattle Growers Association and everybody would say that ranching has become very expensive. The amount of cattle in our state has gone from 600,000 to a little over 150,000 head of cattle. That is because it is not as economically viable as it used to be and it has to be supplement by other uses.

Actually, that's all I have to say. We've submitted some letters. I've also – some of the comments made by Al Lilly regarding clustering, we support.

JOEL YELICH: Mr. Chair, Commissioners, thank you for letting me speak and thank you to staff for sitting through all of our comments and listening to us. I represent a residential lot that is occupied and immediately adjacent to the mixed use zoning and it's lot 671 San Marcos Loop. My name is Joel Yelich. My wife spoke earlier about Rio Rancho and that's immediately what I thought of when I first saw this.

I don't think any real estate appraiser is going to miss that big red zone when they look at Rancho San Marcos. And I propose that it would reduce the property value by a lot especially because it is immediately adjacent to that.

I believe that the SDLC states that mixed use is primarily residential and correct me if I'm wrong. And so we anticipate that being primarily residential. Although, when one looks at the permitted uses or conditional uses of a mixed use zone we see a lot of interesting things. We see pawn shops, liquor stores, and lots of other things. Additionally, it allows for structures that are probably as large as this one if not larger, 48 feet for multi-family dwellings. That would completely block our views of the Sangre de Cristos, the Jemez, that sort of thing. So, again, it would reduce the property value of our lot.

So I am completely objecting to that area immediately adjacent to our lot. I do understand the need to develop that area and I would suggest a buffer zone if another compromise isn't reached and I would also suggest that having such a dense area of mixed use is unbalanced in planning. Thank you.

CHAIR MAYFIELD: Thank you.

JOE ORTIZ: Mr. Chair, members of the Commission, my name is Joe Ortiz. I live at 99 San Marcos Loop in the Rancho San Marcos community. I love my community, it's beautiful open spaces and I built my home there about 15 years ago. And on the way to that journey I lived and raised here in Santa Fe, New Mexico and one of the things that I don't see is our children anymore. One of our greatest exports is our children and you have the greatest challenge of all and you have taken it brilliantly. My hat off to staff listening to the transparency, the additional meetings, everything that has gone on to vent all of the concerns of the community.

My biggest concern is all of the people that aren't here this evening. All the young people who are dying for jobs. Who are wanting economic development. Who are hard at work trying to make our community economically viable. The ability of the County to do a large scale community plot to attract new business not for some of my elder statesmen in my community and not for me but for my children and my children's children to bring the economic viability our community deserves is paramount. And that's why I support the new zoning as – and I do support the recommendation from staff and some of the recommendations to create some buffer zones. Yes, it is my backyard but I also understand the need for sound, stable footing for businesses to come to our community and know exactly what the rules are and the gentleman earlier spoke about, they'll just pass us over, and the fact of the matter is they will and they continue to. I try to bring business to our communities everyday and their number one question is, can you get me through a process?

The industrial zoning – I look at the overall map and the industrial things and for better or worse, I believe that an industrial use next to the penitentiary and its uses there is logical just strictly from what goes next to the penitentiary. What else would go next to the penitentiary, that would be my question. More residential? It doesn't make sense. I understand why the planning went to such great lengths talking about locating commercial area. The services, the sanitary sewer services that are available in that facility and how they can be utilized. The State Land Office and its commercial San Cristobal Development and it's early staging planning at the Santa Fe Community

College. All of those would tier into so the overall greater scope is I think very well thought out. But to my community and those who are just throwing the daggers at my back right now, I want us to be realistic about the absorption rates and how this is going to occur. You're going to paint that map pink and those lots aren't going to be developed for years. It would take Rancho Viejo in its entirety and its absorption rate of actual land and how long it takes. We're talking decades before we reach my back lot line in Rancho San Marcos.

So I commend the Commission for being visionaries. I commend staff for looking beyond the horizons of our own lifetimes and looking at the true viability of our community. And, thank you all.

CHAIR MAYFIELD: Thank you, Mr. Ortiz.

CARL DICKENS: Hi, I'm Carl Dickens, president of La Cienega Valley Association and I'm representing the La Cienega/La Cieneguilla Planning Committee this evening. Thank you for the opportunity of sharing some of our community's concerns regarding the County Land Use Department's proposed zoning maps. There are four major differences between the Land Use Department's proposal and the LCVA's [inaudible] made through the work of our La Cienega/La Cieneguilla Planning Committee. In general the overall map [inaudible] existing densities with zoning categories is good although we have a general concern because the plan fails to acknowledge the potential development of the extensive government land in the La Cienega – county, state and federal, in the La Cienega/La Cieneguilla area.

The four exceptions, if you'll look to the map, the four exceptions the LCVA has in regard to the proposed zoning map are as follows starting in the upper left corner. The first concern is the County's proposed zoning map does not address areas of the community's true traditional historical nature, primarily our farm land. The planning committee examined those boundaries and proposes the acknowledgment of all traditional historical areas. The historical traditional nature of La Cienega has been recognized by the state designation. Top right, for over nine years the LCVA has sought to establish a commercial district in the area between Los Pinons and 599. This designation would allow for economic development grants and funding for infrastructure promoting commercial development as well as limiting commercial development to a specific and appropriate location in our community. The County plan maintains the status quo of the number of non-conforming commercial lots and residential property. This spot zoning does not serve the public interest and is problematic in other parts of our community. Middle right, the County plan takes the remaining tracts of land and establishes them as high density residential areas as well as seeking to reduce non-conforming lots by allowing high density development, the lowest common denominator in an area with established and lasting water issues this isn't appropriate or wise.

The planning committee acknowledges existing lot sizes and retains reasonable density for a rural community to avoid more high density uncontrolled development as our community has seen in the racetrack area which has become a lot split subdivision of over 400 homes with no subdivision requirements in terms of wastewater, water or traffic.

Finally, the County has proposed a designation of a planned development district for the Santa Fe Canyon Ranch/ La Bajada Ranch properties this decision is absent any

real community input or participation for our area approximately 1,300 acres of great importance to our community. Our community is unaware of any involvement by the La Bajada Ranch Steering Committee in proposing a planned development district. The existing master plan in question because of water rights issues has a density of approximately seven to eight acres per residence. The planned development district is open ended in regard to use and density. Given our community's almost 10 year involvement with this proposed development and not having community input the proposed planned development district designation is difficult to understand.

And in closing and I hope I speak for many communities in Santa Fe County, many of them represented here today, there is a bigger issue involved in the County process in creating the zoning map. And honestly, I shouldn't be here tonight. Our community would have preferred to present you the work of our planning committee and their zoning map proposal. Their proposal was a result of almost three years of work. Of residents volunteering to update our community plan. It was a better process. A more open process and is the produce of community members truly concerned about what happens in La Cienega and La Cieneguilla. Most importantly, it was a resident driven process with a wide range of representatives and a perfect example of the community taking responsibility for its future and working to preserve its history and traditions. The work of these residents who included farmers, ranchers, an environmental attorney, a real estate agent, business owners, a representative of the Pueblo of Pojoaque, an architect, an environmentalist, and others has been ignored and that is most unfortunate.

Our community does not need nor want to respond to these concerns this evening. We simply seek to have the work the La Cienega/La Cieneguilla Planning Committee to be respected. In closing, to echo the previous comments made this evening, it is my opinion this evening that the La Cienega/La Cieneguilla Planning Committee did it right. Thank you very much.

CHAIR MAYFIELD: Just respecting everybody's time here tonight and also ours we may lose a quorum at 9 o'clock. I know we've let people speak at length but if you could just kind of summarize that up with the four of you who are still standing.

BOB DEYOUNG: Mr. Chair, Commissioners, I am Bob DeYoung and a La Cienega resident. I'm like some other speakers I have serious concerns about the effectiveness of this Board and County management particularly in regard to addressing countywide issues. For now though I'll reserve my unrelated constructive criticism for another time.

I had a lot more to say as those who saw my notes will attest and you may have noticed that I have been frantically adjusting them on my tablet here. In the interest of respecting everyone's time and to avoid retread and covered issues I'm going to limit my comments to reinforcing Carl Dickens' comments, unproposed zoning for La Cienega/La Cieneguilla. Well, my residential estate lies adjacent to two traditional community lots and I'm concerned about property value. My bigger concern is that a large lot of traditional community zoning is neither sustainable nor effective. I strongly support objections and recommendations made by LCVA and Carl Dickens in particular. Proposed densities are completely unsustainable from a natural resources and a infrastructure standard. Thank you.

CHAIR MAYFIELD: Thank you.

JOE MILLER: My name is Joe Miller. I live at 286 River Bank Road in Lamy. I have quite a problem with the discrimination that is happening in this new code. I have property that is in the Eldorado Water and Sanitation District and as every parcel in the Eldorado Water and Sanitation District has a density of 2.5 acres with the exception of my parcel. Right now I can develop it in 2.5 acres but with this new code they're going to make me go to 40 acres. Now we're in the water district. We pay taxes to the Water District and we have every right to be served by the Water District but yet this new code wants to cut us down. We could be putting in around 900 lots on the property that we own. But with this new code it cuts us down to less than 55. Now that's a lot of damage there when you lose close to 800 lots and I don't know how to be compensated for that.

I think it's a discrimination because I'm the only one in the district that has to go to 40 acre lots. Everybody else has 2.5 and there's no reason for us to discriminate and pick one parcel out and tell me that I have to lose about 6, 7, 800 lots. It's a lot of damage and I don't know how to be compensated for that. But I think this code should remain the same that everybody in the Eldorado Water and Sanitation District should be allowed to go to 2.5 acres per parcel. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Miller.

SCOTT HOEFT: My name is Scott Hoeft, Santa Fe Planning Group. I wasn't planning on speaking this evening, Commissioners, but I noticed a comment here that I just wanted to address quickly. On EC 44 on the handout, this is a 44 acre parcel that is near Las Campanas that at one time was mixed use and that we concur with staff that the zoning should be changed to residential estate. But I'm reading through the description and I didn't care for the comment there that's stated and this may seem not really relevant right now but I think it is going to be relevant someday. The comment speaks to basin fringe, mixed use zoning and then at the very end it says, based upon the concerns regarding compatibility, intensity of development, building height, traffic, noise, spill over light, adjacent to nearby single family residential properties in Las Campanas – I mean that is kind of a value statement and if you consider that and you look at this chart, those uses senior housing, continuing care, nursing facilities, and I believe the last one is assisted living those uses under the new zoning that we concurred with, the residential estates, are Ps or Cs. And so – you can see in the future I could come in front of your Board two years from now request a continuing care facility/nursing facility and this comment is already stating that that use isn't consistent with the surrounding area when in fact it's already a P or a C. I guess my comment is just with the staff analysis comments I think you've got to be really careful about what you're stating in that I think it's better to say what we had talked about initially which is – there wasn't an existing master plan on the property and therefore the site should be residential estate and I agreed. But from there forth, we shouldn't really make a value statement regarding the compatibility of the potential uses on the land.

Thank you very much.

CHAIR MAYFIELD: Thank you.

FRANK HERDMAN: Mr. Chair, Commissioners, my name is Frank Herdman. I'm an attorney here in Santa Fe and I'm here on behalf of two different

clients but I'll be brief for both of them, I promise.

I first want to speak on behalf of the Las Campanas Owners Association and just a little bit of background. When the proposed zoning map came out Las Campanas was originally proposed to be zoned as residential estate. There was quite a bit of opposition and concern in response to that because the zoning of that area was residential estate would have constituted a substantial down zoning. A lot of the uses allowed in the lot [inaudible] area would become non-conforming uses. So there were communications with staff and there was a consensus that PD or planned development zoning for that area would be more appropriate. But then it occurred to Las Campanas that under the current code if an area is zoned PD then by default under the current version of the new code, all of the uses specified for PD, Planned Development District, automatically become permitted uses. So, for example, under the current version of the code a chemical processing plant will become a permitted use in Las Campanas. So we support the PD zoning for Las Campanas but there's a missing link in the code and we have proposed a new addition or new provision to the PD chapter in the code and we're working with staff closely and we hope that this will be adopted at the end of the day. You have the language in front of you which has been provided. Essentially what it says is when it comes to areas that are proposed to be zoned or will be zoned as PD upon the initial adoption of the zoning map those areas will be governed by all future uses development and densities will be governed by the existing entitlements that were adopted prior to the adoption of the code and that those entitlements will govern over anything that is less restrictive or inconsistent in the PD zoning provisions. So what that means is there will be dependability and reliability and certainty with respect to the existing entitlements going forward. This provides that they can be amended in accordance with the code but at least it provides that certainty. So we request that this adopted as the missing link to connect the past with the future when it comes to these areas that have historically been regulated in accordance with their existing entitlements but are proposed to be zoned PD.

The second client that I'm here on behalf of is the Tierra del Oro Homeowners Association and again I'll be brief. I made a presentation at the hearing or the meeting in June I believe it was regarding the 330 acres which is located immediately northwest of the La Tierra exit off of 599. Staff is recommending that that 330 acres be zoned as residential estate. The zoning map as it came out originally and as you can see here it was shown as mixed use. It has since been determined and staff agrees that the property was zoned as residential in 2002 according to Ordinance 2002-1. Your next code mandates that the existing coding be carried forward. Staff has also concluded and we agree that prior approvals that were granted in the 1980s have long since expired. Staff made that determination in 1999 and it has since been confirmed by staff.

Additionally, the future land use map adopted as part of the Growth Management Plan designates that area as residential. Your code mandates that it be zoned in accordance with the future land use map. And then compatibility, mixed use would not be compatible with this area. The uses permitted under mixed use include pawn shops, bars, taverns, night clubs, mini warehouses, truck storage, heliports, etc. all of which would be completely incompatible as you can see from the map with the residential area surrounding this particular area.

So we joined with staff's recommendation that the 330 acres be zoned residential

estate. And just for the record I'd like to make it part of the record, I don't need to distribute it to you but I'd like to give it to the reporter a copy of staff's letter July 30, 1990 from Dianne Lucero to Al Lily and a copy of Ordinance 2002-1 that zones this area as residential. Thank you.

CHAIR MAYFIELD: Thank you.

J.J. GONZALES: Thank you for this opportunity to address the Commission, Chairman Mayfield, Commissioner Stefanics and Commissioner Holian. My name is J. J. Gonzales. I represent the Gonzales Family Partnership. We own several parcels of property within the La Cienega area. The parcel I'm concerned about here was on Map Sheet 30, and if we could bring that up. I went to the open house in May and I found out that our parcel of property on that map had been given the designation of mixed use but in 2008 we went through the variance procedures and we got that land designated commercial. Through talking with Robert Lopez [sic] and Vicki Lucero they were very helpful. They took my request. I filled out the proper application and proper form and after several months of review they reviewed the process from 2008 they came up with a recommendation on EC 4 that they change that designation from mixed use to commercial general and so that was one of the good things that they did. They were very responsive to my request and I do want to compliment the staff for all the hard work in this process that has gone on for many, many years. And I hope that at some point we get a final designation – you know, that there can be certainty in development plans that people bring before. And up to this point there are a lot of questions that people have and I hope that with the adoption of the zoning maps and the code all of those concerns will be remediated somehow and that we go forward with that.

Thank you very much for allowing me to speak.

KARL SOMMER: Members of the Commission, Mr. Chairman, I will be very brief. I am here on behalf of the Rancho Viejo Limited Partnership and much has been said tonight about the mixed use – the sections around the pen and I'd like to address that just briefly.

You all have adopted your general plan. Your general plan is very specific and I read through the introductory remarks and I'm not going to read them to you but what I hold in my hand costs this County millions of dollars to produce and I mean millions of dollars. And it reflects lots and lots of hard work and it reflects a plan for the future. I say that to you because that designation on that map didn't just come out of nowhere. That designation on that map came out of this forward looking plan. And this forward looking plan says that the County's investment in this area for the reasons that are stated in this plan that map should be designated something like that. That is a matter of policy.

As a matter of your legal requirements, you must zone this area in a manner which is consistent with your general plan. What has been advocated here tonight by many is that you zone it totally inconsistent with your plan. And I submit to you that you ought to put that on your list of things you ask your legal staff about whether or not what's been advocated complies with the law and get your own legal opinion about it. I submit to you that it does not comply with the law to follow what has been suggested to you all.

