

Preliminary Concept Decision Points 1

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General Points About Decision Points

- The goal is to discuss viable alternatives for the code.
- Possible alternatives must conform to the Sustainable Growth Management Plan and other local/state/federal laws.
- Think countywide – any individual decision is repeated multiple times. Cumulative effects must be considered.
- Good planning can minimize future impacts. Some impacts are:
 - Water usage – aquifers are gradually being depleted
 - Traffic – especially in Santa Fe City area, many major roads operate at near capacity.
 - Air pollution – we have relatively little ... for now
 - How time is spent – sitting in traffic. Driving to services, work or recreation that could be close by.
 - Cost of maintaining infrastructure -- maintaining roads, transportation, water systems is less if they are clustered.
- In defining code one must consider:
 - How the code impacts what individuals can do on their property
 - How individuals property owners affect neighbors and the community
 - The costs of implementation to users and economic development

Color/Font Key

Concept Decision Point

◆ Alternative for a concept decision point

Implementation Detail

‡ Alternatives for implementation detail

• Discussion point about concept decision point

□ Legal discussion point

⇒ Background point

Home Based Businesses

Should there be intermediary levels for home based businesses?

- ◆ Only one level
- ◆ Home occupation, home business, commercial business
- ◆ Multiple intermediary tiers

Background

⇒ Current requirements allow for two choices home based business or a commercial zoning. It is possible to create intermediary levels.

□ San Marcos Plan and ??? plan currently implement two levels.

Discussion Points

- More levels allow for expedited process for occupations that have minimal impact. Encourages economic development
- More levels creates more complexity in the code

Should Restrictions Be Based on Density or Zoning area?

- ◆ Density
- ◆ Zoning area
- ◆ Both
- ◆ Neither

Background

⇒ Restrictions for home based business minimize impacts to neighbors.

⇒ Typical restrictions are # of employees, noise, light, visual impacts, etc.

Discussion Points

- More differentiation makes rules appropriate to region. llevels allow for expedited process for occupations that have minimal impact. Encourages economic development
- The less the density, the less impact there are on neighbors
- More levels creates more complexity in the code

Restrictions on Operation

Restricting number of employees and/or type of work?

- ◆ 1, 2, 3, ...

Restricting number of customer visits per day?

- ◆ 1, 2, 3, ...

Discussion Points

- Does the number matter? Or should it be the number of trips? Ex. If employees are on-site or not (work at their home, sales visits, etc.). Or two ½ time employees, vs. one full time? Impacts traffic.
- On-site employees or customers use water. A large number could impact an aquifer where wells are in use.
- More customers or employees impacts traffic and noise impacts
- The degree of impact depends on nearby density

Limiting visual, noise, pollution impact on neighbors

- ◆ Fences for unsightly operations
- ◆ Noise buffering for operation
- ◆ Restrictions on noxious fumes
- ◆ Use of hazardous materials
- ◆ Size of operation
- ◆ Proximity of current and future neighbors

Does the SDA district define limits?

Discussion Points

- How do you define “unsightly”?
- What level of noise is appropriate?
- What level of hazardous materials is appropriate?
- What is an appropriate size?
- In the middle of a 1000 acre ranch, impacts matter less than a dense subdivision.

Procedures

What initial permitting procedures should be in place for home based businesses?

What permitting procedures should be in place for expanding home based businesses?

- ◆ Possible short cut for “minimal impact”
- ◆ Notification of neighbors
- ◆ Level of review
- ◆ Appeals process

Discussion Points

- Can a short-cut, fast-track procedure be defined for minimal impact (i.e. sole proprietor, home based office use)?
- How should neighbors be notified. Does scale of operation matter? E.g. traffic/noise impacts.
- What level of review is appropriate? Does scale matter to who should review the application?

What inspection procedures should be in place for reported for violations for home based businesses?

Zoning Exceptions

These questions relate exceptions to the zoning standards

Family Transfers

Should family transfers be allowed? If so, at what level?

- ◆ No exemption for family transfers
- ◆ Family clusters only
- ◆ Double the hydro zoning
- ◆ More than double hydro zoning

Background

⇒ Family transfers allow lots splits to family members with lessening of regulations.

- State law allows for family transfers but does not require them
- State law defines who a family member is ???

Discussion Points

- Usually cause unplanned addition to traffic, noise, pollution because development does not conform to a master plan
- Currently exceeds the base hydro zoning, increasing drawdown for nearby neighbors
- Used to bypass subdivision regulations and may not stay with the family
- Could be considered an unfair benefit as it favors those with families over single people or estranged from families.

