

**BOARD OF COUNTY COMMISSIONERS
SANTA FE, NEW MEXICO
SPECIAL MEETING**

MAY 10, 1999

Members Present:

**Richard Anaya, Commissioner
Joe Griñé, Commissioner
Marcos Trujillo, Commissioner**

Members Absent:

**Paul Duran, Chairman
Javier Gonzales, Commissioner**

SANTA FE COUNTY
SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS

May 10, 1999

This special meeting of the Santa Fe Board of County Commissioners was called to order on the above-mentioned date at approximately 6:00 p.m. by Commissioner Joe Griñé in Edgewood, New Mexico.

Roll Call indicated the presence of a quorum as follows:

Members Present

Commissioner Joe Griñé
Commissioner Marcos Trujillo
Commissioner Richard Anaya

Members Absent

Commissioner Paul Duran, Chairman
Commissioner Javier Gonzales

Staff Present

Denice Brown, County Attorney
Jack Kolkmeier, Planning Director
Diana Lucero, Acting Land Use Director
Judy McGowan, Senior Planner

Commissioner Griñé welcomed the public and thanked them for attending this evening's meeting. He then turned the meeting over to Planning Director Jack Kolkmeier.

[This document is presented in summary format]

PRESENTATION: Estancia Basin District and Rural District Map

Planning Director Jack Kolkmeier explained that this evening's meeting was

to provide information regarding the proposed County General Plan. He explained that there appeared to be some confusion about this evening's meeting and indicated that the BCC was not being asked to adopt the plan at its regular meeting tomorrow, May 11. The plan will be presented to the BCC in sections and each section will be adopted by resolution resulting in a final adoption in September. The section under review at this point is the "planning districts" which sets forth the proposed recommendations for location, density, uses and design standards or guidelines and other planning techniques within each district.

Mr. Kolkmeier defined the Estancia Basin District boundaries and commented that in recent years, Edgewood has experienced the most rapid growth in the County. He set out that EBD will establish its own zoning criteria through a district planning process and until the process is complete the existing County Code will be followed. He explained that creating the district planning process was a direct outcome of county residents desiring more say in their area's character and growth.

Mr. Kolmeyer set out the proposed schedule for adoption adding that public hearings would occur for each district.

At this point, Elizabeth Waldron, a member of the San Pedro Neighborhood Association area, said San Pedro did not have adequate time to review this document and urged the board to postpone action on declaring this rural district. She said the community has just begun its work to develop a plan and this district designation negates their efforts.

Commissioner Griñé explained that the districts can be amended at a future date.

Ms. Waldron said her community wants to conduct its own planning and although the chances are the San Pedro will want to be identified as rural they still need to work it through the process. She said San Pedro is in the process of developing a plan, has been working very diligently and never knew of this meeting until the last minute.

Acknowledging that San Pedro may accept the designation as "rural" they wanted time to talk to their constituents and get the information on their newly established webpage.

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Mr. Kolkmeier explained that no zoning is being requested. The issue is developing districts. Citing the plan, "The Estancia Basin District will establish its own zoning criteria through a District Planning process. Until that process takes place, the EBD will adhere to the existing County Land Use Code," Mr. Kolkmeier said this was the communities' choice.

Speaking in support of Ms. Waldron's comments, Bob Planter, also of San Pedro, said more time was needed to review the district designations.

Ms. Waldron remarked that if the process is to develop self-determination for a community then the community needs more time. She said if the Board was not willing to postpone action, that San Pedro requested to be removed from the boundary.

Commissioner Grinë reiterated that the district boundary can be modified and nothing is being set in stone. He asked legal counsel to confirm that boundaries could be changed. County Attorney Denice Brown indicated that once a boundary was legally approved, a resolution would be required to change it.

Ms. Waldron urged the board to postpone action because they did not have proper notification: "It's the principle."

Gene Thorton said the residents needed time to review the district. He said he hadn't had time to consult with his lawyers on this issue and requested an additional 30 days.

