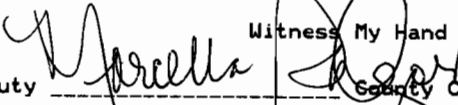




COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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PAGES: 48

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SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

SPECIAL MEETING

October 5, 2010

- Harry Montoya, Chair – District 1
- Virginia Vigil – District 2
- Michael Anaya – District 3
- Kathy Holian – District 4
- Liz Stefanics – District 5

SFC CLERK RECORDED 10/27/2010

SANTA FE COUNTY
SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS

October 5, 2010

This special study session of the Santa Fe Board of County Commissioners was called to order at approximately 8:41 a.m. by Vice Chair Virginia Vigil, with Chairman Harry Montoya arriving immediately after roll call., in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner, Harry Montoya, Chair
Commissioner Virginia Vigil [early departure]
Commissioner Kathy Holian
Commissioner Liz Stefanics [9:06 arrival]
Commissioner Mike Anaya

Members Excused:

[None]

Commissioners-elect Present:

Robert Anaya
Danny Mayfield

Staff Present:

Jack Kolkmeier, Land Use Administrator
Robert Griego, Planning Director
Steve Ross, County Attorney
Katherine Miller, County Manager
Penny Ellis-Green, Deputy County Manager
Arnold Valdez, Senior Planner
Tim Cannon, GIS Planner
Renee Villareal, Planner
Melissa Holmes, Planner
Dave Sperling, Deputy Fire Chief

III. Approval of the Agenda

Land Use Administrator Jack Kolkmeier, suggested modifying the order of the agenda.

Upon motion by Commissioner Holian and second by Commissioner Montoya, the modified agenda was approved by 4-0 voice vote. [Commissioner Stefanics was not present for this action.]

IV. Approval of Special BCC Meeting Minutes, September 14, 2010

Commissioner Montoya offered typographical corrections to the minutes. Commissioner Vigil moved to approve the minutes as amended and Commissioner Montoya second. The minutes were approved unanimously. [Commissioner Stefanics was not present for this action.]

V. Workshop on Sustainable Land Development Plan (SLDP)
A. Staff Presentation of Major Issues and Recommendations by Chapter
B. Board Discussion

MR. KOLKMEYER: Thank you, Mr. Chair. Good morning and again good morning to the Commissioners and everyone in attendance this morning. I'm Jack Kolkmeier, Land Use Administrator and director of the Growth Management Department. I'm here with Robert Griego who's the Planning Manager, also for the Growth Management Department. You have wealth of information before you this morning and I'd just like to start off by thanking our staff, particularly Arnie, Renee, Tim and Melissa Holmes for pulling this all together for us again this morning. There's certainly a wealth of information in there.

I'd just like to remind everybody that this morning is not a public hearing. This is a study session with members of the Board of County Commissioners. The purpose for the meeting today is to take you through some very specific chapter recommendations that we have made for you and to get consensus from you and/or direction from you. I don't think that requires a vote but we're asking you to go through these recommendations with us and let you know if you agree with them or you don't or you think they may need further changes.

We then will take all these recommendations and we hope to come back to you for public hearing some time in November, between the 3rd and 18th, with a final draft of the SLDP that will then be open to public hearings at that point. Let me quickly go through with you what you have. You should have the large booklet here and if you brought the one from the last work session maybe be helpful at some point, but what you have before you is this large document that has basically four sections in it. The first section is called the Board of County Commissioners Sustainable Land Development

Plan work session. That's tab #1, and this contains the recommendations that we'll go through with you. I'm going to start off with the first couple of chapters and then Robert will lead you through the remainder of them.

Tab #2 are objectives by growth management area and chapter. We talked about this a little bit at the last meeting and this will come up again in our discussions but these are objectives for each chapter according to the geographic area of the county that we put together over the last year and a half.

The third tab are public comments, staff evaluation and staff recommendation matrix. This is a tremendous amount of detail. This is almost everything that we received by email or letter from all the people who have been involved in this process. We understand that a couple things are missing. But what we did is we took everything that we got from the public in the course of our previous meetings, we evaluated them as staff – not just Growth Management Department or Planning staff but with all the staff at the County including the County Manager's Office, Public Works, we evaluated the suggestion that was made and we came up with a recommendation for either no change or some revision.

This was a lot of detail about editing and wordsmithing and we don't want to go over all this with you today or we'll be here for the next four days. But we will reference some of these things and we also hope that you will have an opportunity for some of the things that have been suggested to you by your constituents about word changes. These are recommendations for what we're proposing in there for those changes.

And then tab #4 are all of the public comments, or maybe 99 percent of them. There may be a few missing, from every group or individual that submitted anything to us. I know a lot of you also have a copy of this as well, but if we need to make any reference to those public comments they are in there as well.

So what I'd like to do right now is just launch right into the document, Board of County Commissioners work session, that's tab #1, and we'll just start in on these recommendations. And again, what we're asking from you is to give us feedback and/or consensus if you can on the recommendations for each chapter or page that we'll go through. I'll go through everything all together and then, if it's okay with you we'll just go back. Some of them have three recommendations; some four or five. We can go back and talk about them individually. But we want to make a couple of really important points as we move forward. One is that the SLDP will be adopted by resolution, not by ordinance. And we've noticed that the other document, just some criticism, that there's a lot language as you know mandating and requiring things. And we feel that's inappropriate because a plan can't do that, because it's passed by resolution and it's not an ordinance. There will be a companion piece to this which will in fact be an ordinance, which will be very specific and which will require certain things.

But we feel it's very important to give the direction, the tone, the feeling, the concepts and the ideas, simply stated, so that we're not saying Do this, but we can still say Consider this or Improve this, and in a certain way, and the language that we have in here, that gives directives for being able to take very specific action. So it's very important because we've gotten some comments and criticisms from some members saying your plan should require this and should do this, where literally and technically it

can't, because it's not an ordinance. So we just want to make sure that it's really very clear.

So the first thing that we want to talk about, and this is item #1, the first page, is that in 1980 of course we passed a general plan. 1999 we passed a Growth Management Plan. We landed on the title the SLDP about a year ago but in the discussions and discourse that we've had with everybody it's been suggested that really what this is about is growth management and sustainability, two different things. Well, not two different things but two collaborative things and that the plan should actually be titled the Santa Fe Growth Management Plan. So we're recommending that we make that change, to change it from SLDP, which makes it appear that it's only about land development, but also to call it the Growth Management Plan because there are number of issues and things that come into play then. So that's recommendation #1

Secondly, again this is as I stated before, there's a number of issues involved here about where authority comes from for a plan, compared to where it does for an ordinance. But again, the point that I just made about being clear that the SLDP is a plan, so we've changed the language that mandates things to state them differently. So recommendations under #2 there, to change the term of the Sustainable Land Development Plan to be a guide rather than a mandate, the document should replace terms such as [inaudible] general police power and authority and require with other appropriate terms. The plan should not include language such as encourage and should be more action-oriented. Encourage doesn't really do anything, but if you implement or you support or you delineate your programs it's much stronger, we feel, than saying encourage something without any direction to be able to do that. These recommendations will require specific language changes throughout the document but your directions to – we're concurrent to give us direction do that we think we can go back and make those specific language changes.

The plan needs editing to be clear and understandable to the County and its residents and the recommendations for us to revise the plan to do those things, we will do a thorough editing and again it's at this point where we'll go into detail with Section #3 in there which is just the matrix for recommendations so you can look and see what things we're recommending be changed or revised again for specific language or editing issues. And we just need your concurrence on that.

And #4, it's come up that we recently did a survey that you have all received a copy of and had a chance to look at called the Santa Fe County Priorities Survey, done last July, and when we did the 1999 Growth Management Plan we did a specific survey for that plan. We didn't do one this time but this comes at a really good time for us to be able to look to see what the community is telling us about what their priorities are. So we've pulled out the biggest issues and what can the County do over the next five years just to kind of reference where we are with the plan right now. And if you look at the biggest issues – roads not being kept up, water shortages, education system is poor, economy weak, taxes are high and unresponsive, and crime. A number of those we addressed. Two we don't address specifically in the plan and those are the education system is poor, and you'll notice on the other side, what can the County do in the next five years? They're parallel.

It's difficult for us in this plan to make specific recommendations about what to do about the public school system. As we know, it's its own political entity. They have a school board. They have responsibility for education programs. But it kept coming up over and over again, it's important for our plan to reflect an attitude towards that and we think that we have, particularly again, looking at some kind of economic development things that we can do where we can work in accord with the Community College, the high schools, so that we're preparing opportunities for the education system to actually work. But we can't go in and tell the school board what to do. We could try. But we actually help them out with the location of schools and different things like that. So we feel we need to make some so these distinctions sometimes about what we can and we can't do.

So those are the first series of recommendations. There isn't really one through four. That's just an item to show you that we've incorporated some of our thinking into the survey. So I'd like to just open it up to you for comments on recommendations for numbers 1, 2 and 3.

CHAIRMAN MONTROYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair Thank you, Jack and thank you, Robert, and thank you to the staff. I found that the way that you organized this information this time is really, really helpful. It's much easier to follow the recommendations that people were making as well as what you're take on those was so I want you to know I read through all of this.

MR. KOLKMEYER: Thank you.

COMMISSIONER HOLIAN: Let's see, about changing the name to the Sustainable Growth Management Plan. I have to say I'm not a huge fan of the word growth but I do recognize that in reading through the plan it really is about growth management. And so I think that that is a more accurate term. I think that we don't necessarily always have growth in this county and we may have other plans in the future but right now we have to recognize that there is growth, anemic though it may be, and really, that is what this plan is addressing. So I can go along with that.

Of course I agree with the editing part and I also very much agree with your recommendation to make the language more action-oriented. I think that's an excellent idea. And just finally I wanted to say on the priority survey, I don't know if you're going to incorporate this in any way but I thought that also the part of the survey that had specific questions about what people were interested in was very, very interesting as well and there water came up as just by far the number one concern of the people in the county and I think that's worth pointing out. I also want to point out that #3 and #4 were economic development and renewable energy. So I thought that's worth pointing out as well, that there's a lot of interest about that in the county. So thank you again.

COMMISSIONER VIGIL: Thanks. Total agreement with all your recommendations. I actually was kind of proud of the "sustainable" term because any growth needs to be sustained, but with regard to this being a growth management plan, no qualms with me. I think we originally spoke to this; it was going to specifically be a growth management plan. I do agree with language to change the mandate to be a guide. I think that means may's instead of should's. Whatever that translates into. I think most

people will be more comfortable with that. Action-oriented language is far better to read than language that has no direction whatsoever so I'm totally in favor of that.

I also when I review surveys and look at priorities, I think one of the things that we sort of need to concentrate on is more educational outreach to the public in terms of what we actually do with roads, what we actually do with water. The integration of the different systems between our educational one and our local government systems, but we do interface with them quite a bit, both with the public school system and the community colleges, and I'm not even sure how much of that – for example, a lot of our staff has been working with the sustainable technologies building. Our EMS has programs that they've developed with the Community College. I work with United Way on the early childhood, and there's so much we do to support our school system that we are a part of voluntarily because we are not a part of that system, per se.

Educational outreach keeps coming up for me throughout all of the process that we've been engaged in, even through some of the public hearings. When I hear some of the comments I'm like, that's already here, or we're doing that. So I'm not sure how much of an outreach we've done. I'd like to keep that in mind, sort of overarching everything we're doing here. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Thank you, Jack and Robert. I'm glad to see that you're including the priority survey in here. When we did the survey education keeps coming up and I know the Commission, we hardly got involved with the school board but maybe we should start getting more involved in the education. I think the only education thing we did was encourage our athletes when they did well and I was very proud of that but maybe the Commission needs to start looking into doing more with the schools and the school board. And that came directly from reading this research and polling we did. But I'm glad that you included it in the package. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. And I agree with all the recommendations.

MR. KOLKMEYER: Thank you, Commissioners. We struggled a little bit with the title. We could have done Sustainable Change Management, because there will be change whether there's growth or not. So I appreciate your comments on that. And then the comments that you just made about the education thing. Probably where they will most likely fall within the plan will be Chapter 15, which is implementation for the County's strategic plan and then the action plan, because you're right, we do need a stronger sort of outreach program, and then as we go through Chapter 15 you might see that that's really the good spot to put in very specific things that not only the staff but the Board might want to do for various programs.

Thank you, Mr. Chair. I'd like to then move onto the next page which is Chapter 1, Sustainable Vision for Santa Fe County. We have three recommendations under this chapter. The first one was regarding the growth management areas and growth management area objectives. And again, just to alert you to the document, tab #2 is a listing of the objectives by growth management areas and chapter. At the last meeting that we had with you you will recall that staff and various members of the community groups suggested quite some time ago that it was really helpful to put growth

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management areas back into the plan so that there's some geographic recognition that things are different in different parts of the county. We totally agree with that and we've done that. We've put that back into Chapter 1 which we showed you last week. There still may need to be some tweaks to the boundaries but the idea is valid and we think it's really important. So we added that.

We also added a definition for growth management area that we didn't have before, and for the objectives. So we established the GMAs for planning purposes at the outset of the process and we received quite a bit of input as we did the charettes and the community meetings all the up to the very end. The Estancia Growth Management Area Working Group established their objectives for their area towards the end of the process. A concern that we have, however, is where we put all these objectives to specifics so they don't come in conflict with some of the overall principles of the document, or they may contradict in other areas, ideas or again, some of the principles or directives of the Sustainable Growth Management Plan.

So we're suggesting that – we think the objectives are important because they allowed everybody in the community to come forward and say this is how we feel about this chapter and what it's saying in relation to who we are, and our specific portion of the county. We think that they should be somehow involved but we're not sure exactly where they should fall within the plan. We think there are four options. One is specific GMA objectives be incorporated into the addendum of the plan. In other words put them in the very back so that they're all back there. If you've gone through the plan and somebody wants to look at it for what economic development says in Chapter 3 or whatever, then they could go back to the back of the chapter and see how each geographic area is looking at them. That way they wouldn't be in conflict. They could still be contradictory to something but not be problematic in that they are in direct confrontation to the pan. In other words it's more of an opinion that that growth management area might be stating.