- Often the only way for local families to transfer wealth to children while family member is alive
- Makes it possible for families to stay together which benefits society by:
 - Providing built-in child care and sense of belonging for children
 - Similar for elderly care
 - Creating strong social fabric
- Creating compounds may be difficult when financing is needed to build homes.

What methods are appropriate to insure family transfers stay in family?

- ◆ None
- ◆ Holding periods
- ◆ Level of review

Discussion Points

- If a family transfer is granted, should the family be required to use it as a family residence.
- Should a holding period be imposed?
- Holding period may be difficult to enforce
- Level of review: administrative, CDRC, BCC?

Hardship Variances

Should variances be allowed for hardship? If so, at what level?

- ◆ No hardship variances
- ◆ Temporary variances
- ◆ Ongoing variances

Background

- State law ???

Discussion Points

- Impacts similar to family transfers

- Some situations are so difficult and rare that compassion could enter into it.
- What happens when the hardship is done?

Zoning Density

These questions relate exceptions to the density and incentive increases that are available.

What is the base density in each SDA area?

- ◆ Less than base hydro zoning
- ◆ Base hydro zoning
- ◆ More than base hydro zoning

	<i>SDA-1</i>	<i>SDA-2</i>	<i>SDA-3</i>
<i>Base density</i>			
<i>Clustering requirement</i>			
Questions relating to having utility connection			
<i>Subdivisions allowed without utility?</i>	<i>No</i>	<i>No?</i>	<i>No?</i>
<i>Size of subdivisions (if allowed)?</i>			
<i>Lot splits allowed without water utility?</i>			
<i>Number of splits (if allowed)?</i>			
Questions relating to incentives. Varying degrees are possible			
<i>Affordable housing</i>			
<i>Green building</i>			
<i>Water capture</i>			
<i>Water conservation</i>			
<i>Open space</i>			
<i>Trails (e.g. off-road)</i>			

Water

These questions relate exceptions to water and connection to a water utility

	<i>SDA-1</i>	<i>SDA-2</i>	<i>SDA-3</i>
<i>Base density (repeat above in density???)</i>			

<i>Use of individual wells</i>	<i>No</i>		
<i>Use of wells to create a utility</i>			
<i>Use of districts?</i>			

Procedures

These questions relate to land use procedures.

Subdivision Applications

Levels of requirements based on size?

Simplified quick procedures for SDA-1 (or others)?

Amount of notice?

Mediation?

Archeology studies? View corridor impact studies? Ingress/egress (existing)? Other studies?

Building on steep slopes-15/30%, ridgetops?

Administrative Applications

Levels of requirements based on size?

Amount of notice?

Mediation?

Archeology studies? View corridor impact studies? Ingress/egress (existing)? Other studies?

Building on steep slopes-15/30%, ridgetops?

Resubdivision

Discussion Points

⇒ Resubdivision means the once a master planned subdivision is approved, it can be resubdivided.

Should resubdivision be allowed?

- ◆ Yes
- ◆ No

Existing Master Plans and Non-Conforming Uses (Applicability)

Should existing master plans be revised to conform to the new code?

- ◆ Master plan only
- ◆ Preliminary plat approval
- ◆ Final plat approval

Should non-conforming uses be required to conform to the new code?

- ◆ Lot lines in existing subdivisions
- ◆ Building codes
- ◆ Water usage

If non-conforming uses are required to conform, what time should be given?

- ◆ 1 year
- ◆ 3 years
- ◆ etc.
- ◆ Accompanying building changes

Should new development existing subdivisions conform to new code?

- ◆ Adjusting lot lines in existing subdivisions to do clustering
- ◆ Allowing commercial use where none currently exists
- ◆ New buildings in existing subdivisions conformance to design standards

Building Codes

These questions relate to possible additions to building codes

Real design standards? Flat roofs, set backs, etc.

Fire codes that include tree removal or sparing trees?

Green Building Codes

Enforcing Green Building Codes

How should the county enforce green building codes?

- ◆ Separate department

Which specific codes should be enforced?

Open Space and Trails

Open Space

Base requirement for open space? SDA 1 2 3?

What can be considered open space (contiguous)?

Connections to external open space to create larger contiguous areas?

Incentives for public/private?

Trails

Base requirements for internal trails? SDA 1 2 3?

Requirements for connecting to external trails?

Incentives for public/private?

Incentives/requirement off-road trails?

Community Planning

What will communities be able to amend with Community Plans?

- ◆ **Future Land Use to determine:**
 - **Zoning/density/land uses/design standards?**
 - **Uses that impact (like mining?)**
 - **Procedures?**

What will communities be able to amend with Planning Districts?

- ◆ **Future Land Use to determine:**
 - **Zoning/density/land uses/design standards?**
 - **Uses that impact (like mining?)**
 - **Procedures?**