

MINUTES OF THE
SANTA FE COUNTY
DEVELOPMENT REVIEW COMMITTEE

Santa Fe, New Mexico

August 21, 2008

This meeting of the Santa Fe County Development Review Committee (CDRC) was called to order by Chair Jon Paul Romero, on the above-cited date at approximately 4:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present:

Jon Paul Romero, Chairman
Don Dayton, Vice Chair
Charlie Gonzales
Jim Salazar
Juan José Gonzales

Member(s) Excused:

Kathleen Holian

Staff Present:

Shelley Cobau, Review Division Director
Jose Larrañaga, Development Review Specialist
Vicente Archuleta, Development Review Specialist
Vicki Lucero, Zoning Director
David Stephens, Assistant County Attorney

APPROVAL OF AGENDA

Following mention of some typographical errors by Ms. Cobau, Member Salazar moved approval of the agenda. His motion was seconded by Member C. Gonzales and passed by unanimous voice vote.

APPROVAL OF MINUTES: July 17, 2008

Member Dayton moved to approve. Member Salazar seconded and the motion passed by unanimous voice vote.

NEW BUSINESS

2. **CDRC CASE # MIS 08-5221 Jim and Linda Oftedal Accessory Structure.** **Jim and Linda Oftedal, applicants, request approval of a 3,720 square foot accessory structure on ten acres that will be utilized to store equipment for maintaining the property and to store an RV. The property lies partially within the US 285 South Highway Corridor Zoning District, within the Los Caballos Subdivision at 32 Blue Mesa Road, within Section 20, Township 15 North, Range 10 East. (Commission District 5)**

Vicente Archuleta read the case caption and gave the following staff report:

“On March 11, 1997, the Board of County Commissioners adopted Ordinance No. 1997-4 which states that the CDRC is required to review for approval any accessory structure which is greater than 2000 square feet. The applicant requests approval of a 3,720 square foot accessory structure on 10 acres. There is currently a residence, garage and shed on the property.

“The US 285 South Highway Corridor District boundary line runs through the subject property and the Applicant must comply with all design standards.

“The applicant states: ‘Our intent is to erect an accessory building of 50 feet by 60 feet with a lean-to of 12 feet by 60 feet on one side for our personal use. The size of the building is required to house our RV, tractors and equipment for maintaining our property. The covenants in Los Caballos subdivision require our equipment and vehicles to be parked inconspicuously or under cover. This building will allow us to comply with this covenant.’

“The applicant has submitted plans which indicate the structure will be less than 24 feet in height. On site retention will be provided to retain post-construction runoff.”

Mr. Archuleta noted that staff recommends approval of the accessory structure subject to the following conditions:

1. The applicant must comply with the Santa Fe County Land Development Code, the US 285 South Highway Corridor Zoning District Ordinance No. 2005-08 and NMCID building permit requirements.
2. Compliance with minimum standards for Terrain Management as per the Environmental Requirements of the Land Development Code

3. The applicant must comply with Ordinance No. 2003-6 (Rainwater Catchment).
4. The structure shall not be utilized for commercial use.

Duly sworn, Jim Oftedal, applicant, distributed pictures of the property to the committee. He stated he wants to keep his expensive motor home under cover, along with other vehicles and equipment, as mandated by the area covenants. The building will be 110 feet from the back property line.

In response to questions by Member C. Gonzales, Linda Oftedal, previously sworn, said no violation was issued. They received a copy of the covenants, and the homeowners association has approved their plans, as has the 285 Corridor Association.

Chairman Romero stated he appreciated the applicants meeting with the neighbors before proceeding.

There was no one from the public wishing to speak on the issue.

Member C. Gonzales asked why there was a discrepancy between the square footage on the terrain management report and that listed on the caption. Mr. Archuleta explained that originally the lean-to's square footage was not taken into account and that is where the difference lies.

Member Dayton moved to approve CDRC Case #MIS 08-5221 with staff conditions. Member J.J. Gonzales seconded and the motion passed without opposition.