[Commissioner Stefanics joined the meeting.]

We could include them in Chapter 1, where we had them in the last draft that we gave you the last time we met. Option 3 would be to include objectives – would be to include each plan element before or after the directives. In other words in each chapter. Each chapter has directives as you recall – policies, strategies and goals. We can put them either in the front before that, or after that. And the fourth option of course would be not to include them at all. We don't think that's a particularly good one because of all the work that's gone into that from various groups, but we need some direction from you on how you think we should deal with and incorporate the growth management areas.

Secondly, outstanding concerns regarding the definition of sustainability. And we've gone round and round but again it comes down to specific words or intentions. Again, there was some concern that by using the UN definition we are supporting the whole UN program and that had nothing to do with why we put that one in there from the very beginning. This was a County plan for us. We devised it. There may be similar words; some of the concepts may be similar. Some might be radically different. But this is our plan and we want to make sure that it has that tone and understanding to it.

So what we had proposed is the following paragraph there. That first part is just saying that we had it before. That's down to that second paragraph. While there are diverse notions of how sustainability might be understood, the most applicable definition

of sustainability and sustainable development for the purpose of Santa Fe County's Sustainable Growth Management Plan is the following. Sustainability for Santa Fe County means meeting the needs of the present while preserving our land, our resources and our community for future generations. Sustainable development maintains and supports economic opportunities and community well-being while respecting, protecting and enhancing the natural environment upon which people, natural systems and economies depend.

So we think that we've taken everybody's points of view and adjusted that definition accordingly. The one thing that we have not been in agreement with is the use of the word restore. And our reasoning for that is because it implies restore to what? Before European settlement? Before acequias changed the land? Before sheep came in and grazed on land and caused problems? We think again that is a directive. About how to restore is a directive that could be dealt with again through the code to make those specific recommendations in specific situations about how something might be restored. But there was tremendous objection to the use of the word restore and tremendous support. So we thought enhance the environment might be a better word to use there because that really is the ultimate goal of sustainability is enhancing the environment that we're in. So we still have maintained that particular change.

And third, concerns about binding principles and their relationship to the directives. And again, the use of binding implies there was a mandatory or mandate point of view towards them, so we are recommending that we remove the binding principles from the directives in Section 1.1.2 and revise Section 1.4 to change binding principles for the Sustainable Land Development Plan simply to principles. So then again, that takes us out of the mandatory type language, but they're still principles and principles are principles and they're guidelines. So those are the three recommendations that we have for Chapter 1. I'll open that for discussion with you. Thank you, Commissioners.

CHAIRMAN MONTROYA: Commissioner Holian, then Commissioner Vigil.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all, on the GMA objectives. My preference is to go with your staff recommendation as to putting it in as an appendix, essentially, to the Sustainable Land Development Plan, and the reason for that is then you can reference where those actually came from. Because I know the objectives from the Estancia Basin area came from a slightly different source than the ones from the other three areas. So I think it's important to reference where you got the objectives in the addendum, and I agree with your recommendation.

I like the definition that you've put forward for sustainability and I think it's extremely important to recognize that we are preserving our resources for future generations, and I would really like to see that stay in there. That's an important concept.

About the binding principles, I'm fine with removing those from that chapter. I will just add that I really did like the protect and restore, but I think throughout the – in reading through the Sustainable Land Development Plan, which is now going to be the SGMP – I'm going to have a hard time learning that new acronym. But in any event, I think that the concept is in there of restoring where it is relevant to restore and there are specific recommendations for the kind of restoration that would occur. So I think that

really the important thing is the substance of the plan, and I think those concepts are in there. So that's my take on it.

CHAIRMAN MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thanks. Jack, I'm in agreement with everything that Commissioner Holian has addressed. I just want you to consider this option in the sustainable definition. We're not addressing history and the history of Santa Fe County. It's such a critical component of preservation. I'm thinking it could say something like sustainability for Santa Fe County means meeting the needs of the present while preserving our land, our history, our resources and our community. And I'm talking about the cultural perspective. In particular we need to even look at what we might have to do in the future to do that. Because we do have traditional historic villages, we have historic villages. That needs to be a part of this from my perspective.

Also the only addition I would add with regard to your recommendation on separating the El Centro, El Norte, all of those, I think it's a really good idea to do that in the appendix as was addressed. This whole idea of ruralization that I learned from reading the plan is really critical to the district I represent, which is El Centro. That's where ruralization in its new concept will probably likely occur. I'm concerned with how we deal with family transfers. Those are going to be very strong issues in that area. I know currently the way we deal with it has a lot to do with density. I wonder if we need to re-examine how we'll be doing that, particularly for the El Centro area, because that is where annexation is expanding. That is where ruralization will more likely visibly occur. So I'd like to visit that with you in terms of how we'll be able to deal with that. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I agree with Commissioner Vigil on the historic part and I'm glad to see that you're going to break it up because I don't think one size fits all. I'd like to see each part of the county is unique in its own way. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Nothing now.

CHAIRMAN MONTOYA: Okay. I too agree with your staff recommendation in terms of the objectives, GMA objectives being incorporated as an addendum at the back, so I would concur with that, and also concur with Commissioner Vigil said in terms of traditional historic communities, because I do have those in my part also in El Norte, so I think those are significant I guess differences that need to be incorporated into the plan as well. Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chair, and I apologize to my colleagues and everyone. Of course this date was the only date that we could agree to that we could at least for the most part most of us be here. I have to leave in about ten minutes so if there's a critical issue that you think we might be able to address – this is not a decision making process, but if you need my input on anything in particular I would ask, Mr. Chair, if we could have that as the next item on the agenda. And if not, again, this is not a final decision making and we can further discuss this in future meetings also. But Jack, I would just give you that direction if that's important for you.

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MR. KOLKMEYER: Thank you, Commissioners, for your comments on Chapter 1. We can move right into Chapter 2 and the really important issue of Chapter 2 has to do with mining and sand and gravel extraction. And that's probably really one of the major issues. So I'll turn this over to Robert Griego and he can take you through those recommendations.

ROBERT GRIEGO (Planning Manager): Mr. Chair, Commissioners, we did receive quite a bit of comments on this one and you'll see that in your packet with the public comments on that. This has been an issue that has raised a lot of public concern on both sides of this issue. We recommend, in Chapter 2 we have what we're calling developments of countywide impact. It's defined within the plan as a – I don't have the definition in front of me but the idea is that developments of countywide impact will be regulated through the Land Development Code, and that's really what the importance of this is right now. If mining and sand and gravel were incorporated as developments of countywide impacts and that the existing mining ordinance would be carried forward to the Land Development Code. So the recommendation would be to revise Section 2.2.7, that sand and gravel mining will be recognized as a development of countywide impact, that we add a statement or policy to recognize sand and gravel as a local material which contributes to the local economy. And that's just adding a statement because I think it is important. We talk about local building materials and this is a local building material. The question is how we regulated it.

So in regard to the policies, Policy 5.1, staff recommends that we ensure that the oil and gas, mining ordinance and sand and gravel mining regulations are incorporated into the Sustainable Land Development Plan or SGMP and SLDC and that we revise the strategy 5.1.2 to incorporate the existing mining ordinance to include sand and gravel mining into the SLDC. Those are the recommendations, Mr. Chair.

CHAIRMAN MONTROYA: Okay. Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. This is a critical issue. I actually have a history of it too. Sand and gravel has created a huge nuisance in some cases and by the same token it is to be considered an activity that contributes to the local economy. It is something we do need to balance. I don't think we're incapable of doing that. I think we did an excellent job with the oil and gas ordinance. I think if we think through what needs to be done with sand and gravel mining and use our regulatory and zoning authority to create the opportunity for that and balance it against the damage that we have the history of it doing in our community. I'm thinking the language you just read sounds like the direction we need to go so I'm totally in favor of it. Thank you Mr. Chair.

CHAIRMAN MONTROYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I too strongly agree with the recommendations that you made in the packet here. I think that sand and gravel mining has historically been relatively unregulated in our county and I think it does have a major impact and it is of a concern to the people who live in the area. So I think it's totally appropriate to treat it as a DCI, that is a – whatever it is DCI stands for – development of countywide impact. That's it. Thank you.

CHAIRMAN MONTROYA: Commissioner Stefanics.

[Commissioner Vigil left the meeting.]

COMMISSIONER STEFANICS: I would totally agree on the sand and gravel mining because it does impact small communities so we do need to protect the residential areas so I would concur with my colleagues. And I know Commissioner Vigil just walked out but I hope she has a wonderful trip with the Chamber of Commerce.

CHAIRMAN MONTOYA: I'm sure she will. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. When you say you're going to include it with the DCI, what exactly are you saying, Robert?

MR. GRIEGO: In Chapter 2 there's what we're calling developments of countywide impact, Commissioner Anaya, that describes what a development of countywide impact is.

COMMISSIONER ANAYA: What page are you on?

MR. GRIEGO: Page 51.

MR. KOLKMEYER: It's in the plan document.

COMMISSIONER ANAYA: Okay.

MR. GRIEGO: Developments of countywide impact are those that have the potential for far-reaching effects in the community. DCIs are developments that would place major demands on adequate public facilities and would have a major impact on the capital improvements priority and budget and that has the potential to affect the public health, safety and welfare beyond impacts on immediately neighboring properties. Then it goes on to define types of development that would be regulated. It would be established in the SLDC. Oil and gas, mining, major reshaping of land surfaces, feedlots, factory farms, solar and wind farms. These are examples. I think the point, Mr. Chair, Commissioner Anaya, is that a process would be established through the code that defines specifically what sand and gravel regulatory mechanisms would be and where they would be located in the process to do that.

COMMISSIONER ANAYA: Okay, well my concern is – and I have the same concerns with the other Commissioners about destroying land but what I'm getting at is we have a survey and the survey says that the number one issue on the survey was roads, and in order for us to improve roads we need sand and gravel. So I don't want to make it so difficult for us to have to – for the sand and gravel people to make it difficult for them to do our job, to create better roads. So I hope that it's not too strict. Maybe we need sand and gravel, maybe reclamation in those ordinances could help us, but I don't want to make that too strict on us. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. I too agree with Commissioner Anaya on that point. Roads certainly was an issue, and then the economy certainly is an issue in providing more jobs. By eliminating – not eliminating but making it stricter in terms of rules and regulations on the sand and gravel industry, we're essentially looking at moving an industry out of the county and that's something that I don't want to see happen in terms of losing jobs, in terms of what we're already losing. I think striking a balance is certainly the key in terms of what I think we're working towards to allow the industry to do their work in a way that's going to be environmentally friendly and environmentally conscious and still being able to keep some of the jobs that we have that that particular industry is currently generating. So that would be my suggestion. I know that's where you're working toward in terms of that balance.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you for those comments. Right now when you build a highway or build a road you usually go to the nearest source, or try to go to the nearest source. And if you don't have the nearest source you go to maybe somebody that owns a ranch or a farm that has sand and gravel there that we can get off of that ranch so that we can build that road cheaper. If we put tough regulations then everything skyrockets. And like you said, we run people out of jobs and I just hope that we don't really regulate this. I mean we need to regulate but not to the point where, like I said in the last meeting, hauling gravel from Sandoval County. Okay. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Thank you, Commissioner. Jack.

MR. KOLKMEYER: Thank you Mr. Chair. Yes, this has been really difficult and there's arguments on both sides and agreement and disagreement on both sides. And that's why we think that this concept really starts to work. Because think of it this way. A DCI is kind of like a floating overlay zone. So it doesn't say you can't do sand and gravel mining anywhere but it says in fact go do it anywhere you want but it's not going to be – you have to come in as a development of countywide impact. There might be sand and gravel in an area where it's really easy to get to and no problems and they go off and it gets approved. The conflict always comes when sand and gravel mining has something to do with some community, for example, how it might affect that community, whether it's trucks or dust or whatever it might be. So this makes the process a little clearer and we think it actually might move it along a little faster than it did before.

Again, it's conjecture at this point. We don't know, but we think that in part the process before didn't really work very well. As you know some of the most difficult arguments we've had over the last few years have been really the sand and gravel or mineral extraction of some kind. So we think if we focus on this as process and fairness we think that we have a better opportunity to resolve some of the problems that we had before. So that's why we're proposing this idea.

CHAIRMAN MONTOYA: Okay. Commissioner Holian and then Commissioner Stefanics.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I also think that a positive thing about a DCI is it brings in the people right away. So that motivates the people who are doing the development, the sand and gravel development to think right up front about how can I minimize the impacts on the community. And then if there's sort of communication between the developers and the community you can really head off a lot of problems right to begin with. I think the problems often come in where people feel like this has been done behind their backs and they kind of sneak into a community and they're starting to do it and the first they ever know that this is happening is when they see those trucks coming out of some area where they're mining sand and gravel.

So I agree with Jack. I think that actually this process could actually head off a lot of problems right from the beginning.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: My comment is that the sand and gravel – we need operations. I’ve used local sand and gravel for my roads. The issue is that perhaps they should be treated like developers with infrastructure. Because when we start taking the trucks and going through a small, rural community that has dirt roads you have changed whatever is going on in the community during that time. If you’re doing it just over a bluff from a small community you have changed the breathing air quality of that community.

A few years ago I had the opportunity to visit another country and go to a small town where a volcano was constantly spewing smoke, and every one of those children had asthma. And from my perspective it’s a health issue about any trucks on any dirt roads or any dust that’s heavy laying in the air. So I think besides the infrastructure about the roads I’m also thinking of the quality of air near residential communities. So I would agree that we don’t want to send away an industry, but I would wholeheartedly support protecting the communities.

CHAIRMAN MONTOYA: Okay. We’ll move on.

