Estancia

SLDC Adoption Draft Santa Fe County Public Meeting Summary

DATE: Oct 15, 2013

PLACE: Edgewood Senior Center

TIME: 6:00 p.m. - 8:00 p.m.

County Facilitator David Gold opened the meeting by providing background on the SLDC Adoption Draft and asking the participants to identify topics they wanted to discuss.

The following topics were identified and discussed:

1. Public /Institutional Zoning District Map (Boys and Girls Ranch)
2. Supplemental Zoning Chapter 10
3. Zoning & Zone Map
4. Review of process to date
5. Energy Code
6. Sand & Gravel/ Gold Mining
7. Annexation and Edgewood
8. Regulating Water Use
9. License Mechanical Contractor Requirement
10. Public Input and Comments/ Timeline

1. Public /Institutional Zoning District Map (Boys and Girls Ranch)

The first topic discussed was related to Public/Institutional Zoning District that is shown on the zoning map for the Boys and Girls Ranch undeveloped property south of the San Pedro Community Plan Area.

Participant stated that the Public/ Institutional Zoning District identified on the zoning map for the property associated with the Boys and Girls Ranch south of San Pedro should be shown as an Ag/ Ranch zoning district.

Questions related to the status of the current master plan for the ranch and the rational for establishing Public/ Institutional Zoning District:

- Was the Public/ Institutional Zoning District assigned as part of this code drafting process and as shown on the most recent zoning map created specifically for the Boys and Girls Ranch Property? If so, is this a conflict of interest?
- Who is influencing zoning map?

Discussion on the community's attempt several years ago to appeal BCC approval of the master plan:

- Judge said they had no case since the court findings indicated that the master plan approval did not constitute zoning of the property.

County staff confirmed that the issue is being reviewed by the legal department and will be brought up for discussion at the next BCC Study Session, (Tues, Oct. 22nd, Public is welcome)

Discussion and questions on appendix B use matrix showing Correctional Facility listed as a conditional use in the Public/ Institutional Zoning District which was identified as an inappropriate use for the San Pedro area and Boys and Girls Ranch property.

Staff identified several other properties shown as Public/ Institutional Zoning District including:

- Glorieta Conference Center
- Santa Fe Opera
- Schools,
- Churches

2. Supplemental Zoning Chapter 10

There was a brief discussion related to community facilities identified in chapter 10 and whether those uses would be established through overlay zones. Staff clarified that chapter 10 provider supplemental standards for specific uses regardless of zoning district or overlay zones.

3. Zoning & Zoning Map

Will County adopt the SLDC & zoning map together?

Staff commented that the adoption of the zoning map will be a separate process from the adoption of the SLDC and that the code will be in effect only after the zoning map has been adopted. Staff estimated that the zoning would not be adopted until spring 2014.

Participants felt that most property owners would want to know what the zoning and standards will be applied on their property as well as their neighbors and felt the adoption of the SLDC and the adoption of the zoning map should be well coordinated and done simultaneously.

Standards apply to property—so the SLDC and zoning map go hand in hand.

Zone map should show and relate to land use and zoning regulations and available infrastructure of the adjacent counties/ municipalities in order to provide logical transition areas from high to low density and to ensure compatible land uses.

Questions on whether the new code and zoning map in any retrofit approved but yet to be developed Master Plans by assigning zoning even though the master plan may be on track to expire.

Staff believed that zoning established by a Master Plan would be reflected on the new zoning map.

What are the differences between the way master plans were approved regulated and implemented under existing code and how those same master plans would be vested with the approval of the SLDC and Zoning Map?

Would conditions of approved master plans approved prior to the adoption of the SLDC be enforced with the adoption of the zoning map?

Under the existing code, does zoning established by a Master Plan expire if the master plan expires?

Under the SLDC zoning will be established when parcel is platted and will remain with the plat.

Rezoning and amendments to the zoning map

How will the new zoning map be amended?

What is considered takings?

Arbitrarily down zoning.

Is the Public/Institutional Zoning District spot zoning?

The BCC can amend the new zoning map & owners can initiate rezoning and if approved will result in a zone map amendment.

When would an Overlay district be used and why?

Primarily to provide standards for unique situations or valued community characteristics that are not consistent or quite different with the base zoning district particularly design standards related to heights, setbacks, no build areas etc.

4. Review of Process to Date

How did the SLDC evolve? Who initiated? Who is accountable?

- Land Developed Code 1980
- Growth Management Plan Policy 1998
- Land Development Code Amended in 1996
- Amended in 1999
- 2010 Sustainable Growth Management Plan –SGMP— adopted

BCC initiated SGMP working and to meet State statute requirements related to consistency between Plan & Land Development Code BCC initiated the drafting of the Sustainable Land Development Code, (SLDC). Public Review Draft released in Sept 2012- most recent version in Oct 2013.

5. Energy Code

Participant stated support for the adoption/ HERS rating because it is based in building science. However, standards are still a low but at least consistent with the City of Santa Fe standards,(Section 7.14-).

6. Sand & Gravel/Gold Mine

Gold Mine

Discussion on potential gold mine near Golden:

Participants stated that the mine is proposed to be:

> 1600' deep, wide enough for 18 wheeler, may employ up to 125 workers, will operate 24 hours a day 7 days a week and require at least 200 acre feet of water a year.

How will the county regulate the mine? What route wills the trucks take? CR 344 and ST. rd. 14 can't handle that much heavy truck traffic; they were damaged previously.

Mining at that scale will be regulated by the hard rock mining ordinance until the SLDC chapter Developments of Countywide Impacts is complete. The DCI chapter will replace existing mining ordinance and be far more stringent.

Sand & Gravel

The threshold for regulating sand & gravel operations as Development of County Impact is for operations larger than 20 acres. This should be revised to any commercial sand and gravel operation and not by acreage.

7. Annexation and Edgewood

Checker board section of Edgewood—

Recent Supreme Court review will basically allow Edgewood to annex on their terms. County properties may be a nuisance and county enforcement is weak. Nuisance is Relative—what may be a nuisance in high density is okay in low density. (County enforcement in question)

Edgewood & County need to work together on annexation, infrastructure compatible land uses.

SLDC should address annexation.

8. Regulating Water Use

Office of State Engineers, (OSE) regulates water rights, however Counties can be more restrictive in how much and how water is used.

In order to get a Development Permit (not subdivision) as described in the SLDC for house; do water restriction apply?

> *7.13.11.1 & 2—All single family dwelling units are restricted to .25 . This would apply to new development permits even those not seeking subdivision.*

Will county inspect houses for conservation regulation such as the requirement to have front-loading washing machine-?(7.13.11.3)

Who Inspects buildings? CID issues building permit and conducts inspections

> *County really only inspects the Outside area and will review the water meter- if the meter shows water use over those allowed then the county may check compliance with conservation regulations.*

Should water conservation regulations be retroactive? Reducing water consumption for new development only will be a small gain. The goal to maximize conservation is lost if it solely applied to new construction

9. License Mechanical Contractor Requirement

7.13.11.3 seems to overbearing and should be modified so home owners who are qualified to do their own construction don't have to hire a mechanical contractor.

Staff will look into it and clarify.

10. Public Input and Comments/ Timeline

What happens to notes?

Summarized by staff for the BCC and posting on the county website.

How will comments be incorporated?

What about responses to comment?

Redlined Draft? Can you post major changes on website?

Redline version is on the website.

Timeline? Code in effect? Zoning map?

Staff estimates Mid 2014