I'd just like to make one brief comment. I started practicing here in 1986 and I had the great fortune to work with the gentlemen who owned Rancho Viejo. The

gentlemen who did the San Marcos development. The gentlemen, the three gentlemen who donated land to the college. Who donated land to IAIA. Who donated land to the Santa Maria school. Who built roads all with a forward looking plan that said, we're going to have to have places for our institutions. We're going to have to have places where we have an investment and all three of the gentlemen that made those investments are dead and they knew that they were never going to see a penny of that investment. They knew that something more had to be done not just for their heirs but for this community. And Larry Meyer, Leland Thompson and Fred Chambers had a vision and the County then developed the Community College District with the same idea. There's been this huge investment. The plan that you have here not only your investment in producing it, has a plan and it says, you know, this is about future generations where are these people going to work? Where are they going to live? I heard much said that this is going to take time. I think more than it will take time, it's tough to plan for the future and it's hard and that each one of you feels the tension every time you walk into a room about whose ox is being gored, who benefits, who loses. But I ask you to keep in mind that the investment you've made in your general plan means something and that the investment that you make in our future means something and don't just merely give into those who would like you to say, you know what, I got mine – and I heard it here – we were here first. I think that's a very dangerous argument to make in a planning arena.

Thank you very much and you all have a good evening.

CHAIR MAYFIELD: Sure you are welcome to come up.

MARGE JOHNSON: Marge Johnson, upper most part of Santa Fe County, just a few yards south of County Road 76. I'm very concerned about the zoning regarding cell towers. Human beings are electrical beings, animals are, plants are, we're all very vulnerable to electricity around us. I ask you to be very wise, very patient, very caring about balance when you make your rules regarding cell towers.

The human body, in the human body in our organs each organ has a different resident frequency. A frequency at which the organ lives most healthfully. Each organ frequency is different taken together they form a harmonious frequency. The presence of electrical, cell towers, cell phone I don't have one on principle, electrical cords, etc. etc. they disrupt our electrical balance. So when you set up the regulations regarding cell towers please be very careful and very mindful that our bodies are sensitive to those cell towers. Thank you.

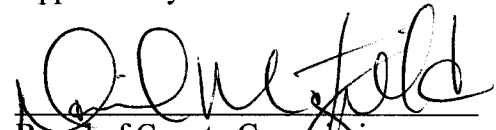
CHAIR MAYFIELD: Thank you, Ms. Johnson. Folks it is a little after nine and I just want to make sure that everybody has had an opportunity to speak. Is there anybody else wishing to comment tonight? Seeing none this portion of our public hearing is closed. Thank you all. Thank you, Commissioners.

VIII. CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Mayfield declared this meeting adjourned at 9:02 p.m.

Approved by:


Board of County Commissioners
Daniel W. Mayfield, Chair

ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK



Respectfully submitted:

Karen Farrell, Wordwork
453 Cerrillos Road
Santa Fe, NM 87501

2014 OCT 28 PM 3:10
SANTA FE COUNTY CLERK
RECORDED
10/28/2014

Cost of Development as Proposed in the Fee Ordinance**Example: Residential Dwelling Unit valued at \$ 200,000****Proposed Fees**

Base Fee: \$200
Valuation Fee: \$550

Total: \$750

(Does not include Impact Fees or Fire Review Fees)

Current Fees

Application Fee: \$100
Initial Inspection Fee: \$45
Final Inspection Fee: \$50
Utility Authorization: \$35
Grading & Clearing: \$90
Valuation Fee: \$550

Total: \$870

(Does not include Impact Fees or Fire Review Fees)

Example: Non Residential Development Permit valued at \$500,000**Proposed Fees**

Base Fee: \$700
Valuation Fee: \$3,500
Grading & Clearing Fee (if applicable): \$750
Driveway or Driveway Cut Permit (if applicable): \$200

Total: \$5,150

(Does not include Impact Fees or Fire Review Fees)

Current Fees

Application Fee: \$100
Initial Inspection Fee: \$150
Final Inspection Fee: \$150
Utility Authorization: \$35
Grading & Clearing: \$150
Valuation Fee: \$1900

Total: \$2,485

(Does not include Impact Fees or Fire Review Fees)

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Possible Modifications to the Proposed Fee Ordinance

| <u>APPLICATION TYPE</u> | <u>BASE FEE</u> | <u>ADDITIONAL FEES</u> |
|--|-----------------|------------------------|
| Development Permit Residential & Agricultural Uses & Community Service Facilities (A permit will not be required for an accessory structures less than 200 sq. ft., unless required by CID) | \$200 | Valuation Fee |
| Burial Permit (For Human Burial) | \$150 | |
| Demolition Permit- Residential (Due to Natural Disaster) | \$250 | \$15 |
| Demolition Permit- Non Residential Mixed Use & Multit Family | \$700 | \$100 |
| Grading & Clearing Permit -Single Family Residential Or Community Service Facility (Not Required if part of a Development Permit) | \$100 | |

2010 JUL 13 PM 3:03 RECEIVED

| Name | E-Mail | Area or Topic of Concern |
|------------------|-------------------------|--------------------------|
| 1. BOYCE, JES | | All |
| 2. WAIT, ISOLDE | | Zoning Hwy 14 |
| 3. WAIT, WALTER | Waltwait@aol.com | Zoning Hwy 14 |
| 4. Morse, Joan | | Great Houses |
| 5. Bill Barr | billabarr@comcast.net | Zoning 330 acres |
| 6. J.J. GONZALES | | La Cienega Area |
| 7. BOB DEYOUNG | bob.deyoung@yahoo.com | LA CIENEGA AREA |
| 8. JACK SULLIVAN | jssantafe@earthlink.net | Churchill Road |
| 9. Steven Parker | stoveparker@comcast.net | Village Linda |

tabbles

EXHIBIT

2

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|------------------------------|--------------------------------|---|
| 1. Rheanna Butler | rheannaButler@gmail.com | |
| 2. Charryl Berger | charrylberger@gmail.com | Proposed MUD at 599/Camino La Tierra |
| 3. Valerie Nye | Valnye@gmail.com | Zavvy HWY 14 |
| 4. Joel Yelich | joel.yelich@gmail.com | Zoning Hwy 14 North of Arriba San Marcos |
| 5. Yvonne Chicoine | ychoicine@comcast.net | Proposed MVD @ 599? Camino La Tierra |
| 6. Patricia Brown | brown p52@yahoo.com | |
| 7. John Gutierrez | | Cost |
| 8. KATHY LAIRD | kathyaird@aol.com | request change in my <u>Dist 34</u> proposed zoning |
| 9. Barb Odell | janandbarb@me.com | |

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|--|------------------------|------------------------------|
| ^{1.} 19 [Signature] | [E-Mail] | [Area] |
| ^{2.} 20 LINDA Scruggs | bionibilly45@gmail.com | Rural fringe |
| ^{3.} 21 JAY DRATLER, JR | jdratler@gmail.com | Proposed industrial zone |
| ^{4.} 22 BURT LEHMAN | | SF. 330 |
| ^{5.} 23 David Birnbaum | burnbridge727@aol.com | Community Service facilities |
| ^{6.} 24 TODD BROWN | BROWNP52@yahoo.com | Highway 14 |
| ^{7.} 25 Felicia N Trajillo | felitru10@gmail.com | Cell Towers |
| ^{8.} 26 Vicky Rogers | jrogers@csps.net | Rural Fringe |
| ^{9.} 27 NANCY BURGAS | nburgas@csps.net | Rural Fringe |

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|----------------------------|----------------------------|-----------------------------|
| 20. 20. Carrie Quade | CARRIEQUADE@ME.COM | ZONING |
| 21. 21. Ron Lattner | RonLattner@gmail.com | Zoning |
| 22. 22. Cindy Hoffman | Cindyphoffman@yahoo.com | Zoning |
| 23. 23. Leslie Hancock | Quinbvs@Quinbvs.net | Zoning SAN MARCOS |
| 24. 24. Tom Keesing | TKeesing@NMReal-Estate.com | |
| 25. 25. Elliott Zisner | EZisner50@Comcast.net | Zoning. |
| 26. 26. Bill King | BILLKINGRANCH@gmail.com | |
| 27. 27. DAVID SWAN | STVAIN44@gmail.com | Lease of Radio Tower Lim. b |
| 28. 28. Scott Heft | SCOTTHEFT@hotmail.com | Zoning map |
| 29. 29. Adriene Simpson | gabron@aol.com | Zoning - Density |

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|------------------------|-------------------------------|--------------------------|
| 40. Claudia Borchert | cborchert@santafecountynm.gov | Staff water |
| 41. Heather Nordquist | heathernordquist@gmail.com | All |
| 42. Beverly Duran Cash | durancash@gmail.com | All |
| 43. Stella Sheelburn | Stella Sheelburn@gmail.com | All |
| 44. Jack Sheelburn | jack sheelburn@gmail.com | All |
| 45. MARGE SETHSON | anabelleyloz@gmail.com | CELL TOWERS |
| 46. CARL DICKENS | cedickens2@yahoo.com | Zoning Issues |
| 47. Erik Johnson | Eleotteran@yahoo.com | Zoning Plan |
| 48. DIANA TOLWA | djotm@yahoo.com | 13 17 |
| 49. Karl N. Linn | karl5@summit-assoc.com | 2 4 |

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|---------------------------|---------------------------|--------------------------|
| 20. 48 Jerry Wells | jwells7465@comcast.net | Rancho Viejo |
| 21. 49 Courtney Tenney | ccjtenney@gmail.com | Rancho Alegre |
| 22. 50 Joan LATTNER | horseloverjuan@gmail.com | Churchill Estates |
| 23. 51 Kurt Stalzer | stalzer@msn.com | LA TIERRA |
| 24. 52 Guy Eden | ERLNEDEN@aol.com | Pojoaque |
| 25. 53 Roberta West | rwestnm@earthlink.net | Zoning |
| 26. 54 Jim Alford | JIM ALFORD 9 10 11 A.D.L. | San Marcos District |
| 27. 55 Joel Miller | No N/A | |
| 28. 56 Danny Martinez | ldplanning@comcast.net | — |
| 29. 57 David A. Carter | D.SKETTER@GMAIL.COM | Tierra Contenta |

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|-----------------------|--------------------------------|--------------------------|
| 39 40. Ann Murray | MurLock@RainTreeCounty.com | Hwy 14 |
| 41. Ross Lockridge | MurLock@RainTreeCounty.com | Hwy 14 |
| 42. Richard D. Hughes | rhughes@gandhiconservation.com | Bonanza Creek Ranch |
| 43. AL LILLY | al-lilly@comcast.net | Santa Fe Planning Group |
| 44. Tom Wehner | conejo77@g.com | SLDC & MAP |
| 45. Chris Furlanetto | crfurf@yahoo.com | SLDC |
| 46. | | |
| 47. | | |
| 48. | | |
| 49. | | |

Santa Fe County BCC Special Meeting: Zoning Map Adoption Draft - September 23, 2014 - Santa Fe County Fairgrounds

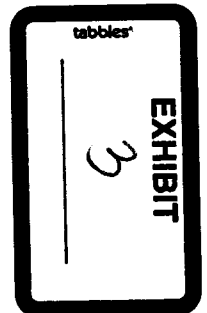
PUBLIC COMMENT SIGN-IN SHEET

| Name | E-Mail | Area or Topic of Concern |
|-----------------------|----------------|--------------------------|
| 60. W4 John McHale | — | Cable Tower Regulations |
| 61. W5 Joe Ortiz | Joe.Orthiz.com | Land zoning |
| 62. | | |
| 63. | | |
| 64. | | |
| 65. | | |
| 66. | | |
| 67. | | |
| 68. | | |
| 69. | | |

Prevent burning radio and cell towers in your neighbor's yard from falling on your house

Presented by
David Stupin, Ph. D.
to

Santa Fe County Board of Commissioners
September 23, 2014



Cell Tower Fires Cannot be Stopped with a Garden Hose

See Video at:

<http://www.youtube.com/watchv=0cT5cXuyiYY&NR=1>

and

https://www.youtube.com/watch?v=yN_KU4ImgO0

or Google:

tower fire Wellesley MA youtube

At Least 1 Cell Tower Collapse per Month in USA

- Internet search shows at Least 16 Cell Towers Collapsed in 18 Months in USA (as of 6/24/14)
- Underestimate: no one compiles these events, for example:
- Does not include effects of Hurricane Sandy in 2012 (Difficult to track)
 - In areas of 10 Eastern States, all cell towers inoperable during and after Sandy
 - 25% of all US Cell Towers were inoperable
 - per cent due to collapse unknown

About 1 Cell Tower fire every 3
months in USA

At Least 6 Cell Towers Caught Fire in 18 Months
in USA (as of 6/24/2014)

The Falling Towers Problems Has Been Solved in Other Communities

- FCC regulations limit the radiation levels from these towers
- But the FCC does not monitor these levels.
- The County can require the tower owners to pay to have the levels monitored by an electrical engineer.
- Most cell towers, when tested, are up to 700% higher than the allowed FCC level
- Typically each antenna radiates at the maximum level
- Thus, each tower will be limited to one antenna and will not require additional height.

You Can prevent burning radio and cell towers in your neighbor's yard from falling on your house

By adding these three conditions that support FCC Regulations to the SLDC:

1. The tower owner or Telecom must pay for periodic, random testing, by a third party engineer selected by the County, to measure the radiation from the tower.
2. If the tower is found to be over the FCC limit, the tower owner or Telecom must pay to take the tower down.
3. Require all radio towers to apply for a permit, regardless of the height.

Almost 1 Cell Tower Collapse per Month in Recent Years, plus Hurricane Sandy

25 Cell Collapses total Found in Web Search 2003-2014 plus Hurricane Sandy. 16 collapses in last 18 months. Almost 1 per month.

| date | location | notes | Web site |
|------------------------------|---------------------------|--------------------------|---|
| 5/10/2003 | Peoria, IL | | http://www.inti.gob.ar/cirsoc/pdf/antenas/TowerFailuresCausesandCures.pdf |
| 11/2/2003 | Oswego, New York | crushes fire chief's car | http://www.firehouse.com/news/10530195/oswego-new-york-cellular-tower-crushes-chiefs-vehicle |
| 3/18/2008 | La Merida, CA | | http://www.inti.gob.ar/cirsoc/pdf/antenas/TowerFailuresCausesandCures.pdf |
| 1/24/2009 | Wellesley MA | welding fire | http://www.metrowestdailynews.com/article/20090124/News/301249964 |
| 11/10/2009 | Torrance CA | Fire | http://www.randommadnessintorrance.net/2009/11/cell-phone-collapse.html |
| 12/14/2009 | Tulsa, OK | | http://www.inti.gob.ar/cirsoc/pdf/antenas/TowerFailuresCausesandCures.pdf |
| 2/18/2011 | Clinton PA | | http://www.lehighvalleylive.com/hunterdon-county/express-times/index.ssf/2011/02/high_winds_likely_cause_in_cel.html |
| 4/4/2011 | Ballard County, Ky | | http://www.kfvs12.com/story/14380276/afternoon-update-cell-tower-2-homes-collapse-in-ballard-county |
| 10/31/2012 | | Associated Press | Hurricane Sandy takes out 25 percent of cell towers in US |
| 10/31/2012 | | | http://gadgets.ndtv.com/telecom/news/hurricane-sandy-takes-out-25-percent-of-cell-towers-in-us-286624 |
| 3/6/2013 | South St Louis MO | | http://southcity.fox2now.com/news/news/123681-cell-tower-collapse-could-have-been-prevented |
| 3/19/2013 | Laredo, TX | 1 killed | https://www.osha.gov/doc/topics/communicationtower/index.html |
| 5/16/2013 | | Fire + lean | http://www.nbcnewyork.com/news/local/Cell-Tower-Lean-New-Jersey-Police-Monmouth-County-207722061.html |
| 5/28/2013 | Copiah County, MS | | http://www.msnewsnow.com/story/22439997/2-killed-in-cell-phone-tower-fall |
| 7/8/2013 | Bensalem, PA | welding fire | http://www.nbcphiladelphia.com/news/local/Cell-Phone-Tower-on-Fire-in-Bucks-County-212489511.htm |
| 7/8/2013 | Bensalem, PA | welding fire | http://www.myfoxphilly.com/story/22659415/fire-causes-cell-pho |
| 7/20/2013 | San Ramon CA | | http://emfsafetynetwork.org/cell-tower-collapses-near-san-ramon-california/ |
| 10/1/2013 | near Willow, AK | | http://www.adn.com/2013/11/14/3176538/willow-cell-tower-collapses-as.html |
| 10/20/2013 | jefferson county MO | leaning tower | http://www.ksdk.com/story/news/2013/10/30/jefferson-county-leaning-cell-phone-tower/3318551/ |
| 10/25/2013 | Alascom, AK | | http://www.adn.com/2013/11/14/3176538/willow-cell-tower-collapses-as.html |
| 1/13/2014 | Chewelah, Wash | | http://www.spokesman.com/stories/2014/jan/13/in-brief-cell-tower-near-ski-resort-collapses-in/ |
| 2/2/2014 | Clarksburg, West Virginia | 2 towers--3 killed | http://www.dailymail.co.uk/news/article-2550553/Firefighter-two-contractors-dead-two-cell-phone-towers-collapse-maintenance.html |
| 3/14/2014 | North Adams, MA | wind | http://www.masslive.com/news/index.ssf/2014/03/heavy_wind_and_rain_causes_col.html |
| 3/26/2014 | Blaine, Kansas | 2 towers --2 killed | http://www.wibw.com/home/headlines/Two-Kansas-Towers-Reported-Down-Possible-Injuries-252268221.html?hpt=us_bn9 |
| 5/10/2014 | HUDSONVILLE, Mich | | http://www.wzzm13.com/story/news/local/grandville/2014/05/09/report-cell-tower-collapses-in-ottawa-co/8906223/ |
| total cell tower collaps | | 25 | |
| total collapses in 2013-2014 | | | 16 = 10.6 collapses/year (plus Hurrican Sandy) in recent years 2013-2014 |

Compiled by David Stupin 6/24/2014 Stupin32Orders@Gmail.com Send me your updates.