MR. GRIEGO: Mr. Chair, Commissioners, I guess we’re going to go ahead and back up a little bit into Chapter 2. As we go through the chapters we again want to remind you how each chapter is laid out. Jack did that at the last Board presentation, but I think it’s important that we recognize the way that document is set up as we go through these recommendations. Within each chapter of the plan we have key issues, which are statements of specific problems and concerns, keys to sustainability, which are fundamental concepts for implementing sustainable development, critical findings, which are the data, information and studies, and then the directives, which are the goals, policies and strategies.

I think we want to focus on the directives because it’s really important. Those are the policy decisions that get made. However, in some cases we need to make sure that we clearly define what it is that we’re trying to achieve, specifically with growth management. Growth management is about even more efficient development patterns.

COMMISSIONER STEFANICS: Excuse me.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I want to ask a more general question so I hope you can hold that thought, Robert. Legally, and I’m looking over there at Steve, and Katherine’s probably too new to the plan yet to comment on it, but I want to make sure that what we get into can be legally defensible and that we are not putting out something for the whole world that we are not going to be able to enforce or that we’re going to be taken to task for. And I understand we’ll be taken to task for lots of things but I’m also interested in equity here. You can’t levy some standards and regulations against one part of the population and not the entire population. So do you have any comments, Steve, about how we’re approaching all of this? I’m talking about the whole plan, not just any one chapter.

STEVE ROSS (County Attorney): Mr. Chair, Commissioner Stefanics, I think that we’re doing fine. The actual enforcement of the standards is something that will take place through the Land Development Code, not the plan. The plan is a guide for us to develop changes to the ordinance that are consistent with the plan. The only thing

we have to remember here is that what's in the plan and what's in the ordinance have to be harmonious. They have to be consistent.

COMMISSIONER STEFANICS: Well, the reason I ask this question is because when we talked about binding principles, in my mind we had to take away binding. When we use the word directive, that to me is very prescriptive and so I think we have to be careful about our language in a plan as we go forward, because it's not the code.

MR. KOLKMEYER: Commissioner Stefanics, we actually spent a little bit of time on this before you came to the meeting this morning. And I really, really emphasize that the plan is not a mandate; it's a guide. And that's the reason we wanted to change a lot of the mandatory language that says require to consider, or implement a program that does something, but not to require. We can't require things. This is going to be passed by resolution, not ordinance. So that separates it right away from being a legalistic document. And so a great deal of what we're going through right now and we want to go over it is to make sure that it's understood that this is a guide. And then in terms of the directives, the directives are actions to be taken, not necessarily mandated requirements for example. In fact some of the directives actually use the words require, but if you look at the recommendations that we make for each chapter you'll notice that we've changed a lot of the language in those regards. It's a really important point but it keeps coming up over and over again. This is a guide. This is directives to the work that we need to do so we're on board with you there, I think, Commissioner.

CHAIRMAN MONTROYA: Robert.

MR. GRIEGO: Mr. Chair, so growth management, the growth management system guides the timing and location of development. So with the County's growth management system we set up a series of maps, which is the sustainable development area maps, which establish future service areas for the County, the future land use map, which establishes the categories for anticipated development patterns, and the preliminary official maps identify areas that the County may have a need to identify for different reasons in the future. So with each of these maps I think that there is some confusion from the public and we want to try to clarify what the maps do and the purpose of these maps.

Again, going back to the sustainable development areas, they establish the future service areas based on directing growth and compact development for priority growth areas based on infrastructure and adequate facilities and services. This does not determine the type of land uses within the area. The SDA map is about infrastructure and timing. The future land use map establishes categories for anticipated development patterns. The future land use map, along with the plan directives will provide the guidelines for the county's future development. So the future land use classifications establish how the county will develop into the future. The future land use map, however, is not a zoning map. The zoning map will determine the density and the uses and this will be established through the code.

So again, I think it's really important that we outline the differences here, so we want to clarify with some of the language in this chapter to clearly indicate that the future land use map is not a zoning map, it's a guide. So that's the recommendation that we

have for that, and the SDA map again governs the County's policies with regard to the provision and timing of public facilities.

And then going on to #3 of this, with the changing of the existing hydrologic zoning, this is a major component of the plan as well. Right now currently the County has hydrologic zoning which we indicated at the onset of this process was problematic from a number of reasons. Currently this zoning approach for the county, it hasn't been effective for the County. As we initiated this process we recognized that the county has an inventory of over 15,000 vacant or approved and unplatted lots in the county. These are enough lots to provide growth for the 20-year period of this plan. That's with no future development. What we think – we need to change this to a more comprehensive zoning approach. This should direct the higher density growth to priority growth areas and allowing growth and development at base densities that will be established in the code.

So the recommendation for this is that compact development patterns will not be required in all areas of the county as long as base densities are used. We just need to make that distinction that with base densities in the code that's going to establish the zoning and the density for those areas. We are directing higher growth areas and that's where higher density development would be. So we are recommending revising Goal 7 to add "where appropriate"?

CHAIRMAN MONTOYA: Okay. Questions, comments?

CHAIRMAN MONTOYA: I agree.

MR. GRIEGO: Mr. Chair, going on to Chapter 3, Economic Development. One of the problems with economic development is we really only have one goal there. There's a lot of policies and strategies but there's only one overall goal, and we felt there was a need to sort of break up that chapter a little bit. Some of the goals and some of the concerns we've heard from the public is that we need to include other partnerships for economic development and locations for specific economic development projects. Another issue that's out there that we've heard from the public is that target industries that we were excluding certain industries from occurring. So the question was why does the County need to establish target industries? That we need to make the case and decide what target industries are. So staff recommendation from that is to recommend to revise the document a little bit to better define target industries. Target industries are groupings of businesses and commercial activities that have a distinct competitive advantage within the county and can provide the best fitting employment opportunities with the most relevant social and economic benefits. The advantage of focusing on these specific targeted industries includes desirable locations and settings, available skills and workforce, cultural relevance and adaptation to existing and planned systems.

By targeting specific commercial groups Santa Fe County and its various partners are able to correlate target industry trends and needs with relevant job training and workforce programs and planned infrastructure and appropriated designated land areas.

Then there were some concerns about some of the data that we had that wasn't specific and countywide that we were using, a lot of the MSA data and the industry and employment data needs to be updated. That concurs with this assumption. We need to recognize the entire country through that and we need to update our data to better reflect the county data and the employment trends.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm wondering if, you were mentioning about developing more goals. What about developing some in this area that relate to not just the [inaudible] So for example, if we want more food production, we have this food task force that's looking at supporting the need for food here, whether it's through the restaurants or whether it's through poverty or the joint things that are going on. Maybe there needs to be something towards that. If we're looking at the cost of solid waste from the City-County viewpoint, and we could do more with recycling that would bring money in or we could use recycling for some purpose – for example, lots of times we've been talking about sand and gravel, but in the old days we used to talk about grinding up tires for taking care of roads. And we don't talk about that anymore.

So maybe what we need to be thinking about here in economic development is not just private development but what development could be a public-private – and I know we have public-private partnerships here, but maybe in terms of directing some of our County needs. It's just an idea, that maybe there could be very specific things. If you looked at our agendas over the past six months you could see all the issued that we talk about and go, oh, well, we could come up with a project for this, or we could focus on that. And I bet we would have willing private partners come to the table if the County said the County's prepared to work with somebody on a contract about this. And we might be engendering more economic development.

MR. KOLKMEYER: This is for Commissioner Stefanics, that's the reason we want to break some of these goals up, because you're exactly right. The partnerships should be probably more focused. But when you look at some of the things we've been doing, really the media district and the Santa Fe Studios is really a private-public partnership and that has taken us ten years to kind of move that forward. What we've been doing at the Downs with the flea market and the upcoming, hopefully, farmers market, which was done actually through the ACE Task Force finding these partnerships. But we should detail them more. So we're in total agreement with you on that.

We can detail them more with more specificity towards a functional program. You mentioned the Food Policy Council and those kinds of things. Part of that is getting some place to sell the food, so that comes from these partnerships. We're really aware of that. That's a great suggestion. Thank you.

COMMISSIONER STEFANICS: Well, and I was thinking, Mr. Chair, and I had written these comments the first time around, is there are probably here in the county who own some land who have it zoned commercial but would like to know how it could be used commercially, and they might need some assistance, So I'm also talking about some technical assistance to get there. And maybe what we need is a convening once a year between the County and interested members of the public to really talk about this around the table. Thanks.

CHAIRMAN MONTOYA: Okay. Any other comments? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Also, I've had some comments from the business community that it's extraordinarily difficult to get a business license in Santa Fe County. So I'm wondering if that's an issue that should be addressed

as well if the goal is to be able to look at our process and just to make sure that there are no barriers in the way, that are just process oriented.

MR. KOLKMEYER: Mr. Chair, Commissioner Holian, we've heard that a lot too and I've investigated that. It's actually not getting the business license that's difficult. What it turns out to be is that somebody owes back taxes or there's issues with the Assessor's Office, a plat that might not be a recognized plat. What I'm starting to notice is somebody comes in, they have a residential piece of property and they want to be commercial, for example. There are numerous steps involved there but the end result is actually getting the business license.

So what we're doing as part of all this is we're going to be a real thorough investigation of where we shift some of these obstacles. Because someone might not have a legal lot of record, for example. They don't know that until they come in and try to get a business permit and we tell them they don't have a legal lot of record, so they've got to go back and do all this other work. That's just one example. So the building permit piece gets blamed. We turn most of those around in 30, 60 days. There are other things that are problematic that we want to really take the whole system apart and look at it and see where those problems are and how to fix them the best that we can.

COMMISSIONER HOLIAN: And that actually brings up another thought that I had too. When somebody comes in with an idea for a business, especially something that we really want to encourage that it might be a good thing to have somebody assigned to work with that person because as you've pointed out there's so many different steps that they have to go through, and so if they had somebody to work with them to go through each of the departments that they had to deal with and just sort of help them through the system, I think that would really facilitate things.

CHAIRMAN MONTTOYA: Okay. Robert, just for my own knowledge, what is MSA data?

MR. GRIEGO: Metropolitan Statistic Area for Santa Fe.

CHAIRMAN MONTTOYA: That comes from where?

MR. GRIEGO: It comes from multiple sources. There's census data and there's also other industry data that comes from the Department of Labor and such. So what we want to do is make sure that we're getting complete countywide data to include other parts. There was another study that was done for the southern part of the county because they're part of another metropolitan statistic area, with Albuquerque and the tri-county area. So we want to just make sure that we include all of the relevant data.

CHAIRMAN MONTTOYA: Okay. We'll move on to Chapter 4 now.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN MONTTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I know that we've got a couple more months as Commissioners up here. I know we have Commissioner-elect Danny Mayfield who just walked in and Commissioner-elect Robert Anaya that is in the audience, and I think that it would be appropriate for this body to allow them to come up and join us in discussions, because they are going to be dealing with this. If it's okay with the Commission I would think that would probably be appropriate.

CHAIRMAN MONTTOYA: Won't you come on up. There's a couple of seats here. And just for your listening pleasure, Commissioners-elect, we are going

through each chapter, and then after the staff presentation we're providing comments so if there's any comments that you all may have we'll allow you to provide some feedback. Robert, Jack, Chapter 4.

MR. GRIEGO: Mr. Chair, Commissioners, welcome Commissioners-elect Mayfield and Anaya. As we're going through this, Chapter 4 is the agriculture chapter, some of the issues with this chapter is that the County currently doesn't have a flexible mixed-use zoning regulation regarding agriculture and ranching and there's a need to better determine what the County's role is in agriculture and ranching. We recognize this as a concern for different areas of the county that we need to create policies for flexible mixed-use zoning for farmers and ranchers.

Another issue that we've identified is that there's a need for a variety of land preservation and transfer techniques, such as conservation easements and TDR programs that allow for either preservation or appropriate development of these lands. So we have recommendations. There are strategies in there regarding that but we thought that we could add a new strategy which is to partner with land conservation groups. There are groups that are actually very involved with this, to develop information about conservation easements for agricultural lands specifically. Also to create a strategy to establish a TDR program, a transfer of development rights program, for agriculture and ranch lands specifically. This is an important tool that could be used for preservation of agricultural land at the property owner's discretion.

Another issue is that we need to do some clarification on the language, that we need to be inclusive of all the different types of agriculture and ranching practices throughout the county. We do identify that but we looked, after we heard some public comments, that we're going to need to go back and restate certain sections in order to address the agriculture issues that are unique in different areas of the county, and also that we need to revise some of the language in the keys to sustainability that are more succinct and relevant.

Another issue we have there is to locate the original source for some of the data; the figures need to be revised out there in the agriculture and ranching. We have USDA census data but we need to make sure that it's all clear and relevant. We also need to establish additional strategies to establish clear directives. One new strategy that was recommended was to partner with local educational institutions, agricultural and ranching organizations and non-profits to support training and programs for the next generations of farmers and ranchers. Another new strategy is to support water banking programs and initiatives.

CHAIRMAN MONTROYA: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I agree with all your recommendations here and I would like to particularly point out that it's – we passed a resolution actually recognizing the value of small agricultural parcels and that would probably mainly in District 1 where that would occur. So I think it's in line with the resolution that we have already passed as a Board and I also am very much in agreement with recognizing the fact that if we want to support agriculture and ranching we do have to think about the next generation and I know that many farmers and ranchers have told me that they see as the number one problem is where is the next generation going to come from and we can't continue it if we do not have the next generation. So thank you.

CHAIRMAN MONTTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. As you know I'm a rancher and I support ranching, but I also support if a rancher has a piece of property that they want to do something with I support that too. Thank you, Mr. Chair.

CHAIRMAN MONTTOYA: Okay. How do you plan on doing the transfer of development rights? In order to preserve that land from being developed – could you just give me an example; I guess it's unclear to me as to how it works for agricultural purposes as opposed to development purposes.