Mr. Kolkmeier informed the residents that these were the boundaries they had agreed upon. It follows the Estancia Basin District as proposed by the residents.

Jerry Powers requested 30 days before any further action is taken on the Estancia Basin District Plan. Mr. Kolkmeier reminded the participants that Edgewood is a very high growth area and staff was working to address the residents' needs. Mr. Powers questioned why the rural area required a plan.

Mr. Kolkmeier explained to the participants that nothing would change in the development requirements unless the district plan calls for change.

An unidentified gentleman said he was excluded from the Edgewood planning committee and did not even know who was part of the Landowners Association that supposedly worked on a plan for the entire community.

Responding and speaking as a member of the non-profit Landowners Association, Rita Horton said the association was open to anyone who wants to join.

John Crawford, characterized the existing County Land Use Code as a moving target. He asked about the rural preservation district. Mr. Kolkmeier indicated that those rural preservation districts are no longer used.

Dale Lewis asked staff, "What's the rush?" He recommended that the existing code have a clause that indicated the rules stand as of now. Mr. Lewis' comment that the residents of Estancia Basin "mainly what we want down here is to be left alone" drew applause.

Mr. Kolkmeier said he received very positive response about the Estancia Basin boundaries.

Joe Miller requested the boundary line be drawn all the way to Lamy.

Mr. Thorton said he was insulted by the comments surrounding "rural" stating they were not consulted with the designation: "...are we considered too stupid."

Rita Loy Simmons explained that the Basin Fringe Metropolitan Zone was developed to address water rights and water systems in the area. She commented that her mother, Rita Horton of Horton Water, prefers to be considered in the Homestead Zone.

She too urged the Commission to provide additional time to review the plan.

Senior Planner Judy McGowan explained that it was not the County's intent to zone. She said from past meetings, staff understood the residents did not want mandates but preferred choices which is exactly what staff has proposed. She pointed out that the rural district was adopted in December of 1997 and it was the choice of the residents not staff. Contemporary communities, explained Ms. McGowan are the result of communities developing over years and are usually fairly rural in character. The ranches and farm land provided the context of what is Santa Fe County and to

maintain that characteristic larger type developments are not encouraged in rural area.

Ms. McGowan repeated that the residents clearly showed a preference for rural choices. She said rural areas must be allowed to have economic development through land opportunities.

Referring to the proposed transfer of development rights, Ms. McGowan stated that much of this was proposed by the area's planning group. She said the transference is creative and provides for incentives to the development resulting in greater density (i.e., four homes can be placed on one-acre if the developer can meet water conservation guidelines).

Responding to an unidentified gentleman that expressed concern that the proposed district maps would essentially cause landowners to lose their property rights, Ms. McGowan stated that that was untrue. Residents would have the same rights as every other County resident and family transfers were still permitted.

Returning to proposed incentives, Ms. McGowan indicated that if a property maintains its agricultural uses a 50 percent density bonus can be achieved. Open space density bonuses are also recommended. Delineating the central rural district, she indicated that staff is attempting to relax the current standards for agricultural business and hopefully in that vein encourage more agricultural uses.

At this point, a woman in the audience stated that there were only five landowners in the central rural district and "We'll raise hell," if we aren't given more time to respond to staff's plan. Ms. McGowan repeated that nothing was changing; staff was proposing the adoption of district maps and descriptive narratives of the districts. She added that there were thousands of landowners in the rural district.

An unidentified gentleman said he understood from area Representative Rhonda King that the BCC agreed to postpone action on designating districts. Commissioner Griñé said he had talked to Representative King but he was only one vote on the Commission.

Mr. Miller asked if Lamy could be included in the district if the Commission was petitioned to do so. He added that he could obtain signatures from 95 percent of the residents wanting inclusion. Mr. Thorton said he would support that inclusion.

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Gary King expressed concern that currently the County Development Review Committee is making decisions about the Edgewood area with only one representative from the area serving on the committee.