About 4 Burning Cell Towers per Year: 1 Cell Tower Fire Every 3 months

| Six Burning Cell Towers Reported on Web 2013-2014 | | | |
|---|---------------------------------------|----------------------|---|
| Total of 13 Burning Cell Towers Total Found from Web Search | | | |
| date | location | note | Web page |
| 4/14/2006 | Temple Hills, prince george county md | | http://www.washingtonpost.com/wp-dyn/content/article/2006/04/14/AR2006041400981.html |
| 7/4/2007 | Howell NJ or MI | | http://blog.mlive.com/annarbornews/2007/07/updated_cell_phone_tower_fire.html |
| 5/10/2010 | Madison, WI | | http://stopthecap.com/2010/05/20/water-tower-fire-wipes-out-wimax-and-cell-phone-service-on-madison-wisconsins-west-side/ |
| 5/10/2010 | Madison, WI | | http://www.ajc.com/news/news/local/cell-phone-tower-to-be-taken-down-following-fire/nQPC6/ |
| 1/13/2011 | Rancho Cucamonga, CA | | http://dailybulletin.mycapture.com/mycapture/enlarge.asp?image=33602303&event=1151611&CategoryID=34298 |
| 1/21/2011 | Poulsbo, WA | | http://www.northkitsapherald.com/news/124300644.html |
| 1/22/2011 | Wall, Tinton Falls and Neptune, NJ. | | http://ireport.cnn.com/docs/DOC-543602 |
| 1/22/2011 | Wall, Tinton Falls and Neptune, NJ. | interesting video at | https://www.youtube.com/watch?v=ZPNYGWCAkPQ |
| 12/2/2011 | Lilburn GA | Fire | http://www.cbs46.com/story/16175764/cell-phone-tower-on-fire-in-lilburn |
| 12/2/2011 | Lilburn GA | | http://www.ajc.com/news/news/local/cell-phone-tower-to-be-taken-down-following-fire/nQPC6/ |
| 5/16/2013 | New Jersey | | https://www.google.com/search?sourceid=chrome-psyapi2&ion=1&espv=2&ie=UTF-8&q=cell%20tower%20fire%20nj |
| 6/21/2013 | Levittown ? | burning tower photo | http://levittownnow.com/2013/06/21/nearby-cell-tower-on-fire-may-collapse/ |
| 7/8/2013 | West Salem, OR | | http://archive.statesmanjournal.com/VideoNetwork/2534345110001/Ospreys-cause-fire-in-West-Salem-cell-tower |
| 8/21/2013 | sanford FL | Fire—dismantled | http://www.wftv.com/news/news/local/cell-phone-tower-catches-fire-seminole-co/nZX69/ |
| 1/6/2014 | Brownsville TX | | http://www.rcrwireless.com/celltowernews/2014/01/10/cell-tower-catches-fire-crown-castle-operates-as-reit/ |
| 1/6/2014 | Brownsville TX | | http://www.brownsvilleherald.com/news/local/article_dfc15d14-7754-11e3-b856-0019bb30f31a.html |
| 2/4/2014 | Las Vegas NV | Fire | http://www.lasvegassun.com/news/2013/feb/04/cell-tower-fire-closes-us-95-exit-ramp-jones-boule/ |

| | | |
|------------------------|----|---|
| total cell tower fires | 12 | 6 fires in 2013 and 2014 (18 months) = about 1 cell tower fire every 3 months |
|------------------------|----|---|

Compiled by David Stupin 6/24/2014 Stupin32Orders@Gmail.com Send me your updates.



P.O. Box 795 • Cerrillos, New Mexico • 87010

9/23/14

Dear Commissioners and Staff,

Las Candelas de Los Cerrillos, the Cerrillos community organization, wishes to request changes to two items found in the Sustainable Land Development Code (SLDC) draft amendments, Use Table, & Zoning Map:

- 1) a large, recently proposed industrial zone along the Turquoise Trail,
- 2) pre-permitted unregulated wireless towers reaching an *initial* 49 feet regardless of location including all areas from Traditional Communities or Rural areas and lacking buffer zones adjacent to County Open Spaces.

Proposed industrial zone: there is a proposed 320 acre industrial zone just South of the old State Pen on the Turquoise Trail that has been proposed by ~~both~~ the land owner, Richard Hughes and depicted on the draft zoning map. We do not feel that an industrial zone along our National Scenic Byway (NSB) is at all appropriate. Such a zone planted at this gateway area to the Byway would both be a poor entrance to the Byway as well as to Santa Fe. This is clearly contrary to the sustainable economic development and direction that has been nourished over the years.

Through the years of working with the county in planning we never had sessions on the placement of industrial zones. We were encouraged to attend planning meetings on such subjects as to identify special places for recognition and preservation. We recall that the Turquoise Trail received high marks and has become a NSB which is proving itself economically sustainable. The view-shed that opens up to the Cerrillos Hills at this proposed industrial site are breath taking.

We propose the following action: Since the citizens of the county have had very little to no say in such industrial planning, we therefore advise a motion to direct the County Planning Staff to (1)"Reserve" the location of industrial zoning and eliminate it from the initial official zoning map, leaving this area for now as is: Agriculture / Residential. Then rather than hastily "zoning by right" from poor logic, under pressure to meet a percentage quota of industrial space, and risk getting it very wrong, we and the county

as a whole can have the time needed to work together on these issues and get it right.

Pre-permitted unregulated wireless towers reaching an *initial* 49 feet: Although we recognize the need of wireless towers, recent draft amendments to the SLDC & Use Table would permit towers in all zoning areas of an initial height of up to 49 feet. This could mean that the county would set aside all meaningful input from citizens or the county itself on the placement of such unregulated towers. Towers then could be set in zones from Traditional, to Rural, and even directly adjacent to County Open Spaces or within Open Spaces located on private inholdings. **Additionally**, in light of the understanding that Federal Regulations (The Middle Class Tax Relief and Job Creation Act of 2012) would further permit modifications beyond a community's or citizens ability to give input. This includes elevations to the height of any tower once it has been approved and constructed.

We encourage the 2 following actions:

- a motion to direct the planning staff to change the Use Table & amendments text concerning 49 foot wireless towers from "P" to "C", so that adequate public comment may be presented if needed.
- a buffer zone be established of 1/2 mile from all County Open Spaces for all new wireless towers.

We will be sending further concerns regarding the Use Table and Traditional Communities.

Sincerely,

A handwritten signature in cursive script that reads "Todd Brown".

Todd Brown

President, Las Candelas de Los Cerrillos



Dear Commissioners and Staff,

9/23/14

The Turquoise Trail Preservation Trust requests the addition of an Overlay Preservation Zone of at least five miles on both sides of the Turquoise Trail to help protect from encroachment of negative impacts to our National Scenic Byway and the communities along it.

Also, the TTPT wishes to request that the proposed 320 acres marked as "Industrial" and the areas marked as "Mixed Use" zoning south of the County Jail and State Penitentiary be reserved for a separate County Review and submission to the BCC as a "rezoning" submission at a later date when all communities effected can properly weigh in. Until that time, all "Industrial" and "Mixed Use" should be eliminated from the initial zoning map leaving this area, for now, marked as "Agriculture/Residential."

Further more, the TTPT supports Las Candelas de Los Cerrillos motion to direct the planning staff to change the Use Table & amendments text concerning 49 foot wireless towers from "P" to "C", so that adequate public comment may be presented if needed and that a buffer zone be established of 1/2 mile from all County Open Spaces for all new wireless towers.

Sincerely,

Karen Yank, Vice President

vicepresident@tpt.org
505-281-0243/505-269-9959
tpt.org



SANTA FE PLANNING GROUP, INC

LAND PLANNING AND LANDSCAPE ARCHITECTURE

MEMORANDUM

EXHIBIT

tabbies

6

Date: September 22, 2014

Santa Fe County Commissioners
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276

Re: Density Bonuses in the Sustainable Land Development Code
Section 8.12 BONUS AND INCENTIVE ZONING

Dear Commissioners,


During our meetings with County planning staff over the past three years there has been a considerable amount of conversation about the concept of density bonuses, based on the availability of public or community utilities, cluster housing, additional open space and increased setbacks from public roads. Section 8.1.4 of the Code states the purpose of promoting and incentivizing infill into SDA-1 and SDA-2 areas, where adequate public facilities and services exist. Section 8.12 Bonus and Incentive Zoning has been left blank and labeled as "Reserved" in the approved Sustainable Land Development Code.

For the following zones (Residential Community, Residential Estate, Residential Fringe, Rural Residential, Rural Fringe and Rural zones), it is our suggestion that an applicant would be granted (as a matter of policy) an increase in density to twice the designated density for the proposed zoning district, providing the following conditions have been met:

1. Public or community utilities are available; or
2. The applicant has planned for Cluster Housing, which has provided for a minimum of 50% open space and
The applicant has provided for substantial setbacks along a major arterial road (such as a minimum setback of 250 ft.).

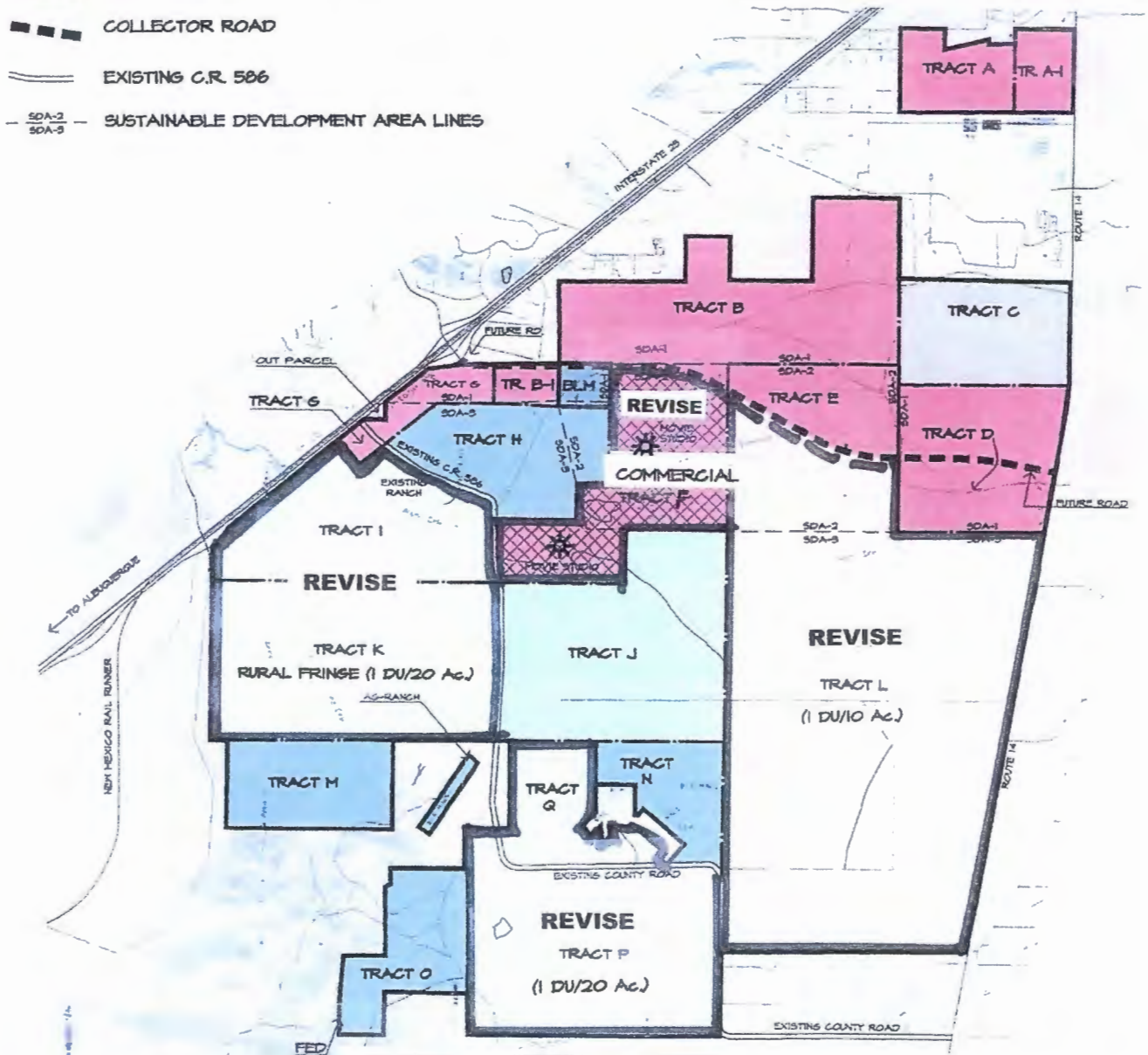
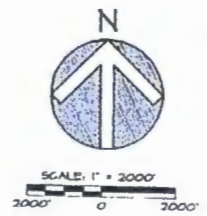
It is consistent with the intent of the Sustainable Land Development Code that there should be provisions in the new zoning and land use code to allow for higher densities, if certain design standards are met and community utilities are provided for.

Thank you for your consideration of these requests.
Respectfully submitted,

Al Lilly 
Cc. Penny Ellis Green, Robert Griego

P.O. BOX 2482, SANTA FE, NEW MEXICO 87504
TEL. 505-690-1122, FAX 505-983-6785

- RURAL (1 DU/40 AC)
- RURAL FRINGE (1 DU/20 AC)
- RURAL RESIDENTIAL (1 DU/10 AC)
- COMMERCIAL
- INDUSTRIAL
- MIXED-USE
- COMMERCIAL (MOVIE STUDIO)
- COLLECTOR ROAD
- EXISTING C.R. 506
- SDA-2
SDA-3 SUSTAINABLE DEVELOPMENT AREA LINES



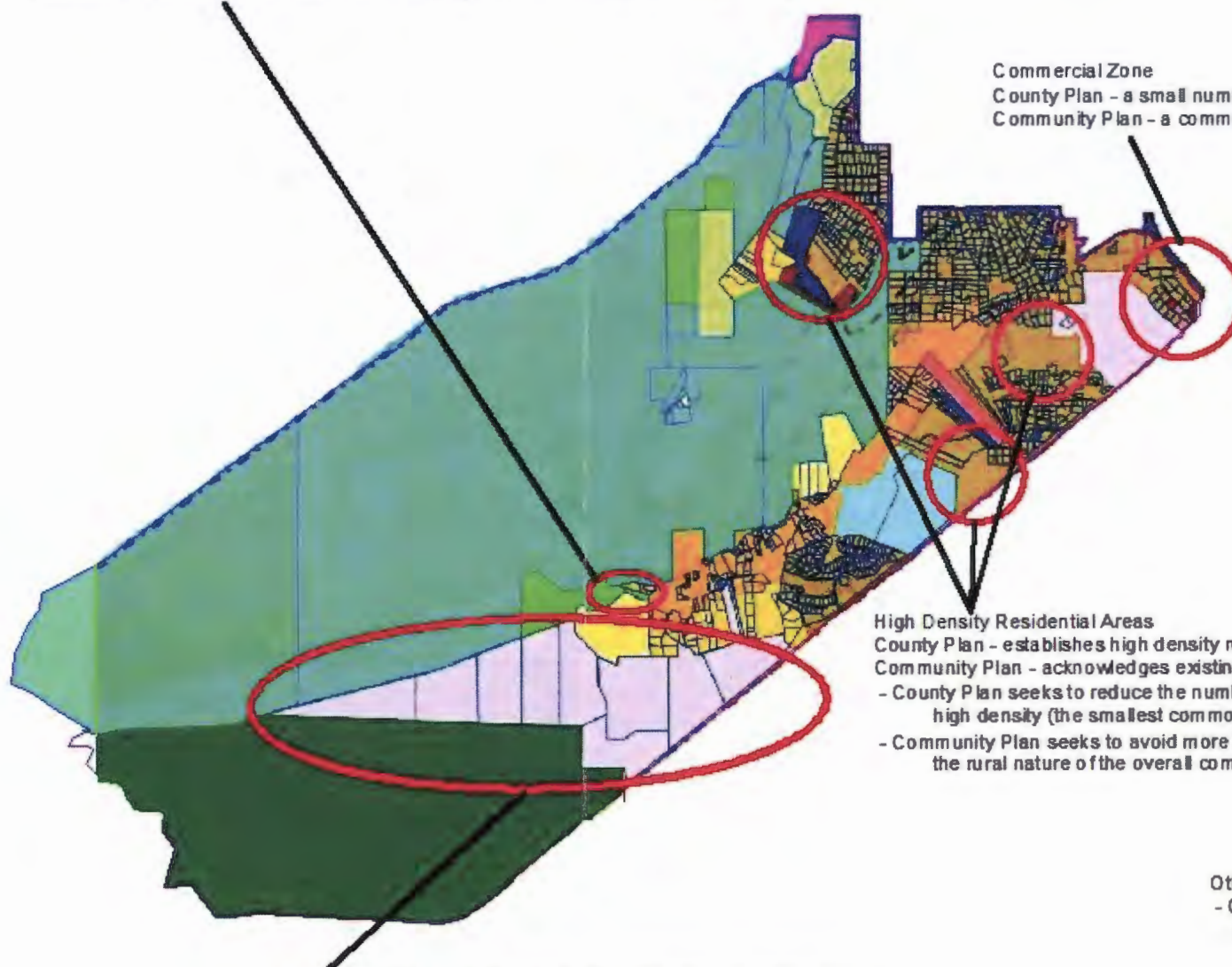
| | |
|--------------|----------------------------|
| PROJECT: | BONANZA CREEK RANCH |
| SHEET TITLE: | PRELIMINARY ZONING MAP |