MR. KOLKMEYER: Right. As you know – thank you, Commissioner and welcome Commissioners-elect Mayfield and Anaya. We have an existing TDR program. It was never really implemented but it was for the 599 bypass, so that we could keep development from coming right up to the bypass and take whoever owned property there, give them the right to be able to take back and put it somewhere else. The idea is pretty, on the surface simple. It gets complicated. You have sending areas, that is around the 599 area. That was the sending area. You want to take that development and send it elsewhere. And then you have to have receiving areas, areas that take that and accommodate that. But the receiving areas actually have to then be areas where you want growth to occur. So the principle would be the same. So for example if in La Cienega, you wanted to preserve more and more agricultural land there but somebody needs money. They need to be able to use their land for income purposes. That's a real important aspect in Santa Fe County.

So the TDR program would allow that person to take the development rights they might have – this might be four DUs for their property, four dwelling units for the their property – keep it as agricultural but take those four dwelling units and be able to sell the rights to that to incorporate in their development. So maybe somebody's sitting over there and they can do four. You could take the four that you have as a farmer, give the four to the other person and then they get eight. We keep the agricultural land and the person then gets to do eight DUs.

CHAIRMAN MONTTOYA: So we keep the agricultural land? You mean –

MR. KOLKMEYER: The owner of the property would. Now there's different programs. There's transfer of development rights, purchase of – a whole bunch of things, but the idea is to allow something to stay as it is agriculturally but take what they're allowed to do, give that – take that and do that somewhere else. Sell those rights so that person can then use them in their development, so everybody has a fiscal gain and then the agricultural lands are preserved.

Now, they're complicated to do. When we did the one for the highway corridor it took us almost two years to do that. So what we're suggesting here though is let's develop a program that's similar to that, because then it allows the rancher to keep the ranchland open but be able to use their development rights. Because here's the struggle that we really face, and I think Commissioner Anaya, you're a rancher. We're running into more and more ranchers that don't find ranching to be profitable any longer. What can they do? They can develop their property or there could be some other kind of techniques, because if they develop the property it means they've got to go through and do a big housing development and then we get into all kinds of problems with whether they can do that right now or not. Because right now we have residential zoning and

agricultural zoning. To get commercial you come in and go through the process. What we're proposing here are really two important things. One is that there be some other flexible mechanism if you're a rancher that allows you maybe to do a warehouse. We are going through a whole new kind of – we need some kind of flexible zoning mechanism so when these lands are in transition we can have some other mechanisms in place, and that coupled with the transfer of development rights program really gives farmers and ranchers opportunities that they didn't have before.

But the sending area and the receiving area are the really tricky pieces to the TDR programs.

CHAIRMAN MONTOYA: Okay. Thanks for that clarification, Jack, and I do agree with all of the other recommendations that you have on there as well, particularly the water banking. I think that's certainly something that we need to look at in terms of keeping those surface water rights within the basin in which they exist. And that's a good way to do it. Commissioner-elect Mayfield, any comments? Commissioner-elect Anaya?

COMMISSIONER-ELECT ANAYA: Mr. Chair, thanks. Just a clarification I guess, Jack. On the point of preservation of agricultural uses, is the intent to mandate agricultural preservation to an individual? I speak on that point, say, for an individual like Sam King who has many acres of agricultural farming use that he himself in many of these meetings has said I'd like to have the latitude and opportunity to convert those. Is the intent to keep him or any other individual from doing that and mandate that they have to preserve it as an agricultural use, or encourage the agricultural use? Are we going to mandate that, for a person, say, like Sam King?

MR. KOLKMEYER: Mr. Chair, Commissioner-elect Anaya, I don't think you were here at the very beginning when we started. We're changing the whole tone of the plan to take away any mandatory language. It's not about mandating; it's about choice. What we want the tone of the plan to really come forward and be clear about is we want the property owners in general to have choice. If one of those choices is to preserve that land, that landscape, that should be a choice for them. If they no longer want to farm and they want to do some kind of development they should be able to have the choice to do that. A lot of the ranch lands are far away from infrastructure – sewer, water, roads – that are available in some other parts of the county, so it will become the infrastructure. That's why the SDA is set up. That means where is infrastructure available to do more dense type of development. That's why we're [inaudible] for this very first recommendation. We need more flexible zoning that allows a farmer or a rancher to have some other options when they're going through a transitional period. There's no intention – when we say preserve what we mean in the document is the landscape is clear, in everybody's opinion, however you cut it, along with the people is one of the most valuable resources that we have. If we're going to change that, if it changes is it changing for the betterment of that land in relationship to how it's been used in the past and what the objectives that you might have as a private property owner. It's about choice, and we feel there's not enough choice right now and that's been one of the problems. Everything seems to be so difficult. So let's build in a better mechanism of choice, preservation being one of them but that would be up to the private property owner. Through

conservation easements, you can preserve your property through conservation easements which are essentially a tax break for you. There's a lot of mechanisms.

COMMISSIONER-ELECT ANAYA: Thanks, Jack. I think the other recurring thing that I'm hearing as we listen to the various comments from the public is when an individual comes in to say develop a parcel of land with say five lots, there's an agricultural use associated with the property. Let's say it's 150 acres and some of the comments we're heard is when that property gets divided for tax purposes a lot of times they're losing that agricultural use and some of those individuals are saying, well, what if I want to have a garden and some animals and shouldn't I be given the opportunity to get credit for some of that parcel for tax purposes as agricultural use? So I don't see the Assessor here but I just want to bring that up. That is something that we're hearing out there and I think we should. I think we should encourage people that want to have agricultural and farming use on small tracts, we should encourage them and we should also give them credit on their taxes and not just rigidly look at it as a now residential property. So, Mr. Chair, thanks. Those were just a couple comments.

MR. KOLKMEYER: Mr. Chair, in response to that. You hit the nail on the head. There are definitions and rules and regulations and we don't control that through this plan. That's something that has to be dealt with with the Assessor's Office. But it's come up numerous times as you know and it's probably time we need to relook at it.

COMMISSIONER-ELECT ANAYA: Thank you.

CHAIRMAN MONTOYA: Okay, moving on to Chapter 5 now.

MR. GRIEGO: Yes, Mr. Chair, Commissioners, noting the time, maybe if we could get into this. What I'd like to do is maybe just highlight the major issues and you've got the recommendations here, if there's something the Board would like to address I'd like to do that. So within Chapter 5 one of the major concerns is there's potential conflicting goals and policies of preserving the scenic viewsheds and also promoting and encouraging the development and use of renewable energy production and distribution infrastructure. We have a couple of suggestions, recommendations regarding language. A strategy that was also identified was to develop information about unpaved road construction techniques that harvest water along the roadsides and reduce erosion, Mr. Chair.

CHAIRMAN MONTOYA: Okay. Any comments on Chapter 5?
Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I think I'm just going to come up with a list of words that I pass on to the guys to look at maybe just highlighting throughout and see if they could just be deleted, like the words require, directives and mandate and things like that. It might just be the way to substitute. Thanks.

CHAIRMAN MONTOYA: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: I agree with all the recommendations in this particular chapter.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: I'm fine.

CHAIRMAN MONTOYA: So am I. I agree with all the recommendations. Commissioner-elect Mayfield? Commissioner-elect Anaya? Chapter 6, Open Space and Trails.

MR. GRIEGO: Mr. Chair, one of the issues here is there is funding for maintenance and development of plans and programs for parks and recreation. We need to establish goals to support the funding for the maintenance of the open space that we acquire. We also have a recommendation for a new strategy to ensure city streets, walkways and bike paths adjacent to County parks and open space access points.

CHAIRMAN MONTOYA: Okay.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Not remembering what the chapter actually said, one of the issues I bring up at the MPO all the time is that the City and the County's bike standards should have some similarities and it's not for every road; it's based upon roads with a certain number of people that would be using them for those purposes. Thanks.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: I agree with everything. I think it's particularly important that we do have a goal in there to figure out a funding mechanism for actually maintaining our open space. I know that's been a real weakness over the years that we've had money to purchase it but we haven't had money to maintain it. So I commend you for that.

COMMISSIONER STEFANICS: Mr. Chair, one other thing.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Even though I'm getting away from the directives and the mandates I'm a big one for mandating connectors. And so I think part of the guidelines should be plans for connectors on any new plans or any new properties.

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, is that with the open space as well as roads?

COMMISSIONER STEFANICS: More specifically with open space. Years ago when COLTPAC started we tried to make this part of the plan and it didn't happen, so it's still an issue we're dealing with. Thanks.

CHAIRMAN MONTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I agree with some comments that were made that if we're going to have open space we need to have funding to take care of the open space so it doesn't get all trashed out. Thank you.

CHAIRMAN MONTOYA: What are some of the thoughts in terms of producing that funding?

MR. GRIEGO: Mr. Chair, there are some systems, specific funding mechanisms identified in the adequate public facilities section of the plan that we can go through in Chapter 12.

CHAIRMAN MONTOYA: Okay. And then we received a letter from the Pueblo of Cochiti supporting a lot of the work that has been done in terms of our open space and trails, and one of their recommendations or hope and dream I guess, the way

they state it, is to have a connected corridor of open space that extends into the Jemez. Is that being incorporated in here in terms of trying to work towards that?

MR. GRIEGO: Mr. Chair, we did receive that comment and it was in background information which was useful. They also recognize Santa Fe County's ranch property as part of that letter, that they wanted to preserve that for open space purposes. I think it is part of the overall piece that we have. I think that the outcome for Santa Fe Canyon Ranch is going to be how the Board determines the use of that property.

CHAIRMAN MONTOYA: Okay. Which would be for open space.
Commissioner-elect Mayfield.

COMMISSIONER-ELECT MAYFIELD: I have nothing, Commissioner.

CHAIRMAN MONTOYA: Commissioner-elect Anaya.

COMMISSIONER-ELECT ANAYA: Mr. Chair, just a question. How much coordination do we have, or communication with places like the Forest Service and State Parks in soliciting ideas and assistance with how we might manage our own open space?

MR. GRIEGO: Mr. Chair, Commissioner-elect Anaya. I'm not sure if anybody from Open Space is here. We have been working with the Open Space Division on this open space element. We've gotten feedback from them as this has been drafted. I don't know the answer to that question.

CHAIRMAN MONTOYA: Okay. Chapter 7, Renewable Energy and Energy Efficiency.

MR. GRIEGO: Mr. Chair, with this one as well we're recommending adding a key issue here regarding fossil fuel extraction. We also would like to add a strategy regarding the solar rights, how that would affect existing developments and future developments in the county.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I don't know that we are enforcing our current night skies program. And maybe we need to just reinforce the lighting issues that we already have in place. I'm thinking of what I see every night. So we might just want to reinforce that in here.

MR. KOLKMEYER: Mr. Chair, Commissioner Stefanics, the problem with that has been we tend to respond on a complaint basis. So if somebody is saying, oh, boy, that looks like that's really lit up over there we will send a code enforcement person to look at it and let them know that there's an ordinance. We have an ordinance, as you've suggested. And usually people are very cooperative to then make the light shield downward or whatever. But we know there's lots of problems and it really becomes how we – if we have to go out and start monitoring that, driving around telling people there's an ordinance then we stir up a lot of problems that way. So we're trying to do it complaint-driven right now and I'm not sure if it's successful or not.

COMMISSIONER STEFANICS: Jack, we might want to think about being more pro-active and positive. We might want to do some kind of education blitz and maybe try to do some – you know how Commissioner Vigil gets all those light bulbs every year between the Sierra Club and PNM, maybe there's some way we could do some little blitz that's more pro-active and positive for people living in rural areas. That's all.

MR. KOLKMEYER: We can look at our strategic plan and action program, because we're fairly covered with new development, because it's required.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: On that point I happen to know that the Santa Fe Conservation Trust has a program on that very issue and in fact they're working with the astronomer who writes the astronomy column in the *New Mexican*. And what they do is they go and they have sort of block parties or neighborhood parties where they bring telescopes and people look at the night skies and then they say – while they're at it they give them some information about why it's important to seal your lights and to not add to the light pollution. So my suggestion is that would be a perfect opportunity if we wanted to partner with them. Thank you.

CHAIRMAN MONTOYA: Commissioner Stefanics. Commissioner Anaya. I had one question regarding the Solar Rights Act. How will that impact whatever we do in terms of implementing this part of the plan? Is there a fiscal impact?

MR. GRIEGO: As far as that specific, no, there's not. How would that affect the plan, I don't know if I need to defer that to Legal.

MR. ROSS: Mr. Chair, that really is a code issue. The Solar Rights Act precludes local regulations that restrict the ability of people to use solar panels on their property. So for example, one thing we deal with currently is we have height restrictions and the question has been raised do those height restrictions preclude folks from going above the maximum height to install solar and wind arrays.

CHAIRMAN MONTOYA: Okay.

MR. ROSS: So we'll have to be very sensitive when we craft the code regulations, particularly the development standards to avoid the Solar Rights Act.

CHAIRMAN MONTOYA: Okay. Commissioner-elect Mayfield.

COMMISSIONER-ELECT MAYFIELD: I have nothing, Mr. Chair.

Thank you.

CHAIRMAN MONTOYA: Commissioner-elect Anaya.

COMMISSIONER-ELECT ANAYA: Mr. Chair, just a comment based on Commissioner Stefanics' comment on code enforcement. I think this globally – my assumption would be that code enforcement is reactive as a result of the volume of codes that we have to enforce and have enforcement on as opposed to pro-active and I think globally it would be good to know what ordinances are we pro-active in enforcing across the board, and what ordinances are we not enforcing at all and kind of just have an idea as to what's the number and the volume. Because I know you have a small staff that does overall code enforcement but what's the overall breakout on what those issues are and taking a look at whether or not we have some codes on there that would never be enforced. Just a comment. Thanks.

CHAIRMAN MONTOYA: Okay. Chapter 8, Sustainable Green Design and Development.

