

**MINUTES OF THE SANTA FE COUNTY
COUNTY OPEN LANDS TRAILS AND PARKS ADVISORY COMMITTEE (COLTPAC)
Santa Fe County Administration Complex
100 Catron Street, Santa Fe, NM 87501
Wednesday, October 19, 2022 at 6:00 P.M.
Via Webex**

1. Call to Order

A special meeting of the Santa Fe County Open Lands, Trails, and Parks Advisory Committee (COLTPAC) was called to order on the above date at approximately 6:00 p.m. by Chair Rubén Cedeño.

2. Roll Call

Roll Call indicated the presence of a quorum as follows:

Members Present

Rubén Cedeño, Chair
Linda Siegle, Vice-Chair
Jan Cohen
Steven Forde
Jean Pike
Christopher Mann
Sandra Madrid Massengill
Apple Snider

Members Absent/Excused

Genna Waldvogel

Staff Members Present

Adeline Murthy, Open Space and Trails Planner
Robert Griego, Planning Manager
Olivia R. Romo, District 5 Commissioner Liaison

Others Present

County Commissioner Hank Hughes
Roger Prucino, County Assistant Attorney
Rick Pruetz, TDR Consultant

3. APPROVAL OF THE AGENDA

Member Massengill moved, seconded by Member Forde, to approve the agenda as presented. The motion was approved by unanimous voice vote.

4. MATTERS OF PUBLIC CONCERN

There were no matters of public concern.

5. DISCUSSION ITEMS

A. Open Space Conservation and Transfer of Development Rights Program

Member Mann introduced himself and introduced this program. He reported on behalf of the subcommittee established to deal with protecting the County open space lands. He noted most (65%) of the County open space land was not protected from future development.

Their research showed that conservation easements were not a necessary process to protect from future development and that TDR agreements would normally be used by private owners to protect their property from development with a deed restriction. They also found that TDR provisions was the only option that would provide revenue for the County for program management through the purchase of other development rights.

The subcommittee recommended that COLTPAC recommend to the BCC using the TDR option to protect the County open space lands from future development.

B. Q&A

The Committee discussed the recommendation from the subcommittee with Rick and Roger as resources.

Mr. Griego confirmed that once the completed TDR document was recorded, such lands would be permanently protected, and any development rights would be in the TDR Bank for sale to a purchaser for development on other land.

It was clarified that TDRs do not violate the anti-donation clause and that water rights are protected by being permanently tied to the property where they were.

6. ACTION ITEMS

A. Recommendations on Open Space Conservation and Transfer of Development Rights Program

Member Mann read the recommendation of the subcommittee:

"The COLTPAC Conservation Sub-Committee recommends that COLTPAC recommend to the Santa Fe Board of County Commissioners:

1. COLTPAC recommends that development rights be permanently removed from County open space lands through the use of Transfer of Development Rights with supporting deeded permanent development restrictions, and that the TDRs thus generated be deposited in the County TDR Bank.
2. COLTPAC recommends that the Board amend Resolution 2016-141 (that established the TDR Bank) to authorize the use of revenues from County Open Space TDRs for the management, maintenance, enhancement, and acquisition of open space properties.

The Committee discussed the recommendations for possible amendments. One suggested was to change "deeded" to "recorded."

The Consultants advised that TDRs are very flexible on the extent of the restrictions or can identify the specific restrictions to be applied. However, they cautioned against specifying every attribute for the property.

The amended recommendations after discussion were:

1. COLTPAC recommends that development rights be permanently removed from County open space lands through the use of Transfer of Development Rights with TDR agreements that promote conservation values, and that the TDRs thus generated be deposited in the County TDR Bank.
2. COLTPAC recommends that the Board amend Resolution 2016-141 to authorize the use of revenues from County Open Space TDRs for natural resource conservation management, maintenance, enhancement, and acquisition of open space properties in alignment with Santa Fe County Open Space & Trails Strategic Plan.

Member Mann moved, seconded by Member Forde, to approve these recommendations. The motion passed by unanimous voice vote.

The Committee considered a comment by Member Cohen about the \$5 million General Obligation Bond being proposed. She thought they should have a press release about it to the public.

7. ADJOURNMENT

Upon motion by Member Massengill and seconded by Member Cohen, the meeting was adjourned at 7:36 p.m.

Approved by:


Christopher Mann, Chair

Submitted by:

Carl G. Boaz
Carl G. Boaz, Inc.

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

COLTAC MINUTES
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Has Filed for

STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for
Record On The 7TH Day Of June, 2023 at 09:32:27 AM
And Was Duly Recorded as Instrument # 2013371
Of The Records Of Santa Fe County

Deputy Destiny Romero Witness My Hand And Seal Of Office
Katharine E. Clari
County Clerk, Santa Fe, NM