Land Use Planning
Landscape Architecture

**SANTA FE
PLANNING
GROUP INC**

Traditional Community District
 County Plan - does not address areas of true traditional community nature
 Community Plan - examines boundaries and proposes acknowledgement of all T.C. areas

Commercial Zone
 County Plan - a small number of existing lots already identified as commercial use
 Community Plan - a commercial district that provides for future use in this high-development area

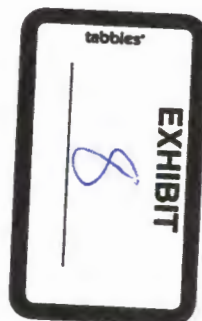


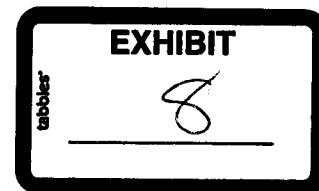
High Density Residential Areas
 County Plan - establishes high density residential areas that include many large lots
 Community Plan - acknowledges existing lot sizes but retains reasonable overall density in the rural community
 - County Plan seeks to reduce the number of non-conforming lots by allowing high density (the smallest common denominator approach)
 - Community Plan seeks to avoid more high density development and preserve the rural nature of the overall community

Canyon Ranch/La Bajada Ranch properties (approx. 1300 acres)
 County Plan - Planned Development District
 Community Plan - Ag/Ranch land and Rural Residential low density use
 - the existing master plan density is approx. 7 to 8 acres per residence
 - Planned Development Districts are open-ended with regard to use and density

Other issues:
 - County Plan does not acknowledge potential for development of government lands (County, State, and Federal)

Pluses of County Plan:
 Expanded Use Categories allow for better planning.
 Overall match-up of existing densities with zoning categories is good (except as noted).





**PROPOSED NEW SECTION 8.10.2.5.5
TO THE SUSTAINABLE LAND DEVELOPMENT CODE**

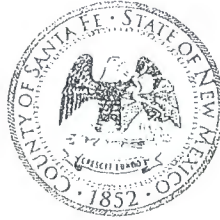
**Revision Requested by Las Campanas Owners' Association
as a Condition For PD Zoning Designation**

Effect of Prior Approvals. Notwithstanding any provisions in the SLDC to the contrary, uses, densities and development within geographic areas zoned PD upon the initial adoption of the zoning map shall be governed by and restricted to those uses, densities and development that are provided by permits and approvals (such as master plans and final subdivision plat approvals) that were granted for such areas by the Board, County Development Review Committee or the Administrator prior to enactment of the SLDC unless such prior permits and approvals are amended in accordance with the SLDC. Such previously granted permits and approvals shall govern over any inconsistent or less restrictive provisions in this §8.10.

Marcos P. Trujillo
Commissioner, District 1

Paul Duran
Commissioner, District 2

Javier M. Gonzales
Commissioner, District 3



EXHIBIT

9

Joe S. Grñe, Jr.
Commissioner, District 5

David Wolf
County Manager

July 30, 1999

Las Campanas Limited Partnership
c/o Mr. Al Lilly
Lilly Planning Associates
PO Box 1761
Santa Fe, NM 87504

Re: Santa Fe Center (amended master plan)

Dear Mr. Lilly:

Based upon discussion of your submittal with the County Attorney, it has been determined that your request cannot be accepted in its present form as an amended master plan.

Your submittal references the approval granted by the Extraterritorial Zoning Authority (EZA) in 1986 and the subsequent design changes that occurred for State Road 599, which caused a modification to the original development layout. Therefore your submittal indicates that you are relying on the 1986 approval as being legally binding after 13 years.

The decision that your submittal cannot be accepted as an amended master plan is based on the Extraterritorial Zoning Ordinance regarding time limits for master plan approvals. Section 3.5-D(7) of the Zoning Ordinance stipulates that a master plan approval shall be valid for a period of 5 years from the date of approval by the EZA. Master plan approvals may be extended or renewed for additional two year periods by the EZA at the request of the developer.

It is staff's evaluation that the approval granted by the EZA on January 27, 1986 for a special exception was the equivalent of a master plan. The zoning ordinance stipulating the expiration of master plans became effective on November 28, 1991. The interpretation that has been made with support of the County Attorney, is that old zoning approvals do not exist indefinitely, but would be subject to the same 5 year time limit as master plan approvals granted after November 28, 1991. Therefore, the zoning approval for the Santa Fe Center "sunsetted" in November of 1996. This decision is consistent with the position taken on other properties with old zoning approvals.

The alternative option that is available to you is to restructure your request as a new master plan subject to the current zoning criteria and standards for a large scale mixed use development, or you have the right to appeal this administrative decision to the Extraterritorial Zoning Commission. Petitions for appeal which allege an error in any requirement, decision or determination by an administrative official in the application of the ordinance must be submitted to the Administrator within five days from the date of this letter. A petition to appeal an administrative decision shall be submitted in writing stating the grounds for the appeal. The petition shall consist of specific statements of facts, specifying the sections of the ordinance which the appeal is based, and cause for appeal.

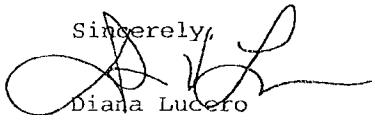
If you have any questions, contact Joe Catanach at 986-6227.

EXHIBIT

A

July 30, 1999
Santa Fe Center
Page Two

Sincerely,



Diana Lucero
Acting Land Use Administrator

xc: Denice Brown
County Attorney

Oralynn Guerrerortiz
Development Review Division Director

Joe Catanach
Development Review Specialist III

Greg Smith
City Planner

Ann Condon
City Planning Director

2025 JUL 31 10 31 AM
SANTA FE COUNTY
RECORDED
INDEXED

SANTA FE EXTRATERRITORIAL ZONING AUTHORITY

Ordinance No. 2002- 1

AN ORDINANCE AMENDING ORDINANCE 1997-4, THE SANTA FE EXTRATERRITORIAL ZONING ORDINANCE, AS AMENDED, AND ADDING A NEW SECTION 9.9, AMENDING SECTION 6.B.4, AND REPLACING MAP 5 TO PROVIDE FOR LAND USE AND ZONING REGULATIONS FOR THE SANTA FE METRO AREA HIGHWAY CORRIDOR

WHEREAS, the Santa Fe Comprehensive Extraterritorial Plan (EZA Ordinance 1988-1, as amended) provides goals and objectives regarding the Highway Corridor with the intent of protecting the open quality of the corridor and guiding the "gateway" areas; and

WHEREAS, the Santa Fe County Growth Management Plan (Board of County Commissioners Resolution 1999-137) promotes detailed planning to establish standards for development in the Highway Corridor; and

WHEREAS, the City of Santa Fe General Plan (City Council Resolution 1999-45) promotes treatment of the Highway Corridor as a protection area along edges of the Urban Area Boundary; and

WHEREAS, both the City Council of the City of Santa Fe and Board of County Commissioners of Santa Fe County passed resolutions to establish a committee to prepare the Santa Fe Metro Area Highway Corridor Plan; and

WHEREAS, the Highway Corridor Committee developed the Highway Corridor Plan through an extensive process which included public input at all meetings; and

WHEREAS, the Board of the County Commissioners, City Council and the Extraterritorial Zoning Authority each approved somewhat different versions of the Highway Corridor Plan; and the Regional Planning Authority approved a unified version of the Plan, which provides direction to the Highway Corridor Ordinance; and

WHEREAS, the Extraterritorial Zoning Authority, Board of County Commissioners, and City Council are each considering for adoption the unified version of the Santa Fe Metro Highway Corridor Plan at the same time as they are considering the Highway Corridor Ordinance

1 NOW, THEREFORE, BE IT ORDAINED BY THE EXTRATERRITORIAL ZONING
2 AUTHORITY (EZA) OF THE CITY AND COUNTY OF SANTA FE THAT THE SANTA FE
3 EXTRATERRITORIAL ZONING ORDINANCE (EZO) IS HEREBY AMENDED AS
4 FOLLOWS:

5
6 SECTION 1

7 Section 9, Special Review Districts, of the Extraterritorial Zoning Ordinance is amended to add the
8 following language:

9
10 9.9 SANTA FE METRO HIGHWAY CORRIDOR SPECIAL REVIEW DISTRICT

11
12 A. REFERENCES AND PURPOSES

- 13 1. This EZA Ordinance 2002-1 as amended from time to time, may be cited as the "Highway
14 Corridor Ordinance"
- 15 2. Section 9.9 is adopted to implement the land use and design standards goals of County and
16 City land use plans that support a consistent regional approach to managing growth along this
17 corridor. These plans include but are not limited to the Santa Fe Metro Area Highway
18 Corridor Plan, Santa Fe County Growth Management Plan, the City of Santa Fe General Plan,
19 and the Santa Fe Comprehensive Extraterritorial Plan.
- 20 3. This EZA Ordinance repeals and replaces Section 6 of the Extraterritorial Zoning Ordinance
21 to delete non-residential nodes at selected highway intersections and interchanges and replace
22 them with designated non-residential areas.
- 23 4. This EZA Ordinance repeals and replaces Map 5 of the Extraterritorial Zoning Ordinance to
24 remove established or planned non-residential districts within the Highway Corridor portion
25 of the 2-Mile Extraterritorial Zone which have been replaced by the designated non-
26 residential districts shown on Map 18.
- 27 5. Purposes of the Santa Fe Metro Highway Corridor Special Review District are to:
 - 28 a. promote the health and safety of citizens, including the exposure of residents to high
29 levels of traffic-induced noise;
 - 30 b. protect scenic vistas and natural landscape of the area as viewed from the highways,
 - 31 c. guide the location and type of non-residential uses in proximity to the Highway Corridor,
 - 32 d. limit the need for additional access points along limited-access highways,
 - 33 e. establish open lands and parks,
 - 34 f. determine the location of required and desired development restrictions,
 - 35 g. prohibit strip commercial development along the highways, while locating well-designed
36 commercial development in the commercial gateway subdistrict
 - 37 h. encourage the location of commercial development only as part of neighborhood and
38 community centers in the scenic corridor subdistrict,
 - 39 i. encourage regional industrial and non-residential/recreational development in specified
40 highly accessible areas,

- 1 j. provide for the use of Transfer of Development Rights to preclude development of those
- 2 properties in the required and desired setbacks from which development rights have been
- 3 transferred in perpetuity, and
- 4 k. provide more stringent design standards for all development within proximity to the
- 5 highway corridor
- 6 6. Section 9.9 shall apply to all properties in the Highway Corridor Special Review District with
- 7 the exception of the area that falls within the Community College District. Section 13 shall
- 8 govern and control all development within this area where the Highway Corridor Special
- 9 Review District and the Community College District overlap. Section 9.9 shall apply to all
- 10 properties in other areas in the Highway Corridor Special Review District for which
- 11 community or district plans and zoning ordinances have been prepared until such time as this
- 12 ordinance is amended.
- 13 7. Any contradiction, inconsistency or ambiguity between the requirements of this Section 9.9
- 14 and any other provision of the Extraterritorial Zoning Ordinance shall be governed and
- 15 controlled by the requirements of this Section 9.9. If not specifically covered in Section 9.9,
- 16 the provisions of the Extraterritorial Zoning Ordinance shall apply.
- 17 8. Severability: If any part of this Ordinance or the application thereof to any person or
- 18 circumstance is held invalid, the remainder of the Ordinance and its application to other
- 19 persons or circumstances shall not be affected thereby.

20

21 B. DEFINITIONS:

- 22 1. Commercial Gateway Subdistrict - means land within the Highway Corridor Special Review
- 23 District as designated on Map 18 along Interstate 25 between New Mexico 599 and Cerrillos
- 24 Road and land along Cerrillos Road north of Interstate 25 to the Jaguar Road Intersection.
- 25 2. Desired Setback means the area within the Highway Corridor Special Review District that may
- 26 be voluntarily restricted from development and subject to other voluntary incentives. Where
- 27 applicable, the desired setback may have had transferable development rights conveyed in
- 28 accordance with Section 14 of this code and is precluded from development.
- 29 3. Floor area means the total area contained in a covered structure measured for each story or level
- 30 of the structure under roofing, including but not limited to living space, garage, carport and
- 31 porches.
- 32 4. I-25 means Interstate 25.
- 33 5. Lot Coverage means for purposes of Section 9.9 the land area occupied by structures, included
- 34 but not limited to building facilities, sidewalks, driveways, access roads, and parking areas.
- 35 6. NM 599 means the Veterans Memorial Highway - New Mexico State Highway 599.
- 36 7. Outside Storage means any goods, equipment, and materials sold, used or stored by a business,
- 37 institution or residence not enclosed in a roofed building.
- 38 8. Required Setback means the minimum setback from the edge of rights-of-way from Interstate 25
- 39 and New Mexico Highway 599 from which buildings shall be located as established in the
- 40 official Highway Corridor Ordinance Map
- 41 9. R.O.W. line means the edge of the right-of-way in the Highway Corridor Special Review District
- 42 nearest to property subject to this ordinance.
- 43 10. Scenic Corridor Subdistrict - means portions of land within the Highway Corridor Special
- 44 Review District as designated on Map 18 within proximity of (a) Interstate 25 starting just east of

1 the Cerrillos Road Interchange and extending to the eastern end of the Highway Corridor Special
 2 Review District near the County Road 58 bridge and (b) New Mexico 599, not including the
 3 Commercial Gateway Subdistrict or the Redevelopment District.

- 4 11. Site wall - means a wall or fence that is integral to, or physically connected to the buildings or
 5 development on the site for the purpose of screening or stabilizing the development area, such as
 6 walls for screening of parking and walls for screening outdoor storage, privacy walls or fences,
 7 and retaining walls.

8 C. BOUNDARIES AND PLANNING AREAS

9
 10 The electronic file for EZ Map 18, Santa Fe Highway Corridor Special Review District Zoning Map,
 11 created at the date of adoption of this ordinance and maintained by and available from the Santa Fe
 12 County Geographic Information Systems Coordinator is hereby adopted as the official zoning map for
 13 purposes of delineating the Highway Corridor Special Review District boundaries, subdistrict areas,
 14 residential zones, non-residential zones, and setbacks. Hard copy EZO Map 18, included in this
 15 ordinance, generally describes the locations of the boundaries for visual reference purposes.

- 16 1. Subdistrict areas are established as follows:

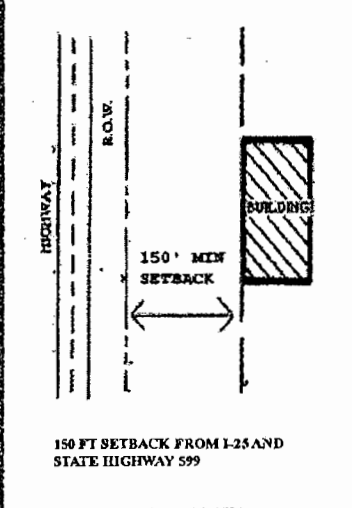
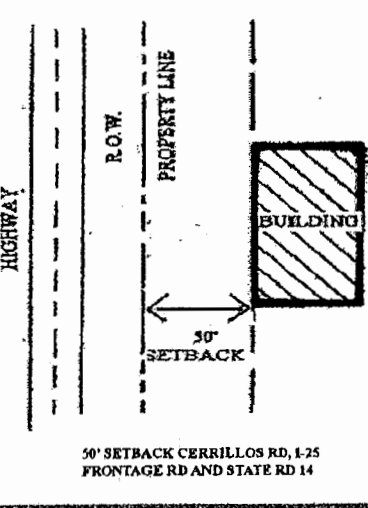
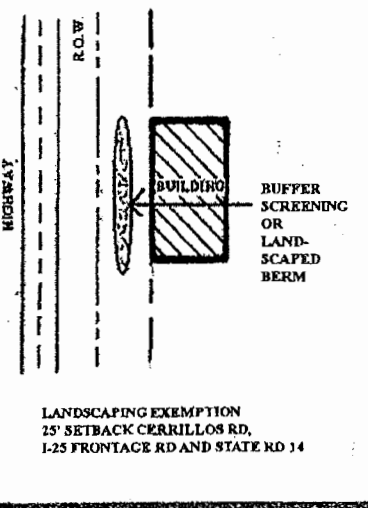
- 17 a. Commercial Gateway, and
 18 b. Scenic Corridor.