MR. GRIEGO: Mr. Chair and Commissioners, with this chapter there was some language in there that was talking about establishing LEED principles and green building standards. Currently the County doesn't have a building permit program. The state is creating a green building code so we need to determine whether we need to

establish a green building program or not and whether we want to require the LEED or similar standards in the Land Development Code. I think the language in there right now has assessing the feasibility, so I don't know if there's anything that we necessarily need to change on here but we just wanted to bring that to your attention.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Well, on that point, Mr. Chair, I do believe that we should be encouraging and seeing if we can provide any incentives for green building. As we know, there's different standards now besides LEED and the LEED certification can be pretty expensive. So I would want us, the County, to put in recommendations for green building. I was looking at the League of Women Voters' comments and they talked about energy efficient building, passive solar – and passive solar certainly doesn't add to cost. It's just how the homes are positioned and the windows and things like that. So I wouldn't want us to take out. I would want us to encourage energy efficient and green building, because it also ties in with renewable energy and energy efficiency. But to get to the point now in our economy to require LEED, I don't think it's very practical.

CHAIRMAN MONTOYA: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, first of all I'd like to point out that the City does have a green building code and we might want to investigate whether it makes sense to adopt their building code and maybe share inspectors. This is to be determined. I don't think there's any way we can say at this point that that's what we want to do but I think we have a lot of people in our community who really know a lot about green building. We know about how you can most cost-effectively put in improvements into your building in order to make sure that it's more energy efficient. So this is the kind of thing that I see we have a task force for in the future to sort of investigate what makes sense for us.

And also I'll say that I think the people should have a choice as to what the put in and LEED is, yes, it's expensive. We also have Build Green New Mexico. We have a lot of different standards. So I would say that if we put something in that we give people kind of a menu of options that they could choose from and what really makes sense for them personally. And I just happen to know also, maybe people don't know this, but if you are able to achieve a certain energy efficiency you actually get a tax credit from the state and in fact my husband and I are building a cabin up on Glorieta Mesa, so what our builder is doing is he's looking at all the different programs and he's saying you'll get this many points if you go with the Build Green New Mexico program and if you went with the LEED you'd get this many points. So we're going to apply under whatever makes the most sense. So I see the value of having choice as far as that's concerned. Thank you.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I believe in giving people a choice too. If they want to build green, great, if they don't, they don't have to. I think the state has a code and I don't think that – there was a point where we were talking about getting building inspectors in Santa Fe County, I disagree with that. I think the state has building inspectors. They're doing a fine job. We can't afford to put inspectors in the

County so I think we could maybe adopt the green building code but give them a choice; they can either do it or they don't have to. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. I agree with the menu of options also. I know that we did have staff working at one point on developing a green building code for Santa Fe County and was wondering what ever happened to that? Penny, do you know?

PENNY ELLIS GREEN (Deputy County Manager): Mr. Chair, staff had been looking into that. In order to do the enforcement of that was what was tied to the building permit, the need for the County to actually issue our own building permits because then we could do a Certificate of Occupancy and inspection. Without that the requirements such as increasing insulation and things like that is something that we just wouldn't be able to inspect and enforce. We've worked at length with CID and I don't believe that they will be doing our enforcement.

So there's been a lot of discussion about whether we wanted to use the City's green building code. We've put this on hold because the state has rewritten their green building code and it looks like we may be able to piggyback off of theirs and basically just review what they've got and if that's enough for us then we wouldn't have to start our own building permit process. But I don't believe that they've got a final draft of their green building code. I think that we did have the Planning Department looking at that, but it's been pretty recent if they have got a final draft. We'll final up and see if we can get that version and review that and see if that's going to work for the County. Because if we do that then we wouldn't have to do our own building permits because the Construction Industries would be reviewing and inspecting those codes anyway.

CHAIRMAN MONTOYA: Okay. All right. Thank you. Commissioner-elect Mayfield.

COMMISSIONER-ELECT MAYFIELD: Mr. Chair, on that note and a couple of Commissioners' comments, is there any way to allow for incentives for individuals who have existing structures that want to retrofit their homes and maybe going to a permit process to make that a little easier and seeing what could be afforded by the County to them.

COMMISSIONER-ELECT ANAYA: Mr. Chair, Commissioner-elect Mayfield, we actually are looking at doing a program along those lines and with that for affordable housing, for people that qualify for affordable housing. We are looking into that program right now. We can have additional information. We have a staff member who is involved in doing that for the affordable housing program.

MR. KOLKMEYER: I just wanted to make another comment too, because the question of incentives, we've had a lot of discussions about this. The primary incentive is you would save money; you would get a tax credit, and those things are already in existence. So those are pretty strong incentives right off the bat. The question becomes what incentives can the County actually provide. And so there are a couple of things that could go into play. For example, if you want to put a roof-top solar device on your house but you exceed the height limitation. We should be able to allow people to make those kinds of changes without having to go through any kind of lengthy process to be able to do that. So that would be one area where if it infringes on something that might be part of a rule or regulation right now, but if it's for you to save money through energy

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efficiency or something like that that could be one type of incentive that we could offer, in addition to what Robert was talking about before too.

COMMISSIONER-ELECT MAYFIELD: Mr. Chair, also, just educational outreach on this would be great.

CHAIRMAN MONTTOYA: Okay. Commissioner-elect Anaya.

COMMISSIONER-ELECT ANAYA: Mr. Chair, I concur with comments made thus far and also agree with Commissioner Stefanics and Commissioner-elect Mayfield that incentives that are meaningful. A menu of options, yes. Not a mandate, but if someone chooses to build a house and have green energy efficiency built into it, let's look at something tangible that they're going to benefit from. Fee structure, some direct benefit in the fees that they pay associated with that is something that we could possibly look at. But I concur with those comments and would like to also see what the City of Santa Fe has done to further understand their green building code.

CHAIRMAN MONTTOYA: Okay. Let's move on to Chapter 9, Public Safety Element.

MR. GRIEGO: Mr. Chair, Commissioners, the major issue here, a major issue was that the plan proposes adopting the International Fire Code as one of the policies and require fire sprinklers and onsite water storage in rural areas and there has been concern from some residents in the county regarding that. We've asked the Fire Department to review those because we're not familiar with that specifically, and I'm not sure there's anybody from the Fire Department that wants to address that issue.

DAVE SPERLING (Deputy Fire Chief): Thank you, Mr. Chair, members of the Commission. One thing that I thought I should clarify right off the bat here is that the adoption of the International Fire Code and a requirement for residential sprinklers should not be tied together. The International Fire Code does not require residential sprinkler installation. That requirement is actually in the International Residential Code which has not been adopted by the state or locally. So I don't want there to be confusion between the two. The International Fire Code is separated from a requirement for residential sprinklers.

And then one thing that I did want to mention I guess by way of education as much as anything is there has been a push at the national level for a requirement for residential sprinklers for one and two-family detached dwellings. And that's something different that what has happened in the past, and I think this requirement has really grown out of a recognition from the public safety community, industry groups and federal government, in particular the US Fire Administration, that residential fire sprinklers do save lives. And they not only save the lives of citizens in residences but the lives of firefighters as well. Eight out of ten fire deaths in this country occur in residences. And firefighters encounter their most hazardous situations in residential fire suppression.

A requirement for fire residential sprinklers has met with some success nationally as well as different localities and one of the things that has arisen as far as public comments go that they're very expensive and I wanted to provide a little bit of information about the true cost of residential installation. From the information that I've gathered the cost in a custom home for the installation of a residential sprinkler system is between \$2.50 and \$3.00 per square foot. You'll see some figures out there from some members of the public that it's \$10 or \$12 a square foot. That's old information; it's no

longer accurate. In some areas of the country where residential sprinkler application is well accepted, that the plumber community is well versed in NFPA 13-D, which is the standard for installation of sprinklers the cost is even less, as low as \$1 per square foot.

So as far as its impact on affordable housing I think that helps mitigate that issue to some degree. In addition, there's some information out there about water requirements for individual homeowners. A residential sprinkler system is intended to provide an escape for occupants of the house. It's not intended to fully suppress a fire. Suppression activities are still over to the Fire Department and their suppression personnel. So a sprinkler system will activate at the incipient stage of a fire, at the very beginning of a fire, suppressing that fire and allowing the occupants to escape. That includes children, those who may have disabilities and would not be able to escape otherwise.

The consideration also is that modern building techniques, including the materials that are used, furnishings in modern homes have really increased the fire load and made it much more hazardous in recent years for occupants. Fires are more quick burning, they create poisonous gases and make it much more difficult for people to escape. Residential sprinkler systems help mitigate that problem.

So some of the information that's been out there – I apologize if we haven't done as good a job as we could have in getting the accurate information out to the public on the benefits of residential sprinklers. I do have some additional information that I would be happy to share with the Commissioners, and I stand for any questions on this particular issue.

CHAIRMAN MONTROYA: Okay. And I appreciate your clarifying that because the message that I've been given and I've been giving is that these are being required. So I'm glad that is something that has been clarified that is not required right now by that code. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. So there is – just talk about the International Fire Code. Is there a problem with us adopting it? Do we have the resources here in the county? What would be the impact upon the private citizen?

DEPUTY CHIEF SPERLING: Commissioner Stefanics, members of the Commission, I think there are no problems that we can't address through the adoption process of the International Fire Code. There may be some issues that we want to specifically look at that may not be fully where we want to go in Santa Fe County, but in the adoption process I think we can take care of those issues. The International Fire Code is what most municipalities, counties and state government are moving toward. It combines language from the building code, the plumbing code, the mechanical code and the fire code, combined into one comprehensive volume. So they cross-reference each other making it much simpler and more straightforward for code enforcement and code promulgation.

So I really don't think there's a problem. I think it's the direction that we as a County should move in. We currently use the Uniform Fire Code, the 1997 version. It's not even published any longer and it's difficult to find an available volume for buildings and homeowners alike. The state has moved towards the International Fire Code and their plan is to adopt the most recent version in January or February of 2011.

COMMISSIONER STEFANICS: So Mr. Chair and Dave, besides building, what other impacts would we see as a County in adopting the International Fire Code?

DEPUTY CHIEF SPERLING: As far as code enforcement goes I think we'll find it pretty seamless with what we currently use. It is up to date with the most current building standards and materials that are used for buildings. For instance light weight trusses.

COMMISSIONER STEFANICS: Right. But I'm talking now about outside of building. Are we going to have to hire – are we going to need to beef up the Fire Department budget? Are we going to need to put on new kinds of equipment? What impact is it to the County?

DEPUTY CHIEF SPERLING: Mr. Chair, Commissioner Stefanics, in our discussions about the International Fire Code we have not talked at all about having to increase our staff or needing any additional resources for the Fire Department. We feel like we can transition from the Uniform Fire Code to the International Fire Code without any increase to staff. Some additional training will be necessary for our current prevention staff who does code enforcement and inspection, but I don't anticipate a need for additional staff in that regard.

COMMISSIONER STEFANICS: So, Mr. Chair, Dave and Stan – are you all recommending that we adopt the International Fire Code?

DEPUTY CHIEF SPERLING: Commissioner Stefanics, my recommendation would be that we do move forward with the adoption and implementation of the International Fire Code.

COMMISSIONER STEFANICS: Okay. And that is totally separated from the requirement about sprinklers in homes.

DEPUTY CHIEF SPERLING: It is separated from the requirement for residential sprinklers. That's correct.

COMMISSIONER STEFANICS: Now, Mr. Chair, Dave, the follow-up question I have on homes is that – for entities, for developers and individuals who want to put in sprinkler systems that's one option. Are there other options for existing homes that we could encourage or promote in this section? For example – and you guys have never commented on this but I brought up that my home was hit by lightning last year and fried a bunch of different things and some electricians came along and said, oh, you need all of these surge protectors put right in your box. You never said this is correct or not correct or flooey or whatever. So I'm just wondering if there's some things that we could put in here that would be encouragements for public safety for people who are already living in their own homes.

DEPUTY CHIEF SPERLING: Commissioner Stefanics, I'm not sure about surge protection. I had some discussion with lightning protection folks and it's been kind of a mixed bag from the information I've been given, whether lightning protection really works or not, but I'm not in a position to comment specifically on that. One of the things we work with homeowners on who live in the wildland-urban interface in particular is reducing the amount of flammable vegetation around their homes and making sure they're using building materials that are fire-resistive or non-flammable, and that seems to have an impact on those sort of construction types. Beyond that, just

making sure that we enforce the provisions of the code to the best of our ability to make sure that everything that's contained in the code is something that is incorporated into buildings providing safety for occupants and firefighters alike.

COMMISSIONER STEFANICS: Okay, and then Mr. Chair, I've mentioned this to Robert when we met about some of my comments, and I think I talked with Stan about it as well is maybe somehow using neighborhood associations or neighborhood watch groups, not just for public safety but also for fire safety. Oftentimes groups get together to watch each other's homes but maybe there's something that existing groups that could put into this because this is a guide in a plan, that we could come up with some of those ideas as well. That's all. Thank you.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Commissioner Stefanics, those were good questions and I am too concerned about adopting something that I'm not familiar with. If you adopt something I just didn't want the Fire Department back in here the next week saying oh, by the way, you adopted this code and we need ten more personnel. I'm hesitant – again, I'd like to give options to the community and not have to have them require sprinkler systems and you're saying that you don't have to require it with the adoption of this, correct?

DEPUTY CHIEF SPERLING: Commissioner Anaya, right now we have specific requirements for the installation of sprinklers. Those requirements would not change. Additional requirements would not be forthcoming unless this body took specific action to go in that direction.

COMMISSIONER ANAYA: Okay. That's what I'm concerned about, is I wouldn't want to require – it would be nice to have sprinkler systems in every home and it would be nice if nobody would lose their life in a fire and it would be nice that the firemen would not lose their life. But right now we have requirements that require smoke alarms. And you go into a lot of homes these days and they're off the wall. They're taken off, because they malfunction, they go off in the middle of the night for some reason – this happens at my house. So who do we rely on to make sure that the smoke alarms are in and working? So if we were to allow sprinkler systems people are probably going to do the same thing. They're probably not going to fill up the storage tank. They're going to work for a year and then not work. Who's going to do the maintenance on them?