Mr. Kolkmeier explained that the Estancia Basin Local Development Review Committee would replace the CDRC. However, this was the first step adopting the Estancia Basin District. The planning committee would be appointed by the BCC and charged to develop a plan that reflects the desires of the area residents. Reading from the proposed plan, Mr. Kolkmeier read the purpose section as follows:

"The purpose of an Estancia Basin District Plan is to establish a broad framework for land use that will preserve and enhance the quality of life as defined by its residents, while allowing reasonable, resource-based growth, that reflects the diversity of design elements and the cultural values of the District, and preserves individual rights."

Mr. Kolkmeier said following the adopting of the community developed plan the BCC would appoint a local development review committee to review all development applications in relation to the District Plan and amended Land Use Code. This committee's recommendations are forwarded to the BCC for its final action. He reiterated designating the district is the first step to developing autonomy for the community.

An unidentified gentleman said the community needs commercial along the highway. He pointed out that the only paved roads are along the highway and that's where the development should proceed.

Rita Horton provided a history of Edgewood from 1939 when the area was a dust bowl. She noted that in 1951 the federal government paid anyone willing to reseed and work the once fertile land of Edgewood.

She then focused her comments on a recent development with the state's Interstate Stream Commission in which the Estancia Basin Water Planning Committee's regional plan was not accepted by the state.

John Crawford urged the commissioners to "slow down...don't rush," the plan needs more refining.

Jerry Powers agreed with Mr. Crawford and said the residents were pleased

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to have the opportunity to retain the rights to plan for their own area. "It's the rush we don't like."

Ms. McGowan explained that the zoning district is based on 100 year hydrologic studies. She said hydrology rules the county and if the study does not show water, higher density zoning is not permitted. "If you can prove the water, you can accomplish the smaller densities."

In response to the comments made by the participating residents, Mr. Kolkmeier reiterated that the idea of the district is to address the character and needs in the different parts of the County. Estancia Basin District extends from Clark Hill south to the southern boundary of Santa Fe County. The district encompasses all of the Estancia Basin aquifer fringe and aquifer area, including the traditional communities of Stanley and Edgewood. He pointed out that the area is characterized by open grazing lands, irrigated farmlands and agricultural lands with a dispersed populated area.

Mr. Powers said the community was pleased that staff incorporated the plan developed by the community and appreciated that staff had listened to them. He repeated his plea for additional time to review the proposed district.

Mr. Kolkmeier asked the residents to attend tomorrow's regular meeting of the BCC where this issue will be heard in greater detail.

Acknowledging that no action was being requested this evening, Commissioner Trujillo told the participants that their comments were heard and the two absent commissions would be consulted.

Commissioner Griñé recognized the newly elected Town of Edgewood councilors who had just entered the school auditorium. He invited these gentlemen to address the residents.

Chuck Ring, Bob Stearly, and Gary Chemistruck introduced themselves and expressed appreciation to the citizens for electing them.

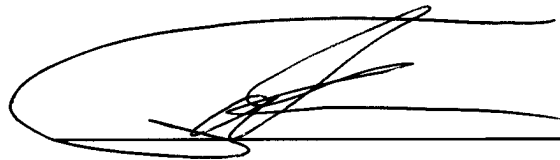
Each councilors addressed the assembly identifying their districts and discussed gross receipts tax, annexation and possibility of developing of a joint powers agreement with Santa Fe County to provide services.

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ADJOURNMENT

Commissioner Grinë declared this meeting adjourned at approximately 8:05 p.m.

Approved by:

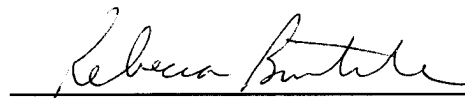


Board of County Commissioners
~~Joe Grinë~~ PAUL DURAN

Respectfully submitted:

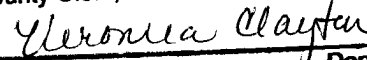

Karen Farrell, Commission Reporter

ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO /088178/
I hereby certify that this instrument was filed
for record on the 2 day of Sept A.D.
19 99, at 8:11 o'clock a m.
and was duly recorded in book 1682
page 519 - 527 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.


Deputy