- 19 2. Within the Highway Corridor Special Review District, setbacks are established as
 20 follows:

- 21 a. Required Setback, and
 22 b. Desired Setback

23
 24 General dimensions of setbacks and special circumstances for setback adjustments are described
 25 by subdistrict as follows for non-residential and residential uses respectively. Institutional and
 26 Community Uses shall be subject to the setback provisions established for areas designated for
 27 non-residential uses.

Commercial Gateway Subdistrict Setbacks

| Subdistrict | Required Setback | Desired Setback |
|--|---|--|
| Commercial Gateway: Non-residential Uses | <ul style="list-style-type: none"> - 150 feet from I-25 R.O.W. line and NM 599 R.O.W. line as depicted in the official zoning map <u>except where a frontage road exists</u> (Figure C-2-1). - 50 feet from I-25 Frontage Road R.O.W. Cerrillos Road R.O.W. line or State Road-14 R.O.W. line as depicted in the official zoning map. (Figure C-2-2). <p>The <u>50 foot</u> setback can be reduced to 25 feet with landscaped buffer, berm and 4 feet masonry wall to screen parking in situations where there is double-frontage. (Figure C-2-3)</p> | No additional standards. |
|  <p>150 FT SETBACK FROM I-25 AND STATE HIGHWAY 599</p> <p>FIGURE C-2-1</p> |  <p>50' SETBACK CERRILLOS RD, I-25 FRONTAGE RD AND STATE RD 14</p> <p>FIGURE C-2-2</p> |  <p>LANDSCAPING EXEMPTION 25' SETBACK CERRILLOS RD, I-25 FRONTAGE RD AND STATE RD 14</p> <p>FIGURE C-2-3</p> |

Commercial Gateway Subdistrict Setbacks (Continued)

| Subdistrict | Required Setback | Desired Setback |
|------------------|--|-----------------|
| Residential uses | <p>340 feet from I-25 R.O.W. line as depicted in the official zoning map. (Figure C-2-4)</p> <p>- For land that cannot accommodate the <u>full</u> setback, a <u>reduced setback (no less than 100 feet)</u> and noise mitigation may be provided including landscaped berms, <u>masonry</u> walls and other means acceptable to Land Use Administrator (Figure C-2-5)</p> | NA |

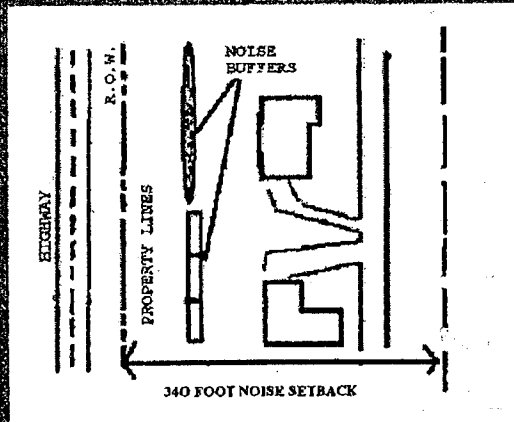


FIGURE C-2-5

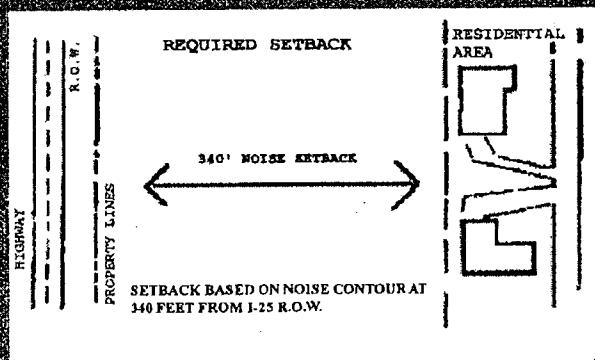


FIGURE C-2-4

Scenic Corridor Subdistrict Setbacks (Continued)

| Subdistrict | Required Setback | Desired Setback |
|---------------------------------|---|--|
| Residential and Non-residential | - 150 to 375 feet from R.O.W. line as depicted in the official zoning map. (Figure C-2-6) | - 400 to 1000 feet from R.O.W. line of NM 599 and NM 14 as depicted in the official zoning map. - 275 feet from I-25 Frontage Roads R.O.W. line. (Figure C-2-6) |

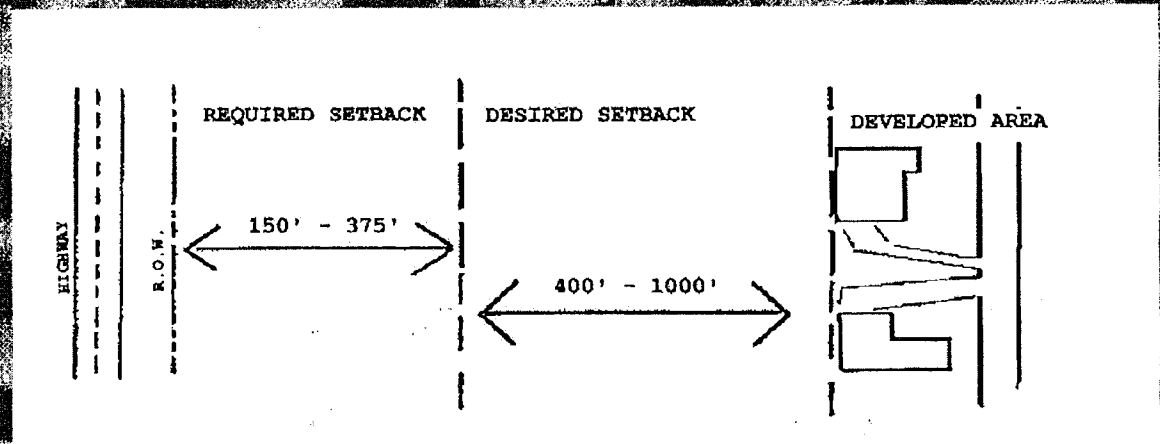


FIGURE C-2-6

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2025 RELEASE UNDER E.O. 14176

D. DEVELOPMENT AND DESIGN STANDARDS

1. Uses and development of land in the Highway Corridor Special Review District shall be governed by the following standards:
 - a. Uses and densities shall be established through Section 5 and Section 6 of this Ordinance except as stated in this Sub-section 9.9.D.1.
 - b. Non-residential development shall be prohibited in areas designated Residential in the Scenic Corridor Subdistrict and shall only be allowed within the areas designated Non-Residential on EZO Map 18, with the following exceptions:
 1. Institutional uses including public and private schools, day care centers, government offices, botanical gardens, churches and other religious institutions, and retirement homes shall be permitted in areas designated Institutional. Development and design standards set for Non-Residential shall apply to Institutional Uses, except that the maximum overall floor area shall be calculated to not exceed a ratio of floor area to lot area of 0.2. New locations for such uses may be proposed as Special Exceptions pursuant to subsection g, below.
 2. A residential component shall be developed in the area designated as Mixed Use Village.
 - b. If a parcel in existence at the time of the adoption of this ordinance does not contain a building site outside of the required setback, building of a single family residence may be permitted subject to meeting mitigation measures buffering the residence and all design standards that can practically be adhered to as determined to the satisfaction of the Land Use Administrator. The Land Use Administrator determination shall be in writing, including findings.
 - c. No new parcels shall be created that are located entirely within the required setback.
 - d. On-site density transfers shall not be permitted in cases where building sites are proposed within the desired setback or to be moved from a less sensitive area to a more sensitive area in consideration of the purposes, development standards and design criteria set forth in sub-section 9.9 A.
 - e. A non-conforming structure may be structurally altered, repaired, replaced or enlarged provided that no alterations, repairs or enlargements would increase the intensity of the non-conformity.
 - f. Projects in this District that received preliminary or final development plan or master plan approvals in accordance with the rules and regulations of the Extraterritorial Zoning Ordinance and Extraterritorial Subdivision Regulations prior to the adoption of this ordinance shall not be required to adhere to the uses set for this District where other specific uses were established through such approvals. Development in such pre-approved projects will not be required to comply with the design standards set for this District where specific design standards were established through such approvals.
 - g. Special exceptions may be permitted subject to the procedures set forth in Section 3 of the Extraterritorial Zoning Ordinance for the following:
 1. Community uses in the Scenic Corridor including public and private schools, parks, day care centers, retirement homes and churches and other religious institutions meeting residential development and design standards with the exception that total floor area shall not exceed 24,999 square feet.

2. A non-residential use in the Scenic Corridor may be extended or expanded by up to one half of the land area developed and in structures occupied at the effective date of adoption of this Ordinance.
 - a. For purposes of calculating the developed land area to utilize this special exception, existing floor area in non-residential buildings and non-residential structures as defined in Section 2 of the Ordinance that are not enclosed in buildings shall be counted. However, sidewalks, driveways, and parking lots shall be excluded from the calculation.
 - b. In addition to the developed land area calculated in subsection 2.a. above, sidewalks, driveways and parking lots may be built subject to the maximum lot coverage set in the Scenic Corridor Subdistrict design standards Section D.2.B.
 - c. The new development created through this provision for extension or expansion shall be consistent and compatible with the existing use and in compliance with the non-residential development standards established for the Scenic Corridor Subdistrict with the exception that height shall not exceed 24 feet.
 - d. Expansion of uses shall be permitted within the Required Setback if no other building sites exist on the parcel or if the site for expansion is not visible from NM 599 or I-25 because of natural terrain conditions.
 - e. Zoning approval accomplished in accordance with Section 3.5 of the Ordinance in conjunction with development plan approvals through master plan, master plat or subdivision approvals shall constitute an amendment to Map 18, the Santa Fe Metro Area Highway Corridor Special Review District.
 - f. Any non-residential extension or expansion that exceeds the extension or expansion defined in subsections 2.a through 2.d above shall require an amendment of the Santa Fe Metro Highway Corridor Plan prior to permitting of a special exception.
 - h. Exceptions to the Scenic Corridor residential design standards for roof pitch, building massing and building materials may be approved for residential uses that are not visible from NM 599 or I-25 because of natural terrain conditions. Applicants shall demonstrate that the proposed use will not be visible from I-25 or NM 599 to the satisfaction of the Land Use Administrator and shall be subject to Administrative Review Procedures.
2. Additional Submittal Requirements for Development Applications Within the Highway Corridor Special Review District
 - a. In addition to all other requirements for submittal of development applications, applicants for any development action shall demark on site maps the boundaries of the Highway Corridor Special Review District, subdistricts, required setback, and desired setback.
 - b. A landscape plan shall be submitted containing information required in Section 11.10.B.3 of this code.
 - c. Written requests for building on any parcel in existence at the time of the adoption of this ordinance not containing a building site outside of the required setback shall be submitted to the Land Use Administrator. Included in this request shall be a description and maps describing circumstances of the parcel, proposed mitigation measures buffering the building and proposed design standards.

- 1 3. Design Standards are set forth in the following tables and figures by subdistricts for:
- 2 - Maximum Height, Roof Pitch and Floor Area,
- 3 - Maximum Lot Coverage,
- 4 - Outside Storage Areas, 2142544
- 5 - Landscaping,
- 6 - Walls,
- 7 - Lighting and Utilities,
- 8 - Exterior Signage,
- 9 - Parking,
- 10 - Other Architectural Features,
- 11 - Site Planning,
- 12 - Non-Residential Building Setbacks From Residential Neighborhoods, and
- 13 - Building Setbacks from Arroyos.
- 14

1

SCENIC CORRIDOR SUBDISTRICT

| A. Maximum Floor Area, Height, and Roof Pitch | B. Maximum Lot Coverage | C. Outside Storage and Service Areas |
|---|---|--|
| <i>Residential</i> | <i>Residential</i> | <i>Residential</i> |
| <p>1. Residential structures shall not exceed five thousand (5,000) square feet in floor area.</p> <p>2. Two-thirds of a structure's height shall be sited below a ridge top. (Figure A-1)</p> <p>3. Buildings shall have a maximum height of 17 feet to top of parapet when at grade with adjoining roadway right-of-way. (Figure A-2)</p> <p>4. For building sites with elevations below the roadway right-of-way two-story structures and pitched roofs shall be permitted. One-third of the structure shall be sited below the road elevation and the maximum height of the structure shall not exceed 24 feet. (Figures A-3 and A-4) Pitched roof structures shall have a minimum roof pitch of 4/12 and a maximum pitch: 10/12. The light reflective value of the roof shall not exceed 30%. (Figure A-3)</p> | <p>1. The maximum lot coverage shall not exceed sixty percent (60%).</p> <p>2. A minimum of forty percent (40%) of the lot shall remain undisturbed, within which a drainage structure, trails and septic system may be sited. (Figure B-1)</p> | <p>1. The maximum outdoor storage area shall not exceed four hundred (400) square feet.</p> <p>2. Outdoor storage shall not be visible from the public right-of-way or adjacent property.</p> <p>3. Outdoor storage areas shall be enclosed by a site wall. See Section 3.E., Walls, for standards. (Figure C-1)</p> |
| <i>Non-residential</i> | <i>Non-residential</i> | <i>Non-residential</i> |
| Follow Residential Scenic Corridor Height Standards. | <p>Follow Residential Scenic Corridor Maximum Lot Coverage Standards</p> <p>See Section B, above.</p> | <p>1. Follow residential Scenic Corridor Outside Storage Standards.</p> <p>2. Outdoor storage areas shall be enclosed by a stucco wall with a maximum height of 6 feet. The maximum height may be increased to 8 feet when the lot has a double frontage. (Figure C-1)</p> |