Again, I don't know much about the International Fire Code so I would be hesitant to say adopt that right now unless I knew more about it. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. Commissioner Holian. I share some of those concerns also in terms of – and I guess you need to clarify again for me, Deputy Chief, in terms of, I asked the question and you said that no, we're not required now, but then you said we do have some requirements that require us to have sprinklers installed. Could you clarify that?

DEPUTY CHIEF SPERLING: Certainly, Commissioner Montoya. Right now we do have a requirement that certain subdivisions with a certain number of homes are required to be sprinklered. That's in the existing code right now, as well as certain individual homes in the wildland-urban interface that meet specific requirements.

CHAIRMAN MONTOYA: So the current code that we're now following, you're talking about the 1997 Uniform Code that is outdated.

DEPUTY CHIEF SPERLING: That's correct.

CHAIRMAN MONTROYA: Okay. Because we're talking about three different things here, about adopting the International Fire Code, requiring sprinklers, and then also having onsite storage tanks. I encountered different – and they were probably classified as commercial, where they had it built within their budget what they were going to be able to build in terms of building, and then all of a sudden they had to have a storage tank and they had to have sprinkler systems which threw their whole project about \$40,000 to \$50,000 more than what they had already budgeted for. So these do become issues and even at \$2.50, \$3.00 a square foot that's going to jack up an individual's building price at least \$4,500 to \$6,000 when they are working on a budget too that they've already gotten pre-approved on their loan. So I'm real hesitant to put those kinds of requirements. I think they would best be listed as options than a requirement when we get to these sorts of things because onsite storage tanks are expensive too, tremendously expensive. Commissioner Stefanics.

COMMISSIONER STEFANICS: So I guess, Mr. Chair, one of the things we're all saying is we need a copy of the International Fire Code just to look at and see if it's palatable. So I would ask that the Fire Department forward that to all of us.

CHAIRMAN MONTROYA: Yes. And I think a rationale as to why we want to require sprinklers and a storage tank. I think that would be real helpful in terms of justifying those being requirements in this plan.

DEPUTY CHIEF SPERLING: If I may, thank you for those comments and by way of clarification I guess I didn't make this clear initially. On a resident sprinkler system the amount of water required is 300 gallons to meet the code. It's not an enormous amount that you might see associated with a commercial occupancy. It's completely different. The residential sprinkler system is intended to function for approximately 10 minutes providing upwards of 26 gallons per minute to allow the occupant to evacuate. So the overall requirement is between 250 and 200 gallons per minute. And what I've seen is for those areas that don't have commercial water supply, say, provided from the County system for instance, that they do make a 300-gallon storage system that sits about four feet tall, about two feet deep with an attached pump that slides right into a utility closet. And that is a component of the system. And the sprinkler heads themselves are recessed in such a way that you could walk into a home and not even know that there's a sprinkler system in the home. They're very well camouflaged. They can be painted over. They can be decorated as though it were not even in existence.

So comparing what you see in a commercial occupancy with a big ugly sprinkler head and a residence, two very different things. And I'll try to get you some additional information to continue to try to make that picture clear for all of you. I think that's pretty important. So thank you.

CHAIRMAN MONTROYA: Yes. And I guess again, just going back even to the renewable energy discussion and energy efficiency, this could maybe be a component of that menu that you referred to, Commissioner Holian, in terms of an option for a homeowner to incorporate into their structure, as opposed to a mandate which is now is being referred to as a requirement. Commissioner Holian.

COMMISSIONER HOLIAN: I would just like to make a comment about it. I have personal experience with this right now because of the fact that we're building this cabin on Glorieta Mesa. It's fairly isolated. It's fairly difficult to get to and there's a really bad road to get there, and so we are being required to put in a sprinkler system, and in fact we're being required to put in a sprinkler system where it's not just water, that the initial flow is propylene glycol, so that in case we're not there we don't want the water to freeze in our pipes and so on. And also, we're being required to put in a 10,000-gallon storage tank because there's no way that you can get water trucks up that horrible road.

And I have no objection to that and I think that if people want to build in areas like that they should be willing to do these things because otherwise they're putting our Fire Department at risk. And you just have to realize that if you're building in an area like that that you do have extra responsibility of your own. And it's not just a matter of our saying, okay, we're willing to have our house burn down; we don't really care. But it's a matter of I feel responsible in not putting our Fire Department at any extra risk because of what we're doing. So I'm okay with it.

CHAIRMAN MONTOYA: And I think it probably makes sense in those types of areas that you're talking about and describing but we're talking about other areas around my district where it's not isolated and it's not definitely in terms of response time something that's going to make a huge difference. But to the residents that I serve it's going to make a huge difference in their pocketbooks. So that's definitely where I'm coming from when we're talking about these types of requirements. Commissioner Stefanics.

COMMISSIONER STEFANICS: Okay, Mr. Chair, I understand this is in our code right now, so I'm going to take Dave off the spot for a minute and ask Jack. So let's say somebody buys a piece of property with the hopes of someday retiring on it, and they build a yurt. And they get the permit to put the yurt in and it tells you that they have limited resources. At one stage of their life they bought the property, the next stage they're just building a little yurt. And they think they're going to live in that. Are they going to be required if they're in the right area to put in a sprinkler system? If they're in this wildland area that we're talking about? In the existing code?

We're hearing that this is already part of our existing code. So I'm thinking of the people, not in Commissioner Montoya's district, not similar to Commissioner Holian's circumstances. Someone who's buying property to kind of like hold on to for when they get the day to retire and just go off somewhere and live. And it's not going to be big; it's not going to be fancy and it's very, very minimal. Do we already have requirements in place that make that prohibitive?

MR. KOLKMEYER: Commissioner Stefanics, I believe the way that our code works right now is that we have requirements for subdivisions of a certain size. I believe it's five or more, if I'm not mistaken.

COMMISSIONER STEFANICS: I'm not talking about a subdivision. I'm talking about the private property owner.

MR. KOLKMEYER: That's what I'm saying though is if it's less than four lots then there would be no requirements, unless it's in the wildland-interface area and then again that's not the Land Development Code. That's their regulations. So, our

requirements for pressurized water in subdivisions, yes, over a certain size. If it's one individual home somewhere then I believe it goes back to that. That's my understanding.

COMMISSIONER STEFANICS: Okay. So Mr. Chair, and I have to go back to Fire, are we already prohibiting people from – people with minimal resources from realizing some kind of dream by putting something minimal on the property to live on?

DEPUTY CHIEF SPERLING: Commissioner Stefanics, when somebody buys a piece of property, say in the wildland-urban interface, the code requires, because of the severity of the interface, that they install sprinklers when they build. We make sure that we let them know in the front end that that's going to be a requirement. We work diligently –

COMMISSIONER STEFANICS: After they've already bought the property though.

DEPUTY CHIEF SPERLING: When they come to us for a review for, say, an access road and that sort of thing, then it's something they are made aware of.

COMMISSIONER STEFANICS: Okay. This is a larger problem, Mr. Chair, and I've already discussed this with Commissioner Anaya a couple time. For people who have never purchased in the country, in a rural area, they really don't know what they're getting into. If somebody has always lived in the city, whether they've rented or had a house in the city, they think that buying a piece of property, vacant or not, in the country is the same. And they have no idea when they get there that there's water restrictions, that there's mineral rights, that they might be in a wildland area. They don't know this. And you can say they're expected to know this but if they've never had that experience before, they don't know it. And so I think we end up with a lot of people living in areas that they just don't know. It could be as simple as people moving into one area of the county thinking the county owns all the roads. And the county owns no roads. So I'm thinking that somewhere along the lines we as a County could do some kind of public education piece, something that would help people understand, and maybe work with the realtors. Maybe work with somebody that gets people out understanding this. Because I think we're talking just about one issue and there's many issues for people who are making that lifestyle change. Thank you.

CHAIRMAN MONTROYA: Okay. Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Yes, Mr. Chair, I think, Commissioner Stefanics, you're talking about the Code of the West. And about two years ago I tried to get the Code of the West passed at the Commission level and failed to. But I would like to get you and the other Commissioners, Commissioners-elect, a copy of the Code of the West, because it talks directly to that. That before you buy a home in the country these are things that you need to ask: Is it a County road? When you drill for water are you necessarily going to hit water? Things of that nature. But I'll get you a copy and you look through it and hopefully, maybe I'll put it on the agenda again and we can adopt that before I leave office. Thank you.

CHAIRMAN MONTROYA: Commissioner-elect Mayfield.

COMMISSIONER-ELECT MAYFIELD: Mr. Chair, Deputy Chief, in the current code or how would this apply to individuals seeking to retrofit a garage into a den

or anybody trying to make improvements to their home? Would these new requirements you're suggesting be applicable to them?

DEPUTY CHIEF SPERLING: Mr. Mayfield, generally not. If someone's renovating their home it's an existing property. Sprinklers are not going to be required. It somewhat depends on the size of the structure and the amount that's being renovated, where the home's located, but in general terms, no. That's not going to be a requirement. And what the International Residential Code requires as far as residential sprinklers go, just applies to new construction, not to existing construction, existing homes.

COMMISSIONER-ELECT MAYFIELD: Mr. Chair and Deputy, I misunderstood. I thought you said the International Fire Code was not requiring sprinkler systems.

DEPUTY CHIEF SPERLING: Correct. I mentioned the International Residential Code, which actually applies to new construction. So existing construction is out of the mix.

COMMISSIONER-ELECT MAYFIELD: Thank you.

CHAIRMAN MONTROYA: Okay. Commissioner-elect Anaya.

COMMISSIONER-ELECT ANAYA: Mr. Chair, a question for Jack and then a couple maybe follow-up questions. Throughout the course of the SLDP, you've commented, and I just would like you to comment again, just to make sure that I've completely understood it, but you've always made it a point to tell in public meetings that this plan is not just about land use development, even though it says that in the title, which would lead you to believe it's about land use development. This plan is far broader than land use development and speaks to programmatically where the Commission and the County and the communities want to move forward, not only in land use development, but programmatically. Is that correct?

MR. KOLKMEYER: Mr. Chair, Commissioner-elect Anaya, again, just before you got here it was decided to change the title of the plan. So we're going to change it from SLDP to Sustainable Growth Management Plan. Because the inference there again is the land use decisions that we make affect many other things – public services, infrastructure, where schools are built again, for example, is what follows populations. So we believe that we need to broaden this understanding to go just from land use decisions to growth management decisions and that includes a number of other categories. So, yes, my comments that I've made before would be the same, so we have to, rather than ignore – I think we're trying to get our arms around a few more things with this 2010 version of the plan than we did in previous ones.

COMMISSIONER-ELECT ANAYA: So following that, associated directly with the comments that Deputy Chief Sperling made, I concur with the Commissioners that have said that they have concerns relative to the sprinklers and would like to see more on the International Fire Code and potential impacts broken out in some summarized fashion. I think that would help. But my question relative to public safety is I see many comments, several comments from the associated parties that have joined along with the County in spending many numerous hours working through this plan. But one item in particular that I don't see on here ties directly to property crime in Santa Fe County. Property crime right now in the City of Santa Fe, we're number five in the United States, which is not a good thing. I've already had some preliminary

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discussions with incoming Sheriff Garcia as well as Commissioner-elect Mayfield and I'm curious, how much involvement – I see the Fire Department had some involvement in this plan associated with public safety but how much involvement did our Sheriff's Department, our judiciary, the courts and other people directly associated with public safety have had involvement? I don't say that in a way to say let's stop and put the brakes on everything. I say it because I think that it's an important issue that we need to look at, property crimes is one example. How much involvement has other parties, even the DWI Planning Council that we have here at the County, Health Policy and Planning Commission, directed to public safety? How much involvement have they had in this document?

MR. KOLKMEYER: Mr. Chair, Commissioner-elect Anaya, not a whole lot, for a couple reasons. One is that the Sheriff as you know is a separately elected individual so given that governmental construction they do their own programs and their own programming. Some of the other social problems that you mentioned, we also haven't had a lot of concurrence on this plan with them. The assumptions though that we look at and have had some discussions with other staff members is again, the concern for where populations are and the levels of service that can occur. In other words, how long it takes for that ambulance to get there or a Sheriff or Sheriff's deputy to get there because if we're going to put more people in areas where level of service is lower we want to avoid that. We want to concentrate the services where we can get the highest levels of service. In terms of the details of the programs or some of those other things we didn't have much discussion because again it kind of follows under their own purview to determine their own programs.

But I think the response is we're very concerned about the levels of service that county residents get based on land use decisions again. Does that make sense? Does that answer your question?

COMMISSIONER-ELECT ANAYA: Mr. Chair, Jack, and I think everyone, I think it's important that as we move forward through the process and through the code that we do engage our Sheriff's Department and other entities, not just associated with public safety but I have the same comments that would follow suit with transportation and our work with our road advisory committee and our work with the Department of Transportation and our work with places like Eldorado who has an advisory committee associated with transportation and other communities throughout Santa Fe County that as we evolve that we do include them because public safety without question, one of the primary concerns you'll hear is the property crime/burglary issue that's prevalent right now and that we need to work to get our hands around. So that goes across the board as we move forward to the code that we really engage those communities in partnership with those other players that we need to engage to make sure we fully have the perspective and the support and the initiative and buy-in of those other entities that directly impact what happens on the decisions we make.

The other just general comment I would make is as I was listening to the dialogue about the sprinkler system issue how much – motorcycles comes to mind, seatbelts in cars comes to mind. Those are issues that I think you're always going to have differing perspectives and two sides of the discussion. I think it comes down to what do we as a policy board want to impose on people as a mandated requirement or as an option. And I

think there's many questions associated with sprinklers as there is on other issues. So I think it's just a matter as to at what point does government dictate what you can and can't do and at what point does government leave to the individual to make that decision, and it varies from decision to decision. So I'd just make that other general comment. Thanks, Mr. Chair.

MR. KOLKMEYER: Mr. Chair, just a brief response on that. Chapter 15 – this is real important because this is the real direct answer to your question. Many of these things will come together in Chapter 15, which is the implementation, and that's the strategic plan. The County has a strategic plan and that's what brings all the departments together in a work program and an action program to pull all of these things together. Because again, my comment was we're not going to take control and mandate all the social programs, but some mechanism needs to do that, a mechanism that will bring all those things together is the strategic plan that the County devises and that you as the Board of County Commissioners oversee.

COMMISSIONER-ELECT ANAYA: Thanks, Jack.

CHAIRMAN MONTOYA: That plus the code, right?

MR. KOLKMEYER: Plus the code, right.

CHAIRMAN MONTOYA: Yes. And probably more importantly the code. Okay. Transportation Element, Chapter 10.

MR. GRIEGO: Mr. Chair, Commissioners, with transportation there was again, going back to the survey, there's a public perception that roads in the county are not maintained and repaired and there is a mechanism within the plan to provide adequate levels of service for roads capacity, operation and maintenance. The plan also identifies a capital improvements plan process. Again, this would be an implementation piece to the plan for timing and funding of road improvements. So the CIP is identified in Chapter 12 of this plan. However, CIP would be an implementation and that would come after the adoption of the plan, some time after the adoption of the plan.

Other issues that have been identified, that the existing transit services need to be updated to reflect current conditions. There are some language changes that need to be made in the plan, specifically the Edgewood to Santa Fe route is no longer in existence. However, we still need to look at providing options, for providing transit service to the Estancia area.

Other key issues, we will need to address public transportation in the future as the aging population of the county – there will be service needs as the price of fuel increases. There's going to be more demand for public transportation. There was an omission in the plan, the northeast connector that was an identified priority road project for the county was not on the list for future roadways and we recommended bringing that project back in. That's the northeast connector from Rabbit Road to Richards at Dinosaur Trail.

Then there was another recommendation regarding data collection and management practices regarding wildlife road crossings and there's a recommendation to add a new strategy to coordinate with wildlife conservation organizations, state and federal agencies, to determine high frequency wildlife crossing areas within Santa Fe County and to provide signage for these areas with caution signs and other measures to alert motorists to the potential presence of wildlife on the road.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think that first of all money is a big issue in all of this, and probably the county needs to start identifying what other revenue source we have for maintaining and improving our roads. Second issue is that the gross receipts tax for transportation is never going to be enough for getting back to Edgewood or even expanding down Highway 14. I see that we don't even have Highway 14 in here so we need to get that back in. There are areas of our county that don't have any transportation and it's not just that one southern connector to Edgewood; it is other areas as well. And the gross receipts tax, it's just not going to be enough. It's not going to be enough to even maintain what we have going on and I've said this over and over, and I've said it at the RTD, so I'm going to be a broken record, but I think we're getting to the point where we can't have free transportation; we're going to have to have the gross receipts tax and charge in order to keep the routes going. So I think we just need to be a little more inclusive in your comments about transportation.

I also think in terms of the roads we need to be thinking about how else we could pump a little money into that. And we've talked here about how a tiny, tiny, portion of our property taxes go to road maintenance, and somehow we have to increase that. Not property taxes but we need to increase the revenues. So, that's all.

CHAIRMAN MONTOYA: Okay Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I couldn't agree more about identifying new funding sources. I know that we've depended a lot on the state in the past for road improvement money and I don't necessarily think that's going to be there in the future, especially for the amount that it was in the past. So I think we need to be creative about identifying new ways that we can provide funding of our own in the county. So that's just – I would say that in a way that's the most important point of all in the chapter. And you do acknowledge that. Thanks.

CHAIRMAN MONTOYA: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Nothing. Thank you.

CHAIRMAN MONTOYA: I agree with all the recommendations as well. Commissioner-elect Mayfield.

COMMISSIONER-ELECT MAYFIELD: I have nothing, Mr. Chair.

Thank you.

CHAIRMAN MONTOYA: Commissioner-elect Anaya.

COMMISSIONER-ELECT ANAYA: Mr. Chair, Commissioners, I would echo and ditto the comments of Commissioner Stefanics as well as Holian. The County has been very progressive and aggressive associated with enhancing and augmenting services like fire service here in Santa Fe County over the years. Our open space program at Santa Fe County and other areas where we've done a lot of due diligence to really upgrade those and make them among the best in the state of New Mexico and I think roads has been an area that we haven't had that same level of aggression and focus to increase and augment the resources for it. So it's music to my ears and I know that of many people that live in the whole county and District 3 in particular.

I do think that we need to engage our Road Advisory Committee that we have that's been a very valuable resource for the County and also all our other resources associated with working towards better transportation. One of the disheartening things associated with the transit road stopping from southern Santa Fe County to Santa Fe,

which I'm going to work strongly to try and get back is Torrance County ended up turning back about nine buses that they were doing the transit system for to the Department of Transportation because of funding. So on the one hand we had to stop due to funding is what I've been told, that route, which I don't agree with but I expect to learn more about the other reasons why, but we also had a regional system in Torrance County completely shut down every single route. So I think it's important to work closely with those regional partners to try and share some of those responsibilities and even engage the Town of Edgewood in some of those discussions as well, partnering and maybe sharing in some of those costs.

CHAIRMAN MONTOYA: Okay. Chapter 11, Water, Wastewater and Stormwater Management. I'm going to need to leave in about 20 minutes.

COMMISSIONER-ELECT ANAYA: Mr. Chair, within this chapter some of the issues that are there, from the public we heard there was a need for a long-term plan for the County water and wastewater, regional planning for water and making development available water supply. These are valid issues. The County does have a water conservation plan. We're working on a 40-year water plan. We're working with the City on the Buckman project. However, I think this is a matter that their concern is that we need to have a longer-term plan for the County outside of just the Buckman system.

Currently groundwater is the primary source of water for the County. As surface water becomes available the County water system will be utilizing that and the County water service area is coincidental with the Sustainable Development Area -1, with the exception of area down south, where the County will never provide water service to the Estancia Growth Management area. So the recommendation here again, as we discussed in Chapter 2, the Land Use Element, is to replace the hydrologic zoning with a more comprehensive zoning approach, directing growth to primary growth areas which will result in increased use of surface water. We'll discontinue the reliance on groundwater as a primary water source. It will still be used as a source of water for areas where the surface water is not available. Mr. Chair, that's all.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Nothing. Thank you.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I'm in total agreement with your recommendations. I just wanted to ask you, we don't actually have a graywater ordinance, do we? In the County?

CHAIRMAN MONTOYA: No.

COMMISSIONER HOLIAN: I think we should put that in as a strategy, that we develop a graywater ordinance. I know that the City does have one so it shouldn't be too much trouble to just go ahead and use the City's graywater ordinance. And the other thing is I know we have a rainwater harvesting ordinance for outdoor water use. I'm not entirely sure that we have an ordinance that addresses how we can use rainwater inside. I know that it's even possible to use it for drinking water inside if you treat it properly. So again, we have some people in our community who really, really know about these things and so I would like to also make a recommendation that we develop a rainwater collection ordinance that addresses those issues because it could be a really valuable new source of water in the county. Thank you.

CHAIRMAN MONTOYA: Okay. The question I have, and it relates to what was gone over earlier. Does replacing hydrological zoning with comprehensive zoning make sense? And then could you tell me why we're changing from that approach?

MR. KOLKMEYER: Commissioner Montoya, this has been a really important discussion. As you know, going back to 1980, we figured out way back in the 1980s that we tried to correlate the amount of groundwater we had with the densities that groundwater could accommodate. Over the years what has happened is that we've allowed those original densities to – somebody can come in and say they need a 100-year water supply and they can therefore divide by four. So we've used water to create densities that are not also in accommodation with roads, for example, or wastewater systems, or availability to schools or other services and facilities. So by a more comprehensive zoning approach is what it means is future densities would probably be better, more realistic, if they are related to a list of other amenities that need to occur such as public services and other infrastructure elements that are relative, for example, to solid waste disposal. Because if we're allowing them to spread way out in the county but can't have appropriate solid waste transfer stations close to them then we are being responsible for more and more services at more and more cost.

So our recommendation in this plan is let's make a list of things that should be the elements that make up zoning, that aren't only water, so that we can get the densities that we need in the right places for us to build services in at the most reasonable cost. So that's kind of the short answer. Of course it gets kind of complicated, but that's the short answer.

CHAIRMAN MONTOYA: So it's still going to be kind of dependent upon wet water.

MR. KOLKMEYER: Water will continue to be a primary piece of the equation, yes, but not the only piece. That's the difference.

CHAIRMAN MONTOYA: Okay. And then the only thing that I would add in terms of the regional planning is looking at when you're talking about the objectives up north, Chimayo, Cuatro Villas project that you all are aware of in terms of both water and wastewater, so we're looking at that particular project. And then the other regional one being the Aamodt of course, which is certainly something that is going to be able to provide a long-term water supply for those particular areas, both in the Aamodt and the Chimayo-Sombrillo-Cuatro Villas area. So I just wanted to add that.
Commissioner-elect Mayfield.

COMMISSIONER-ELECT MAYFIELD: Mr. Chair, Commissioners, thank you. On the chairman's point, is it being addressed in this plan right now of paper water of how transfers are going to be allowed and not allowed within the county, or much less a specific basin?

MR. GRIEGO: Mr. Chair, Commissioner-elect Mayfield, it's not specifically addressed in the plan right now on how that might occur. I think that would be code regulations, it would be in the code.

COMMISSIONER STEFANICS: On that point.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Isn't that regulated by the state, Steve?

MR. ROSS: Water transfers is a State Engineer issue.

COMMISSIONER STEFANICS: So Commissioner Mayfield, are you asking a different kind of question?

COMMISSIONER-ELECT MAYFIELD: Commissioner Stefanics, I guess on the point I was looking at or asking was if the plan was going to address as far as bringing non-typical basin water into Santa Fe County. I did hear that there were provisions within local governments that allow for modifications of rules that are more stringent than they would be from the State Engineer. And I don't know if that is applicable or not. Just discussion.

COMMISSIONER STEFANICS: Well, that's a great question. Mr. Chair and Steve, does that go back to home rule?

MR. ROSS: Mr. Chair, Commissioner Stefanics, the whole inter-basin transfer issue is a State Engineer issue. It's definitely not within the jurisdiction of County government or probably even municipal government to govern inter-basin transfers. I don't think we've addressed that in the plan.

COMMISSIONER STEFANICS: That's all. Thank you for allowing me to interrupt.

CHAIRMAN MONTOYA: Okay. Commissioner-elect Anaya.

COMMISSIONER-ELECT ANAYA: Mr. Chair, to follow up on a question you asked earlier, because I still am not completely clear on it, on hydrological zones and the density associated with this plan, and let me just restate it and you correct me where I've gone astray. But right now we have 2.5, 12.5 and 40-acre areas that were designated in the plan, in the code via water. And what I'm hearing you say today is that in addition to water, those zones are going to be redetermined or looked at and there are going to be other factors. I got that. Are they going to be the same size of lots or are we going to open up the entire thing to determine what the sizes are. Because the other thing I've heard in the discussions that we've had that you've brought up and you've stopped people in the middle of a discussion and said, I want to clarify that the initial hydrological zone was not 2.5 acres but rather 10 acres. I want to clarify, within this plan if implemented, is it going to mandate that the minimum lot size be ten acres as a starting point and then move forward taking away what was previously 2.5?

MR. KOLKMEYER: A couple of responses, Mr. Chair. This plan does not deal with densities. No densities. That's all going to be in the code. The suggestion in this plan is that there be other elements involved in determining the densities that would be in the code that are other than just groundwater, that other things need to be taken into consideration. So when that list of things taken into consideration is brought together within the code that's what will determine the densities. And it is true, people throughout the county, many people throughout the county believe that the zoning in the county is 2.5-acre lots. That's absolutely not true. It's based on the hydrologic zone. There are four of them. Like for example, Homestead is 160-acre lots. That's what the zoning is. With bonuses you're allowed to divide that into other size lots. Then you can come into a family transfer and subdivide again, but that's not the base zoning.

So we're going to go back and part of this process, what we really want to qualify here is what constitutes the base zoning? How do we get to that? What are the principles and the elements that go into that? And then the code devises that system with those density numbers. So that's the process.

COMMISSIONER-ELECT ANAYA: And as the Land Use Administrator, do you, based on your background, feel that the 2.5 acres is not right and that it should be ten acres? Because that's what I was hearing in some of the discussions and I just want to clarify. As the Land Use Administrator is that your position or prospective?

MR. KOLKMEYER: Well, as the Land Use Administrator, the Administrator administers the code. So I can't really address that that way for you but the problem that we've seen and we've created densities based on the hydrologic bonuses that are creating infrastructure and service problems throughout the county. So we need to go back and re-look at what should be the basis for zoning in the future, and then devise a new system relative to that. So that would be my response as the Land Use Administrator. There's clearly some areas that are not working right and we should fix those.

CHAIRMAN MONTOYA: Okay. Adequate Public Facilities and Financing, Chapter 12.

MR. GRIEGO: Mr. Chair, Commissioners, this chapter outlines a lot of the financing tools and financing mechanisms. There are some – some of the issues with this, fiscal balance and responsibility again is a major aspect of the Sustainable Growth Management Plan for the county. So this chapter is really important. It includes an overall plan for financial sustainability and implementation of the goals and policies. So implementation tools were included again as we discussed earlier. The capital improvement plan, there's financing mechanisms that might be employed, including public improvement districts, potentially impact fees, other mechanisms that are identified here. These funding mechanisms will identify, through the capital improvement plan will identify different sources of funding as well, so there could be a more clear process. The County has never had a capital improvements plan. Again, we've relied on an infrastructure and capital improvements plan for state funding and the concept for the implementation as planned is that the County would establish its own capital improvements plan to fund projects and facilities.

There's some problems with the approach to this chapter. Again, it's kind of adequate public facilities and financing and in many areas of the county there's not public facilities that the County will provide services to, such as in the southern area of the county. There, the County will never provide, or most likely will not provide water and sewer services to the southern area of the county. So there are some concerns. We are recommending that adequate public facilities, that either public facilities be changed to adequate public or private facilities or adequate facilities and financing. Again, as developments are approved that are going to require adequate facilities, some of these may be public and some of these may be private.