2

SCENIC CORRIDOR SUBDISTRICT 2142546

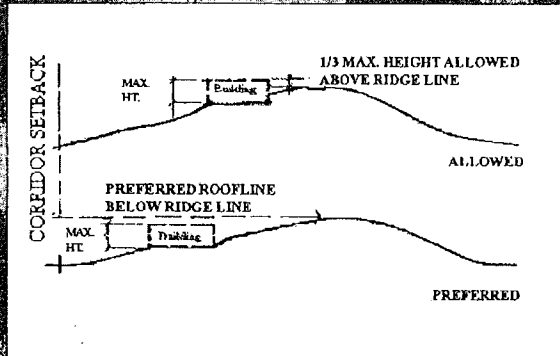


FIGURE A-1

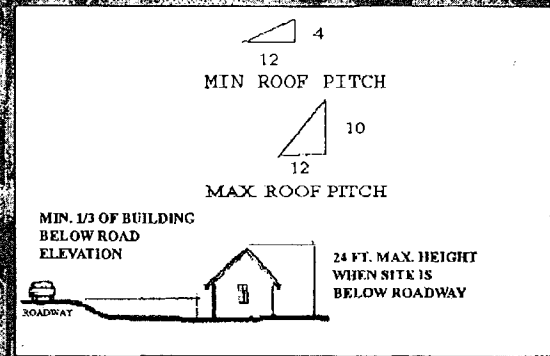


FIGURE A-2

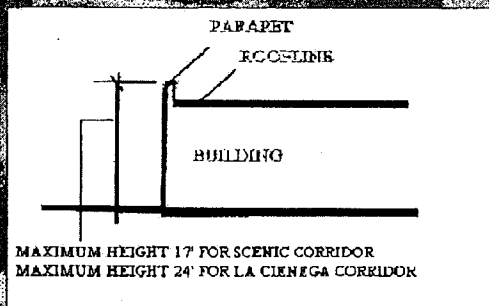


FIGURE A-3

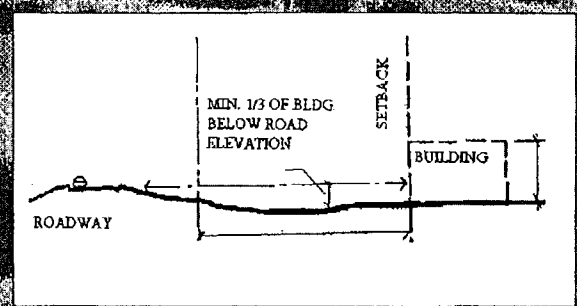


FIGURE A-4

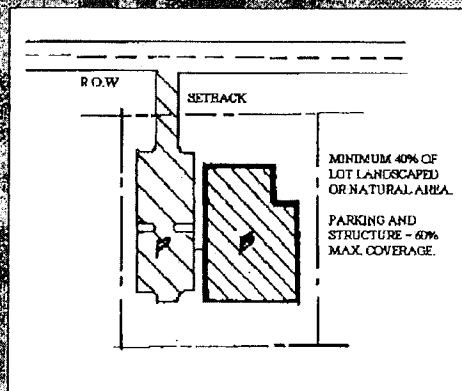


FIGURE B-1

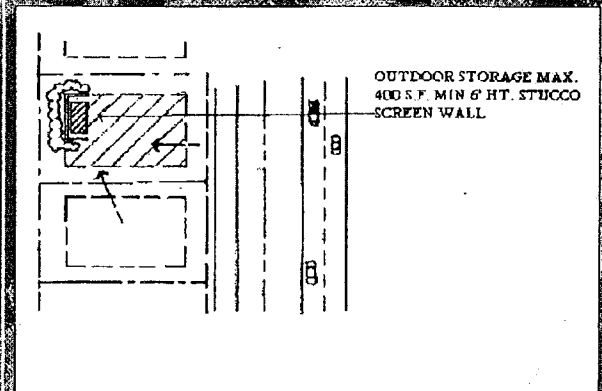


FIGURE B-2

2025 RELEASE UNDER E.O. 14176

SCENIC CORRIDOR SUBDISTRICT

| D. Landscaping | E. Walls | F. Lighting and Utilities |
|--|--|--|
| <i>Residential</i> | <i>Residential</i> | <i>Residential</i> |
| <p>1. Landscaping and buffering shall be designed and maintained to the standards established in Section 11-10 of the Santa Fe Extraterritorial Zoning Ordinance in addition to standards set herein. The Highway Corridor Special Review District shall not be exempted from Section 11-10.4 through Section 11-10.4.a which exempts areas designated as Urban Growth Areas.</p> <p>2. Outside of protected courtyards only drought tolerant species shall be planted.</p> <p>3. For screening buildings from adjacent roadways, 50% of new trees shall be evergreens that are a minimum 6 feet high at planting. Acceptable species include: Rocky Mountain Juniper (<i>Juniperus scopulorum</i> cultivars), One Seeded Juniper (<i>Juniperus monosperma</i>), Bristlecone Pine (<i>Pinus aristata</i>), Pinon (<i>Pinus edulis</i>), Austrian black pine (<i>Pinus nigra</i>), Ponderosa (<i>Pinus ponderosa</i>), Scotch Pine (<i>Pinus sylvestris</i>) and Japanese Black Pine (<i>Pinus thunbergiana</i>).</p> | <p>1. Maximum height for retaining walls on site is 4 feet. Walls may be stepped back a minimum of 3 feet if additional height is necessary. (Figure E-1)</p> <p>2. Site walls shall be constructed of stone, stucco or combination of stone and/or stucco with solid wood, including coyote fences with stone or stucco posts. Maximum height for site walls and screening for outside storage shall be 6 feet, except the maximum height of screening for outside storage on lots with double frontage shall be eight feet. Light reflective values of site walls shall not exceed 40%. (Figure E-2)</p> <p>3. Where screening is not required, other fencing materials, such as post and wire, may be used. Chain link or wire mesh fencing shall not be allowed.</p> | <p>1. Lighting shall meet standards established in Section 11-7 of the Santa Fe Extraterritorial Zoning Ordinance in addition to standards set herein.</p> <p>2. All lighting, including signs, shall be fully shielded. A maximum of 0.5 horizontal foot-candles measured at any point ten feet (10') beyond a property line shall be permitted for all uses.</p> <p>3. Parking and security lights shall be no higher than adjacent buildings or have a maximum height of 17 feet whichever is less. (Figure F-1)</p> <p>4. Landscape bollard lights shall have a maximum height of 4 feet.</p> <p>5. Façade mounted wall packs and general lighting shining on a building shall be prohibited. Cutoff façade luminaire lighting for illumination of pedestrian walkways shall be permitted.</p> <p>6. Pole mounted parking and security lights shall be prohibited in residential areas.</p> <p>7. Streetlights shall be allowed only for vehicle and pedestrian safety at busy intersections and shall not exceed 24 ft in height or residential or rural freeway lighting levels (0.4 to 0.6 average horizontal footcandles). At intersections, safety lighting shall consist of approach lighting only setback at least 2 seconds driving time of the coming intersection and consisting of a series of uniform lights.</p> <p>8. New and replacement overhead utilities are prohibited in the required setback.</p> |
| <i>Non-residential</i> | <i>Non-residential</i> | <i>Non-residential</i> |
| <p>1. Follow Residential Scenic Corridor Regulations.</p> | <p>Follow Residential Scenic Corridor Regulations.</p> <p>See also Section C. Outdoor Storage and Service Areas.</p> | <p>1. Follow Residential Scenic Corridor Regulations.</p> <p>2. Streetlights shall not exceed 0.6 average horizontal footcandles, rural freeway standards.</p> |

SCENIC CORRIDOR SUBDISTRICT

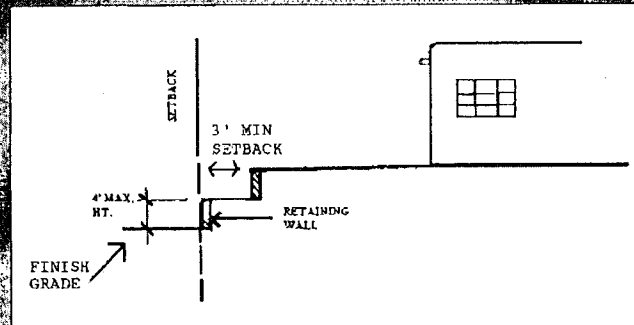


FIGURE E-1

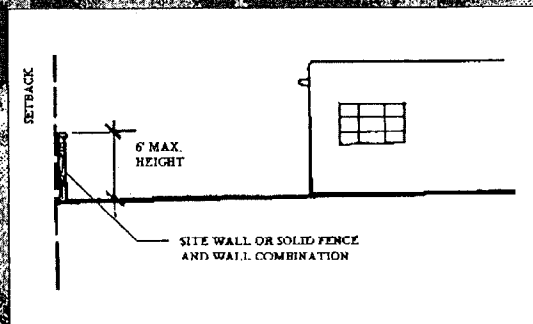


FIGURE E-2

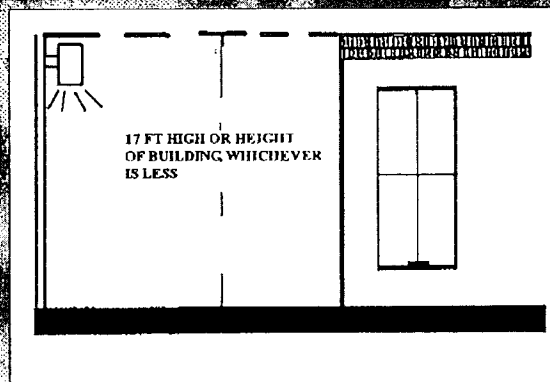


FIGURE E-3

SCENIC CORRIDOR SUBDISTRICT

2142549

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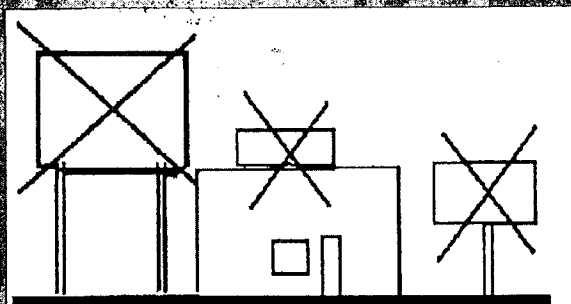
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| G. Exterior Signs | H. Parking | I. Other Architectural Features |
|---|---|---|
| <i>Non-residential</i> | <i>Non-residential</i> | <i>Residential</i> |
| <p>1. Exterior signage must meet the standards set forth in Section 11.8 of the Santa Fe Extraterritorial Zoning Ordinance in addition to the standards set herein.</p> <p>2. Off-site advertising signs, billboard signs, pole mounted signs; roof signs and internally lighted signs are prohibited.</p> <p>(Figure G-1)</p> <p>3. A maximum of one monument sign shall be allowed per building and shall be located outside the required setback. The sign shall not exceed a height of five feet nor shall the maximum surface area exceed 20 square feet.</p> <p>(Figure G-2)</p> <p>4. One flush wall mounted sign only per building shall be allowed. The size of this sign shall not exceed 25 square feet.</p> | <p>1. On-site parking must meet the standards set forth in Section 11.8 of the Santa Fe Extraterritorial Zoning Ordinance in addition to the standards set herein.</p> <p>2. Place parking to the sides and rear of the proposed buildings.</p> <p>(Figure H-1)</p> <p>3. Screen parking from the public Right of Way with landscape berms (minimum 3 feet, maximum 4 feet, and maximum of 3:1 side slopes). Berms may be combined with walls to provide screening. Wall façade should be a stucco material. (Figure H-2)</p> | <p>1. Buildings shall be designed with a minimum of 2 distinct masses to be defined by 2 feet change in both vertical and horizontal direction (Figure I-4)</p> <p>2. Building exteriors shall be finished predominantly with earth tone colors with 5% of frontage in brighter highlight and trim colors permitted.</p> <p>3. Light reflective values for building roofs shall not exceed 30% and for building exteriors shall not exceed 40%.</p> <p>4. Buildings shall be designed to generally follow southwestern architectural styles.</p> <p>5. Stucco exteriors shall be the predominant façade material.</p> <p>6. Skylights and other rooftop structures and mechanical equipment shall be setback a minimum of 2 feet from the edge of building face and screened as part of the building design. (Figure I-2)</p> <p>7. Building roofs shall be flat with non-reflective surfaces and parapets except as allowed by the Land Use Administrator.</p> |
| | | <i>Non-residential</i> |
| | | <p>Buildings shall be designed with a minimum of 3 distinct masses to be defined by 4 feet change in both vertical and horizontal direction. (Fig. I-1 and Fig. I-3)</p> <p>Follow all other Residential Scenic Corridor Regulations.</p> |

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2025 RELEASE UNDER E.O. 14176

SCENIC CORRIDOR SUBDISTRICT



BILLBOARDS ROOF SIGNS POLE MOUNTED SIGNS

FIGURE G-1

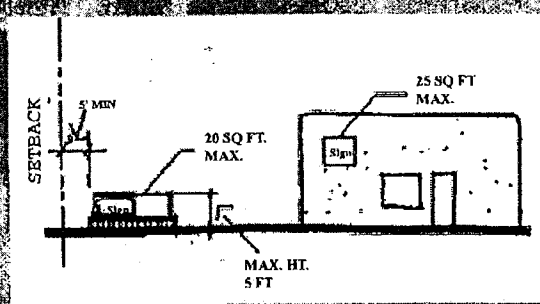


FIGURE G-2

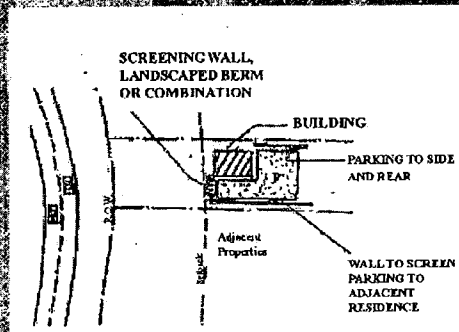


FIGURE H-1

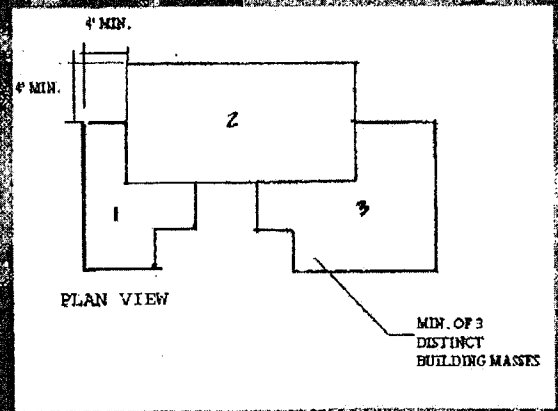


FIGURE I-1

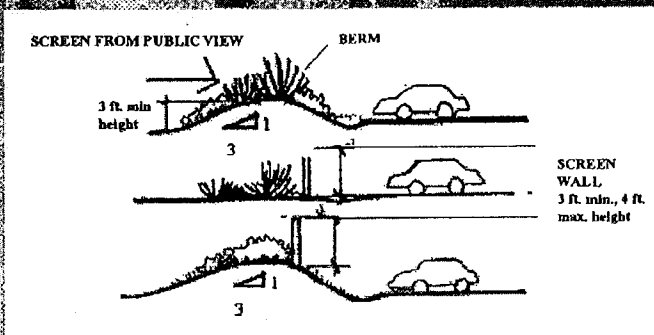


FIGURE H-2

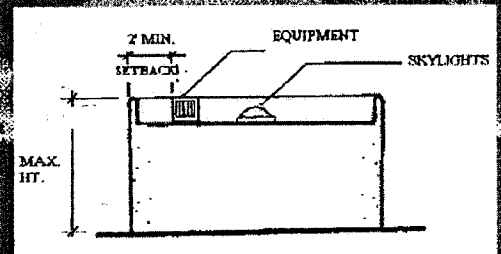
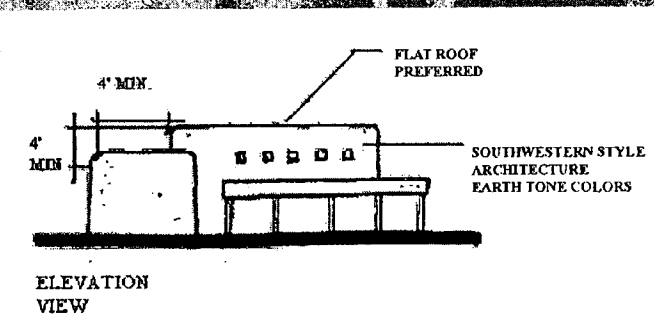
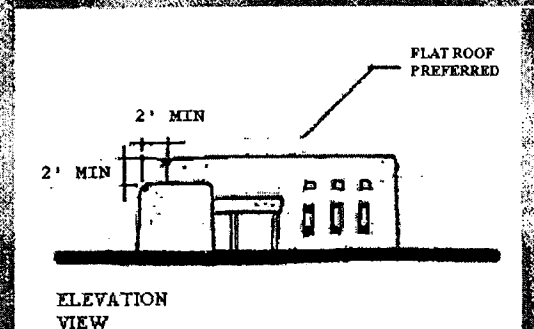


FIGURE J-1



ELEVATION VIEW



ELEVATION VIEW

SCENIC CORRIDOR SUBDISTRICT

2142551

| J. Internal Roads, Trails and Sidewalks | K. Non-residential Building Setbacks from Residential Neighborhood |
|---|---|
| <i>Residential and Non-residential</i> | <i>Non-residential</i> |
| <ol style="list-style-type: none"> 1. Access and internal roads shall have a maximum width of two (2) lanes. 2. Pedestrian, bicycle and, where possible, equestrian trails shall be provided. 3. Dedication of easement for the construction, extension or maintenance of recreational trails for public use, or payment in lieu of such dedication to defray the owner/developer's proportional share of the cost of the trail system may be required. 4. Trails shall be linked to master plan trail system and to trails in the Public Right of Way where such trails exist. <i>(Figure J-1)</i> 5. Trails and sidewalks shall be connected to non-residential services. 6. Trails shall be located to preserve distinctive natural features including arroyos, ridge tops, and large trees. | <ol style="list-style-type: none"> 1. Non-residential buildings and parking areas shall be set back a minimum of 50 feet from the property line abutting residential subdivisions. <i>(Figure K-1)</i> 2. The setback requirement may be reduced to 25 feet from the property line abutting residential subdivisions if buffered by a 6-foot perimeter stucco site wall or solid wood fence, or combination landscape berm (minimum 3 feet height with 3:1 maximum side slopes). Any berms should be naturalistic in style. <i>(Figure K-2)</i> |

SCENIC CORRIDOR SUBDISTRICT

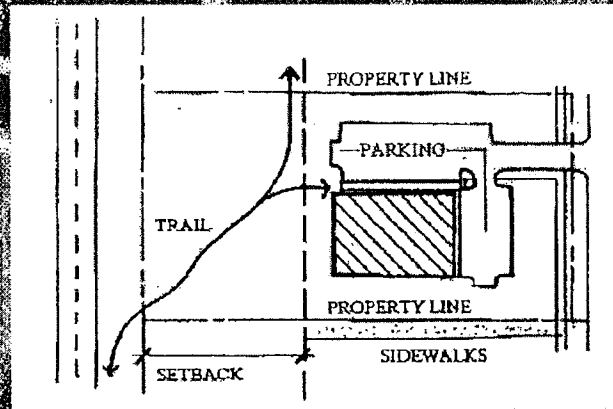


FIGURE K-1

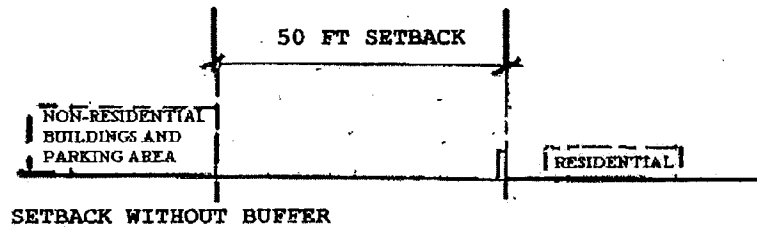


FIGURE K-2

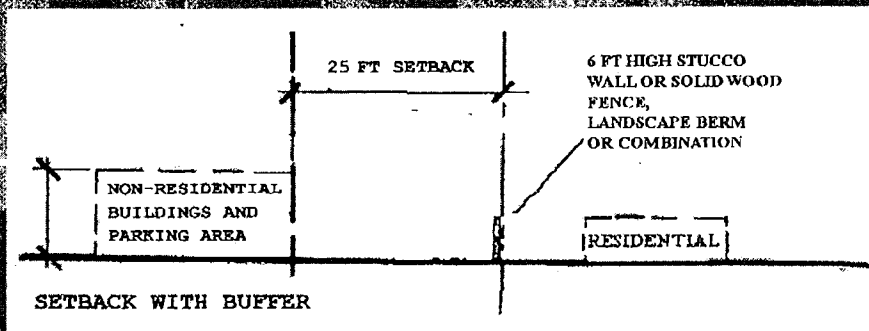


FIGURE K-3

COMMERCIAL GATEWAY SUBDISTRICT

1

2

| L. Maximum Height, Roof Pitch and Floor Area | M. Maximum Lot Coverage | N. Outside Storage and Service Areas |
|---|--|---|
| <i>Residential</i> | <i>Residential</i> | <i>Residential</i> |
| 1. Buildings at grade with adjoining roadway right of way shall have a maximum height of 24 feet to top of parapet. (Figure L-1) | No additional standards. | No additional standards. |
| <i>Non-residential</i> | <i>Non-residential</i> | <i>Non-residential</i> |
| 1. Buildings at grade with or below the adjoining roadway right of way shall have a maximum height of 36 feet to top of parapet provided that the building is stepped back 2 feet for each foot of additional height above 24 feet. (Figures L-1 and L-2) 2. On building sites with elevations higher than the nearest highway R.O.W. line, the building height shall not exceed 24 feet. (Figure L-1) | 1. The maximum lot coverage shall not exceed sixty-five percent (65%). 2. A minimum of thirty-five percent (35%) of the lot shall remain undisturbed, within which a drainage facility, trails and septic system may be sited. (Figure M-1) | 1. The maximum outdoor storage area shall not exceed 600 square feet. (Figure N-1) 2. Outdoor storage must be located behind buildings on lots that do not have double frontage. Outdoor storage on double frontage lots must be located at the side of the building. 3. Outdoor storage areas shall be enclosed by a masonry wall. Minimum height of the wall shall be 6 feet and maximum height 8. (Figure N-1) |

3

COMMERCIAL GATEWAY SUBDISTRICT

2142554

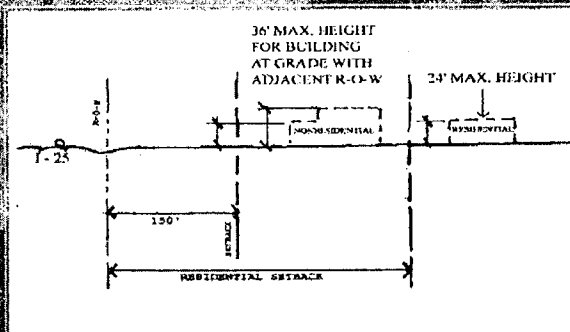


FIGURE L-1

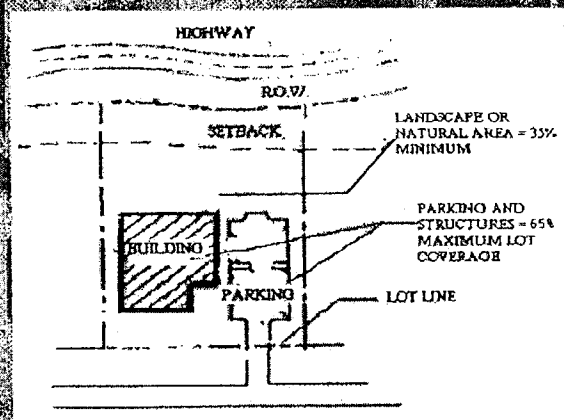


FIGURE M-1

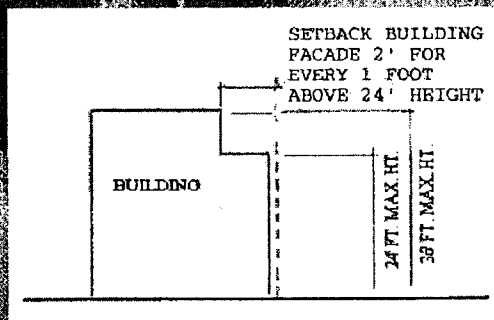


FIGURE L-2

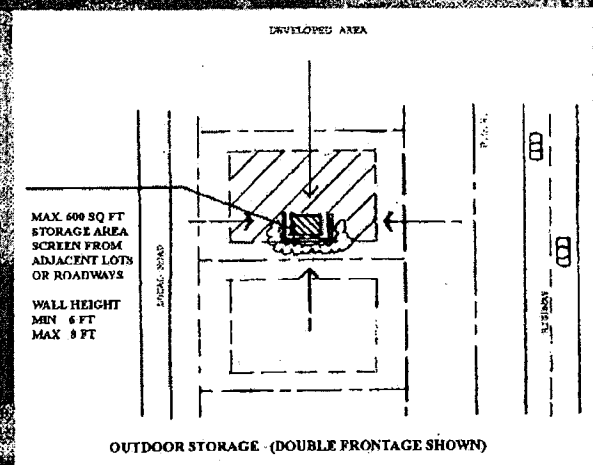


FIGURE N-1

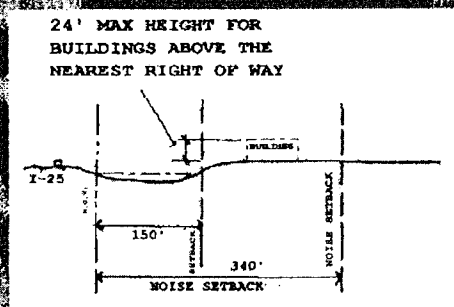


FIGURE L-3

COMMERCIAL GATEWAY SUBDISTRICT

| O. Landscaping | P. Walls | Q. Lighting and Utilities |
|--|---|---|
| <i>Residential</i> | <i>Residential</i> | <i>Non-residential</i> |
| Follow Residential Scenic Corridor Regulations. | Follow Residential Scenic Corridor Regulations. | <p>1. Lighting shall meet the standards set forth in Section 11-7 of the Santa Fe Extraterritorial Zoning Ordinance except where herein established.</p> <p>2. Lighting design and installation shall emphasize low-level uniform lighting to avoid the nuisance and hazardous conditions caused by abrupt changes from bright lights to darkness.</p> <p>3. Minimum commercial lighting levels may be designed into commercial projects outside the require setback; screen walls are recommended where necessary to block the spill of parking lot and security lights onto adjacent properties.</p> <p>4. A maximum of 0.5 horizontal foot-candles measured at any point ten feet (10') beyond a property line shall be permitted for all uses.</p> <p>5. Parking and security lights shall be no higher than adjacent buildings or 24 feet, whichever is less (<i>Figure Q-1</i>).</p> <p>6. Landscape bollard lights shall have a maximum height of 4 feet</p> <p>7. All lighting, including signs lighting and façade lighting, shall be fully shielded and directed down.</p> <p>8. Streetlights shall be allowed only for vehicle and pedestrian safety at busy intersections and shall not exceed 24 ft in height. At intersections, safety lighting if needed shall consist of approach lighting only, setback at least 2 seconds driving time of the coming intersection and consisting of a series of uniform lights</p> <p>9. New and replacement overhead utilities are prohibited in the required and desired setback.</p> |
| <i>Non-residential</i> | <i>Non-residential</i> | |
| 1. Follow Scenic Corridor Residential Regulations. | Follow Residential Scenic Corridor Regulations. | |

24 FT or
HEIGHT OF
BUILDING
WHICHEVER
IS LESS

24 FT or HEIGHT OF BUILDING WHICHEVER IS LESS

24 FT or HEIGHT OF BUILDING WHICHEVER IS LESS

FIGURE Q-1

FIGURE 9

COMMERCIAL GATEWAY SUBDISTRICT

2142557

| R. Exterior Signs | S. Parking | T. Other Architectural Features |
|--|---|--|
| <i>Non-residential</i> | <i>Non-residential</i> | <i>Non-residential</i> |
| <p>1. Exterior signage shall meet the standards set forth in Section 11.8 of the Santa Fe Extraterritorial Zoning Ordinance in addition to the standards set herein.</p> <p>2. One monument sign may be located at each entrance, not to exceed a total of two (2) signs. The height of these sign shall not exceed a height of five feet nor shall the maximum surface exceed 50 square feet. Monument signs shall be set back a minimum of 5 feet from the property line and located outside of the required setback. <i>(Figure R-2)</i></p> <p>3. Billboard signs, pole mounted signs, roof signs, flashing signs, reflective signs and off-site advertising signs shall be prohibited. <i>(Figure R-1)</i>.</p> <p>4. Each business shall be permitted one 10 square foot sign at its entrance or outside the building.</p> <p>5. One flush wall mounted sign only shall be allowed over the main entrance of a building. The surface area shall not exceed 60 square feet or 10% of surface area whichever is less. <i>(Figure R-2)</i></p> <p>6. Internally lit signs shall be allowed with a maximum surface area of 10 square feet.</p> <p>7. The surface area of temporary construction signs shall be limited to 10 square feet.</p> <p>8. Banners and inflatable advertisements shall be prohibited.</p> | <p>1. Parking must meet the standards set forth in Section 11.8 of the Santa Fe Extraterritorial Zoning Ordinance in addition to the standards set herein.</p> <p>2. Parking shall be screened from the public Right of Way with landscape berms (minimum 3 feet, 3:1 maximum side slopes). Berms may be combined with walls to provide screening. The walls may be a minimum of 3 feet and a maximum of 4 feet high. <i>(Figure H-2)</i></p> <p>3. Parking shall be screened from adjacent residential property by a wall with a minimum height of 4 feet and maximum height of 6 feet, or a naturalistic berm with a minimum height of 4 feet and 3:1 side slopes.</p> <p>5. Walls should complement building stucco.</p> | <p>1. Buildings 24,999 square feet or less shall be designed with a minimum of 3 distinct masses to be defined by 4 feet change in both vertical and horizontal direction. <i>(Figures I- 1&2)</i>. Buildings over 25,000 square feet shall have additional 2 feet vertical and horizontal offsets for every 5,000 square feet of the building footprint. <i>(Figures T-1 & T-3)</i></p> <p>2. The maximum uninterrupted length of any façade of buildings over 25,000 square feet shall be 50 feet. <i>(Figure T-2)</i></p> <p>3. Sixty percent of the horizontal length of a facade must have features that reduce the scale and break up the uniform appearance of the façade.</p> <p>4. Light reflective values for building roofs shall not exceed 30% and for building exteriors shall not exceed 40%.</p> <p>5. All buildings shall have stucco exteriors in earth tone colors and generally follow southwestern architectural styles. <i>(Fig. T-3)</i>.</p> <p>6. Buildings should feature portals, varied window sizes and other techniques to reduce scale and break up long facades. 60% of the horizontal lengths facing roadways should include these elements. <i>(Figure T-2)</i></p> <p>7. Skylights and other rooftop structures and mechanical equipment shall be set back a minimum of 2 feet from the edge of building face and screened as part of the building design. <i>(Figure -I-3)</i></p> <p>8. Building roofs shall be flat with non-reflective surfaces and parapets <i>(Figure T-3)</i> unless the building site is below the adjacent roadway (See Design Standard A.4)</p> |

COMMERCIAL GATEWAY SUBDISTRICT

2142558

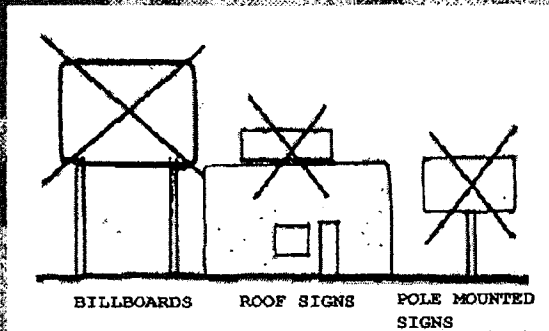


FIGURE R-1

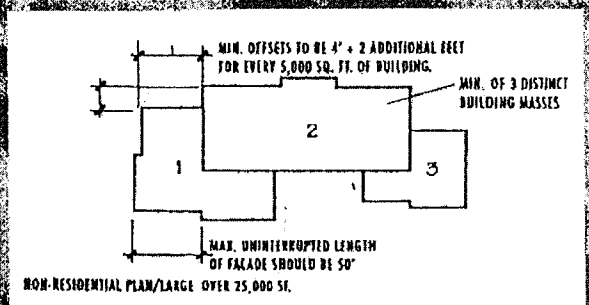


FIGURE T-1

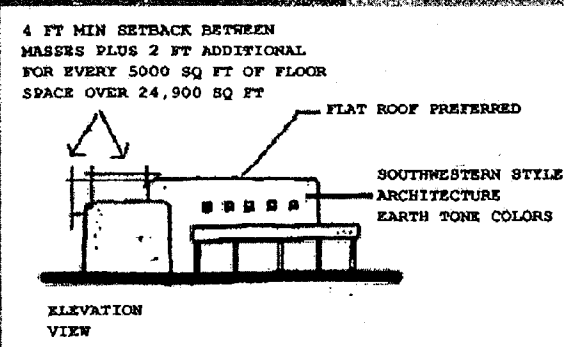


FIGURE T-3

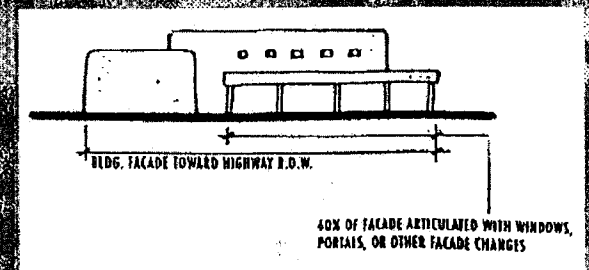


FIGURE T-2

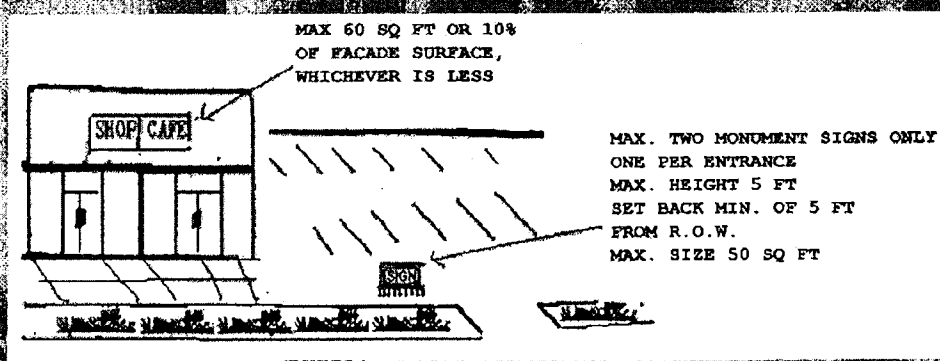
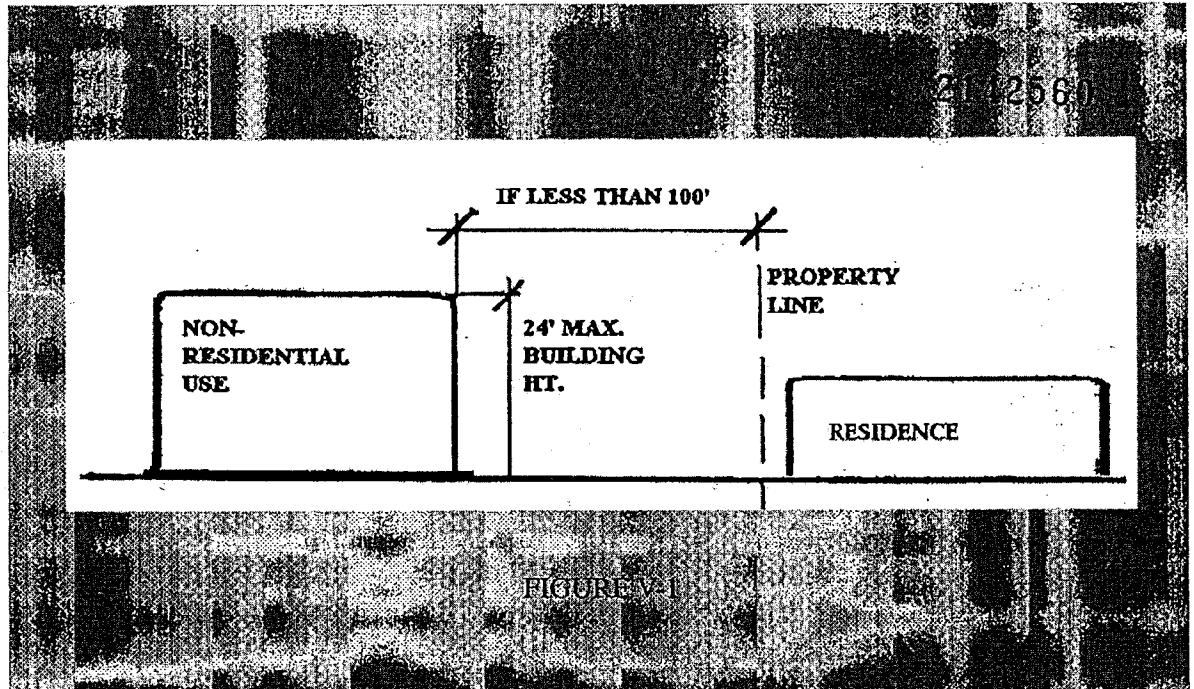