There was also some concerns about this chapter that it's not clear and understandable. The County has gone through a process with consultants who have worked on this chapter who are doing a fiscal impact analysis for the County. They're also doing a cost of sprawl analysis for the county. And they've also provided some revisions to this chapter. However, we're still going through a process of an internal review of this. We recently got the revisions back from the consultant from Rutgers University who is doing this and financed internally we're reviewing this chapter. But there are some major concerns that we wanted to address. It needs to be clearer and

understandable to both the general public and the development community. We need to improve both the fiscal impact analysis and the cost of sprawl analysis in the plan, in the appendix, and the concerns regarding public facilities that are out there.

And then there's also a concern about changing the language. How do we determine the cumulative effect of development? So there's a suggestion to revise that policy, 40.6, to state Consider the adequate facilities assessment for facilities and services to confirm that the direct impacts of development are measured and considered. And the other policy recommendation, to revise policy 41.1, to remove indirectly from that, and the revised policy would state New developments should provide for and finance improvements consistent with the degree of impact to public services and/or infrastructure directly attributed to the project.

CHAIRMAN MONTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I know you're leaving. I'm wondering if we should rush through these last chapters and then ask our questions.

CHAIRMAN MONTOYA: Okay.

COMMISSIONER STEFANICS: We could get the whole summary.

CHAIRMAN MONTOYA: Okay. Chapter 13, Housing.

MR. GRIEGO: Mr. Chair, we have a couple of recommendations for Chapter 3. Some of the housing should be directed to areas efficiently served by adequate facilities and services. The affordable housing requirements should be supported through both developer incentives and direct down payment assistance to qualified households. The current affordable housing ordinance should be reviewed and approved. That we revise this ordinance for requirements for appropriate locations and percentages for affordable homes. Also, a recommendation is to address rentals, lots and housing unit requirements in the existing ordinance. Then there's some concerns about the long-term retention of affordable homes and this gets back to Commissioner Mayfield's point earlier, about how the County should explore options and policies to retain an inventory of affordable homes and investigate opportunities for rehabilitation of homes, weatherization and renewable energy to keep homes affordable, and also to look at other affordable housing initiatives that need to be explored such as rental housing and home ownership opportunities for special needs and senior housing.

CHAIRMAN MONTOYA: Okay. Chapter 14, Governance.

MR. GRIEGO: Within this chapter, community planning is within this chapter as a mechanism for creating a community plan. One of the issues is when this process might be re-established. The recommendation is we need to identify a process to re-establish a community planning program. This might incorporate needing to review and/or revise the Community Planning Ordinance. Again, there's some language changes in here, minor language revisions to emphasize a clear process for development review and oversight and to allow – in regard to allowing ample public input and review in development.

The third issue is there's a need for definitive time periods for when the Community Planning program will commence. Basically one of the issues there was each plan needs to undergo a review and revision process in three years after adoption of the SLDC. There are several community plans that the County has approved and we need to identify how that process might work. We also have a couple of recommendations to

revise a strategy to create an Estancia Basin Task Force in order to better coordinate the towns of Edgewood, Moriarty, and the counties of Tarrant, Bernalillo and Santa Fe on land use related issues. That's one of the concerns that we heard, that there are different efforts going on within the tri-county area. And adding a new strategy under policy 1.3 to establish an annual review of the progress in implementing the SLDP by the Board of County Commissioners. And that actually goes towards the implementation chapter.

CHAIRMAN MONTTOYA: Okay. And Chapter 15, Implementation.

MR. GRIEGO: Within this chapter, Mr. Chair, is the implementation of the Sustainable Growth Management. It will require establishment of a strategic plan and an action plan. The strategic plan and action plan will require prioritization of directives by the Board. We are recommending having a strategy to organize County operations in order to implement this Sustainable Growth Management. If this is truly a plan for the County we need to be able to efficiently organize to implement the plan. Another recommendation is to amend a strategy to ensure the strategic plan is updated annually and includes an action plan and to add a new strategy to develop a fiscal impact analysis for all programs, projects and personnel requirements established with this strategic plan and the action plan.

Finally, there is another issue regarding determining how the County committees would be – the goal for the County committees such as the planning committees including ACE and COLTPAC.

CHAIRMAN MONTTOYA: Okay. So that completes the review. Going back to Chapter 12, Commissioner Stefanics. Is there anything?

COMMISSIONER STEFANICS: Mr. Chair, I think that – I'm looking back at some of the comments from some of the groups and I wanted to make sure that – and 12 also impacts affordable housing in some ways. So I wanted to make sure that we have some way of setting or identifying the impacts that are requirements or our change in requirements would have upon the community or in fact the cost of affordable housing. Like for example earlier we were discussing sprinkler systems, but we know that we need to have infrastructure every time we think about a development.

Where I'm going with this is overall we need to have I guess some out or some flexibility when things become prohibitive and stop activity. Not when it just becomes difficult but when it stops it. So I'm not sure how you take that idea and incorporate that into a plan or into the code, because once you write a code it's pretty specific. But I just want to put that idea out for you, and I'm kind of rolling up 12, 13, 14 there. Thank you. That's all.

CHAIRMAN MONTTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I think you acknowledged that this chapter needs a lot of clarification. In reading through it I found a lot of – I didn't understand quite what you were getting at in a lot of the sections or whoever wrote that, what they were getting at. So I think that's the most important thing is to clarify it for us when you bring the final draft back.

CHAIRMAN MONTTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I just want to thank staff and thank the public for participating. I think this study session was good for all of us. A lot of suggestions were added and taken. And I just want to continue to keep the

process open for other ideas and suggestions and we'll just move forward with this. I know that we want to protect our land and this beautiful county but I don't want to make it so it's difficult for us to do business here. Thank you, Mr. Chair.

CHAIRMAN MONTOYA: Okay. My comments regarding 12 are in total agreement with your recommendations there. 13, with affordable housing, the only thing I would add there is we maybe look at some of the existing organizations that are already doing affordable housing and some of the non-profits. I met with Sherron Walsh the other day and she certainly has some ideas as to how we might be able to do some of the incentives that we have some funding available for to see how they might be able to fit in with what it is the long-term plan of this Board may be.

VI Board Direction and Changes to SGMP

CHAIRMAN MONTOYA: I think in terms of the direction on changes, was there anything you had, Commissioner Stefanics, to add?

COMMISSIONER STEFANICS: No. I think I'll provide them with written comments. Thanks.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: No. Again, I'd provide them with written comments.

CHAIRMAN MONTOYA: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. There was one, going back to sand and gravel. I've got this paper that I had last time regarding some of the staff recommendations. And after speaking with some individuals this was a change that was suggested. Sand and gravel mining will be subject to the requirements of the Construction and Minerals Extraction Regulations. Can you tell me what the Construction and Minerals Extraction Regulations are?

MR. GRIEGO: Mr. Chair, Commissioner Anaya, we revised that section. I'm not sure what that refers to right now. Is that a public comment?

COMMISSIONER ANAYA: Let me go back to – it says public comment, yes. Let me just hand it to you. And it says take out sand and gravel mining will also be recognized as the DCI and subject to the requirements of the existing mining ordinance in the Sustainable Land Development Plan. So my comment is to take that out and to put in Sand and gravel will be subject to the requirements of the Construction and Minerals Extraction Regulations.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: I don't agree with that and I think that earlier we had reached a consensus that it would be treated as a DCI and we would go along with the recommendation that staff made.

CHAIRMAN MONTOYA: Okay.

VII. SGMP Next Steps
A. Revision of SGMP
B. Public Hearings

CHAIRMAN MONTTOYA: What are the next steps then for an agenda item VII?

MR. KOLKMEYER: Mr. Chair, the next steps will be that we will now take all the comments and recommendations from today, and we will go, take all of the recommendations that we made in this matrix for each chapter, for which we have staff recommendations and we will draft a new document that we will bring forth to you next month for consideration and adoption.

CHAIRMAN MONTTOYA: Okay.

MR. KOLKMEYER: So it won't be all red-lined and everything else like these have been now. It will be a revised final draft of the document that will come forward. And we are going to try to do that somewhere between the dates of the third and the 18th of November as I understand. So that's when we will come back to you with this document. So that's actually the next step.

Just a couple of other really quick final comments. The survey that we addressed earlier is coming back to you next Tuesday so you're going to go over the particulars of that survey. It will be really interesting to gauge what was in that survey with a lot of the things that we discussed today, so you'll be able to see that. And just one final comment, going back to Commissioner-elect Anaya's question about the 2.5-acre lots. We're also going to add a new section in the very first portion of the plan about settings and systems, because that's really the answer to your question is, if you were asking me are 2.5-acre lots going to be everywhere in the county the answer is no, because you might want eight DUs per acre in some areas. In the Community College District, for example, we have four to six DUs per acre.

So we want to make sure to match the settings and where they are and what they can accommodate with the proper systems and therefore the proper densities. So just to make sure I was clear with you on the question you asked me. It should vary and it should vary for the right reasons.

So we thank you very much for going through this with us again and all the public comments. The public hearing will be extremely important and we'll let you know what those dates will be.

CHAIRMAN MONTTOYA: Okay. Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm a little concerned here. I thought we were going to vote on this before the new year. Am I wrong?

CHAIRMAN MONTTOYA: No, that's the discussions that we've had in terms of the projected time line.

MR. KOLKMEYER: We're going to bring you back a final document next month.

COMMISSIONER STEFANICS: In November.

MR. KOLKMEYER: In November, to vote on. Yes.

COMMISSIONER STEFANICS: Okay. So you had indicated we'd have a new draft somewhere between November 3rd and November 18th.

MR. KOLKMEYER: Yes. For the public hearing.

COMMISSIONER STEFANICS: Okay. Then there's Thanksgiving and we have one meeting in December, December 14th. So I'm just wanting – and I'm looking at you, not them, as to when we think this is really going to happen.

CHAIRMAN MONTOYA: Well, I think the question here is is there a need for another public hearing after we already know what's going to be in the revisions, what we've discussed for the last two study sessions.

MR. KOLKMEYER: Mr. Chair, you will adopt the final version at a public hearing. That's what we'll be giving you, a final document to adopt.

CHAIRMAN MONTOYA: So, Mr. Chair, in principle, we could vote on it at the public hearing where it is presented to us. The final draft.

MR. KOLKMEYER: That's our understanding.

CHAIRMAN MONTOYA: So that's going to be either the 3rd or the 18th?

MR. KOLKMEYER: Or somewhere between, depending on your schedules. Because it raises another question. Do you want to do this as part of a regular BCC meeting, or as a special meeting? Because you would probably, you know how things stack up at the end of the year you might want to consider doing this as a special meeting, and we're just looking at making sure there's one but of course there may need to be another one or however you want to do it. That will be up to you. But I think the first question becomes do you want to do this again at a special meeting where we can just focus on this with adequate time for continuing public comments and that would be up to your schedules.

Penny has been working on some of the scheduling issues.

MS. ELLIS-GREEN: Mr. Chair, the requirement is only to have – this will be adopted by a resolution so it only requires one public hearing, and we're looking at the first or second week in November. Your regular scheduled meeting in November is November 9th, but that's the meeting when you do have CDRC cases or BCC cases, the evening public hearing cases. So that can be a long agenda already. So if the Board wants we can put it on that agenda or we can look the first or second week in November at having a special meeting to adopt. During that meeting if the Board decides that they would want to have another public hearing we will act at the discretion of the Board at that point, but the requirement is only to have one public meeting, which we're intending to have the first or second week in November. And that will be for adoption.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I received emails from constituents asking that the public hearings and discussions about this be in the evening. In fact somebody wrote and said we were totally inconsiderate for having these public study sessions during the workday. And I would want to make sure, Mr. Chair, that we try to either do it on November 9th or schedule another evening meeting to do this, because the public deserves the opportunity to come to the public hearing.

CHAIRMAN MONTOYA: Commissioner Holian.

COMMISSIONER HOLIAN: I'm in agreement about that, and I'm flexible about having an extra meeting if we need that.

CHAIRMAN MONTOYA: Okay.

COMMISSIONER ANAYA: Mr. Chair, I'm on vacation in November but I can't remember the dates so I'm looking that up. I want to make sure I'm here. So –

CHAIRMAN MONTOYA: Are you going to be here on the 9th for sure?

COMMISSIONER ANAYA: That's what I'm trying to figure out.

CHAIRMAN MONTOYA: Because that's a regular meeting.

COMMISSIONER ANAYA: Oh, then I should be.

COMMISSIONER STEFANICS: Mr. Chair, while he's looking that up, even if we had a long agenda for the CDRC, we could actually move the CDRC cases to a different day and keep the regular November 9th if the Commissioner is here then as the big public hearing for this.

COMMISSIONER ANAYA: That would work.

CHAIRMAN MONTOYA: Yes, why don't we shoot for the 9th.

COMMISSIONER ANAYA: I think I'm okay on the 9th.

CHAIRMAN MONTOYA: And I think Commissioner Vigil will be back also, right? Okay, any other discussion? I want to thank staff for your work, everybody. Thank you, Commissioner-elect Anaya for being here, Commissioner-elect Mayfield.

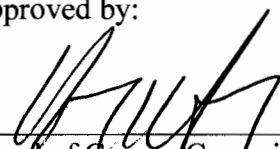
COMMISSIONER-ELECT ANAYA: If I could, I just wanted to thank you, Mr. Chair and the other members of the Commission for allowing Commissioner-elect Mayfield and myself to participate in the discussion and thanks for letting us.

CHAIRMAN MONTOYA: You're welcome. Thank you for being here. You'll be taking this over soon enough.

VIII. Adjournment

Chairman Montoya declared this meeting adjourned at 11:40 am.

Approved by:



Board of County Commissioners
Harry Montoya, Chairman

ATTEST TO:


VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell, Wordswork