FIGURE R-2

COMMERCIAL GATEWAY SUBDISTRICT

| U. Site Planning | V. Building Setbacks from Arroyos | W. Non-residential Building Setbacks from Residential Neighborhoods and Height |
|--|--|---|
| <i>Non-residential</i> | <i>Non-residential</i> | <i>Non-residential</i> |
| <ol style="list-style-type: none"> 1. Access and internal roads shall have a maximum width of two (2) lanes 2. Provide pedestrian, bicycle and, where possible, equestrian trails. 3. Trail shall be granted for public use. 4. Link trails, when possible, to a master plan trail system and trails in the Public Right of Way. 5. Trails and sidewalks shall be connected to non-residential services. Natural features such as arroyos, ridgetops and large trees shall be preserved. 6. Pedestrian walkways shall be provided within parking lots. | <ol style="list-style-type: none"> 1. 50-foot setbacks from the natural edges of arroyos shall be established. The area within the setback shall remain undisturbed with the exception of storm water management structures and trails. 2. Buildings at the arroyo setback line shall be no higher than a single story. 3. Retaining walls are prohibited in the arroyo setback area. | <ol style="list-style-type: none"> 1. Structures larger than 25,000 square feet in size shall be setback a minimum of 100 feet from residential property lines. This setback may be reduced to 50 feet if a landscaped buffer with a masonry wall or solid wood fence is installed between the residential property line and the commercial structure. Parking lots shall be set back a minimum of 50 feet from the residential property line. 2. Structures less than 25,000 square feet shall be setback a minimum of 50 feet from residential property lines. This setback may be reduced to 25 feet if a landscaped buffer with a masonry wall or solid wood fence is installed between the residential property line and the commercial structure. 3. The height of the structure shall not exceed 24 feet within 100 feet from the residential property line. (Figure V-1) 4. Structures beyond 100 feet from the residential property line and higher than 24 feet shall not exceed 36 feet and shall step back 2 feet for each additional foot above 24 feet. |

COMMERCIAL GATEWAY SUBDISTRICT



1 **SECTION II: REPEAL AND REPLACE FUTURE LAND USE MAP 5**

2

3 Repeal Map 5 entitled "Future Land Use Amended" and replace with Map 5 entitled "Eligible Locations for
4 Non-Residential Districts."

5

6 **SECTION III: ADD SANTA FE METRO HIGHWAY CORRIDOR SPECIAL REVIEW**
7 **DISTRICT TO LIST OF SPECIAL REVIEW DISTRICTS IN SECTION 3.6.D**

8 Repeal and Replace Section 3.6.D as follows

9

10 **D. SPECIAL REVIEW DISTRICTS**

11 Additional submittals and review may be required for applications located within or requesting uses for
12 a Special Review District, as follows:

13 Airport Noise and Height Zones

14 Historic and Archeological Districts

15 Flood Hazard Zones

16 Traditional Communities

17 Mining Zones

18 Village and Neighborhood Districts

19 Neighborhood Plan Districts

20 Mountain Special Review District

21 Santa Fe Metro Highway Corridor District

22 Requirements are set forth in Section 9 of the Ordinance.

23

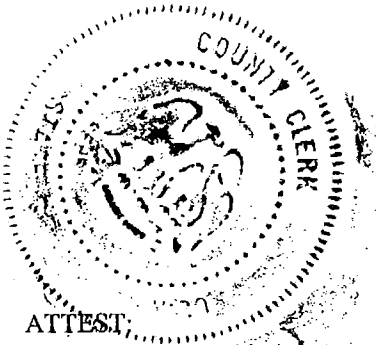
**SECTION IV: REPEAL AND REPLACE SECTION 6.B.4, TYPES AND LOCATIONS OF
COMMERCIAL AND INDUSTRIAL DISTRICTS**

Repeal and replace Section 6.B.4 of the Extraterritorial Zoning Ordinance as follows:

The following Districts are established or planned for the Extraterritorial Zoning District. See also Map 5,
Eligible Locations for Non-Residential Districts.

| <u>District Description</u> | <u>Type of District</u> |
|-----------------------------|-------------------------|
| South Meadows/Airport Road | Village |
| San Felipe/Airport Rd. | Village |
| Agua Fria Village | Neighborhood |
| Agua Fria/Siler Rd. | Community |

1 PASSED, ADOPTED AND APPROVED this 30th day of April, 2002, by the Santa Fe Extraterritorial
2 Zoning Authority.

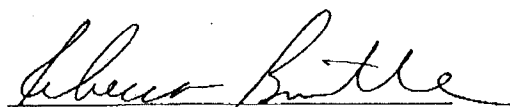


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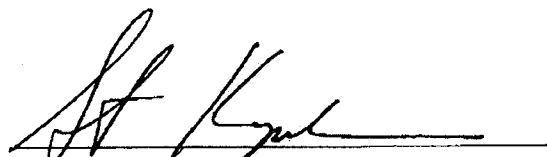
PAUL DURAN, CHAIRMAN

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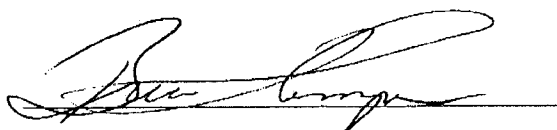


REBECCA BUSTAMANTE
COUNTY CLERK

APPROVED AS TO FORM:



STEVEN KOPELMAN, COUNTY ATTORNEY



BRUCE THOMPSON, CITY ATTORNEY

CERTIFICATE OF FILING

2142564

I, Yolanda Y. Vigil, City Clerk, do hereby certify that the foregoing ordinance, designated as EZ Ordinance, No. 2002 - 1, was filed in my office on the 3rd day of June, 2002.

SANTA FE CITY CLERK



Yolanda Y. Vigil
Yolanda Y. Vigil

CERTIFICATE OF FILING

I, Rebecca Bustamante, County Clerk, do hereby certify that the foregoing ordinance, designated as EZ Ordinance, No. 2002 - 1, was filed in my office on the 5 day of June, 2002, in Book Number 2142 at Page 535-564B.

SANTA FE COUNTY CLERK

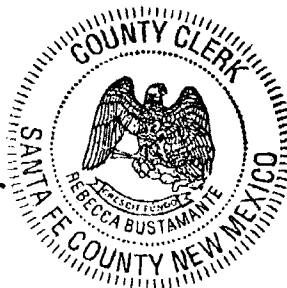
Rebecca Bustamante
Rebecca Bustamante



1209.431
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 5 DAY OF June A.D.
20 02 AT 1:21 O'CLOCK P.M.
AND WAS DULY RECORDED IN BOOK 2142
PAGE 535-564 OF THE RECORDS OF
SANTA FE COUNTY

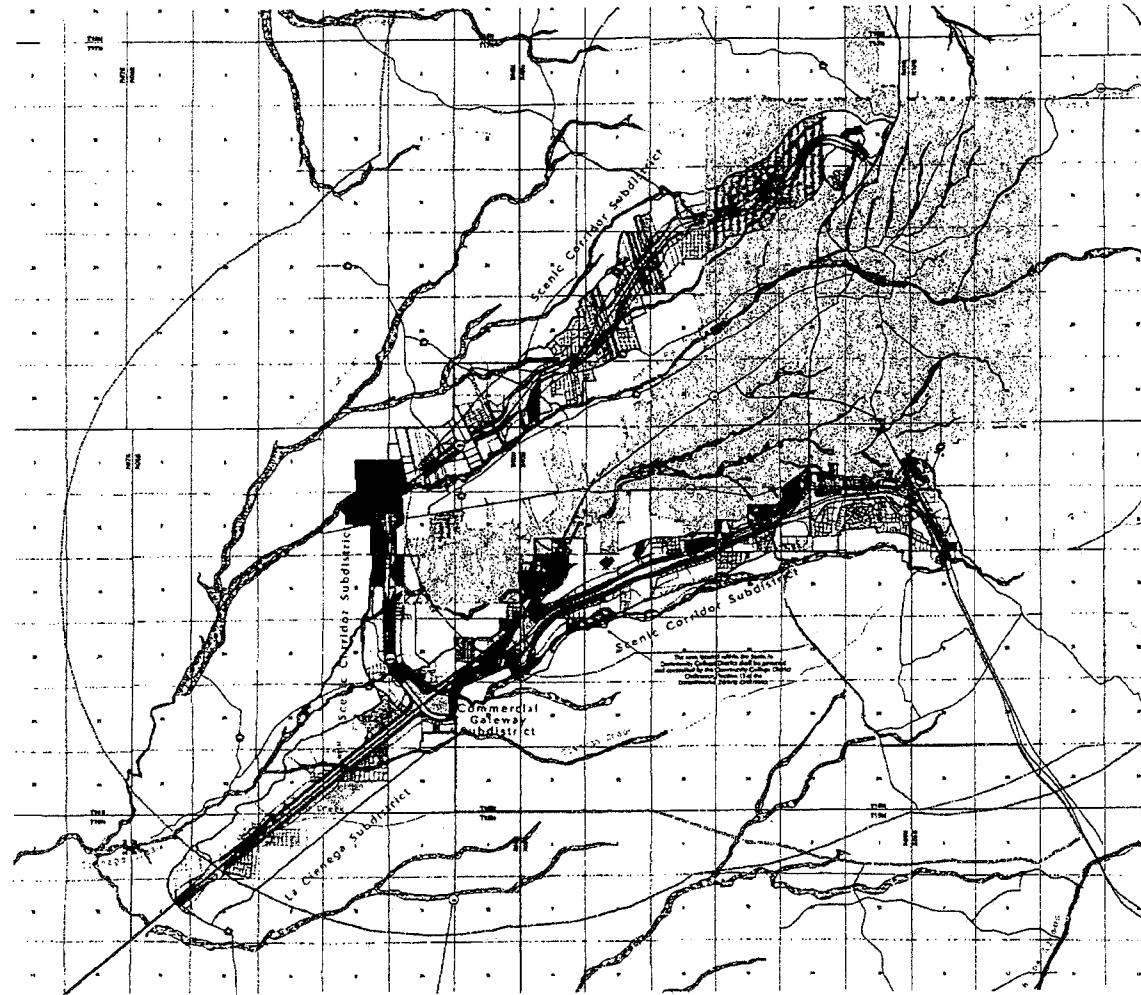
WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.

Michelle Valdez
DEPUTY



2142564 A

Santa Fe Metro Area Highway Corridor Special Review District Zoning Map 18



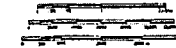
LEGEND

- Desired Setback from ROW
- Required Setback from ROW
- Residential
- Non-Residential
- Mixed Use Village
- Institutional
- Recreational - Non-Residential
- Recreational
- 100 Year Flood Zones (from FEMA Atlas)
- Incorporated City Boundaries
- Highway Corridor District Boundaries
- Santa Fe Community College District
- Parcel Boundaries - DRAFT STATUS
- Major Streams and Arroyos
- Minor Streams and Arroyos
- Extraterritorial Zoning District Boundary (E2-2)
- 5 Mile Extraterritorial Boundary (E2-3)

Zoning applicable within the Extraterritorial Zoning District



REDUCED FOR MAP TO SCALE
1 inch represents 1/2 mile

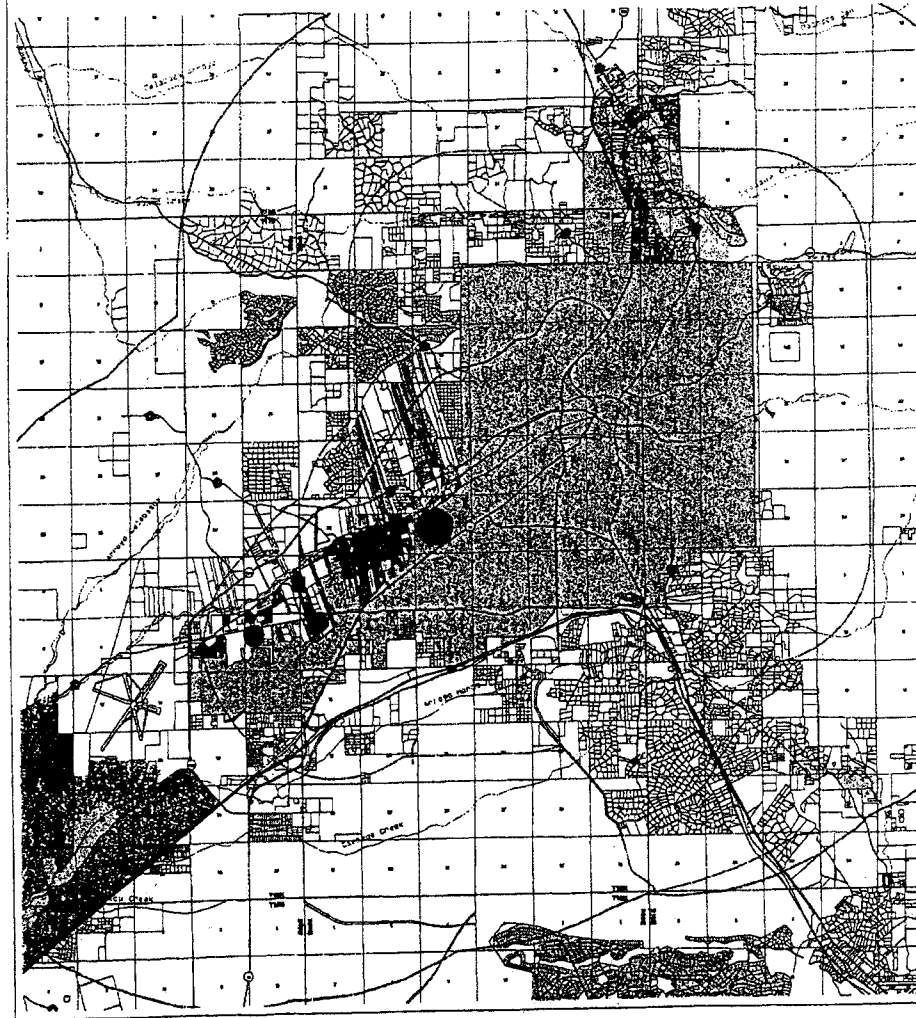


This information is for reference only. Santa Fe County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



Map 18

Eligible Locations for Non-Residential Districts Extraterritorial Zoning Ordinance - Map 5

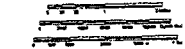


LEGEND

- Neighborhood or Small Scale Center
- Local or Village Center
- Community Center
- Traditional Villages (County Zoning Designation)
- Traditional Historic Villages (State Statute Designation)
- City of Santa Fe
- GPS Roads
- Major Streets and Arterials
- Minor Streets and Arterials
- Parcel Boundaries - DRAFT STATUS



REDUCED COPY - NOT TO SCALE
1 inch = 1 mile



This information is for reference only. Santa Fe County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



September 13, 2011

2142564
Map 5
EZO