3. **CDRC CASE #DP 07-5501 Apache Springs Final Development Plan/Plat.** Beverly Chapman, Applicant, Joe Ortiz, Agent, request Final Development Plan and Final Plat approval for a sixteen (16) lot residential subdivision on 40-acres. The property is located at 87 Camino Valle, within Section 10, 11, 14, and 15, Township 15 North, Range 10 East, (Commission District 5)

Vicki Lucero read the following staff report:

“The applicant is requesting final development plan and final plat approval for a sixteen lot subdivision on 40 acres. The proposed lots range in size from .75 acres to 4.29 acres. The property is located within the Mountain Hydrological Zone where the minimum lot size is 20 acres per dwelling unit with a 0.25 acre-foot per year per lot water restriction; unless an approved geohydrologic analysis demonstrates water availability to support increased density.

“On May 13th 2008, the BCC granted Preliminary Plat and Preliminary Development Plan approval. On March 20, 2008 this Case was heard by the County Development Review Committee The decision of the CDRC was to recommend preliminary development plan and preliminary plat approval, with staff conditions and with the condition that the applicant meet with neighbors

before returning to the CDRC for a final development plan and plat recommendation. The applicant subsequently met with neighbors.

Ms. Lucero stated the application was reviewed for access, traffic impact, terrain management, water harvesting, water and liquid waste, solid waste, fire protection, landscaping, open space, archeology, signage and affordable housing.

She stated the proposed subdivision is in compliance with Article III, Article IV and Article VII of the Land Development Code, and applicable County ordinance(s) pertaining to final development plan and plat submittals. Staff therefore recommends final development plan and plat approval of the Apache Springs Subdivision subject to the following conditions:

1. Compliance with applicable review comments from the following:
 - a. State Engineer
 - b. State Environment Department
 - c. State Department of Transportation
 - d. County Water Resources Specialist
 - e. County Public Works
 - f. County Technical Review Division
 - g. Santa Fe Public School District
 - h. State Historic Department
 - i. Rural Addressing
 - j. County Affordable Housing Administrator
2. The final development plan and plat must be recorded with the County Clerk's office.
3. All redlines will be addressed, original redlines will be returned with final plans.
4. The applicant shall comply with the water harvesting requirements of Ordinance 2003-6. A rainwater-harvesting plan will be required from individual lot owner upon application for a building permit. This requirement must be included in the Subdivision Disclosure Statement and restrictive covenants, and noted on the final plat.
5. The applicant shall comply with all Fire Marshal requirements.
6. All exterior lighting must meet Code criteria. The specific requirements for residential outdoor lighting shall be included in the Subdivision Disclosure Statement and restrictive covenants.
7. A liquid waste permit must be obtained from the Environment Department for the proposed septic systems prior to issuance of building permits; this requirement must be included in the Subdivision Disclosure Statement and noted on the Plat.
8. The Applicant must record water restrictive covenants simultaneously with the Plat imposing 0.25 acre-feet per lot per year. Water meters must be installed to each lot at the time of development and meter readings must be submitted to the Land Use Administrator annually by January 31st of each year.
9. No further division of this land will be allowed; this shall be noted on the Final Plat and in the Subdivision Disclosure Statement.

10. The applicant shall provide a Vegetation Management Plan to be reviewed and approved by the County Fire Marshal and must be recorded with the final development plan and referenced on the final plat.
11. Construction Plans indicating proposed widening locations where Camino Valle narrows to less than 20' in width, any culvert extensions needed to accommodate widening, tree removals, and existing driveway locations shall be submitted for review prior to application for final development plan and plat approval before the BCC. These plans shall indicate placement of basecourse on Camino Valle from Camino Piñon to the entrance of the Apache Springs subdivision to a 3" depth. The applicant shall either bond or build out the improvements to Camino Valle prior to recordation of final plat.
12. A location for a future cluster mailbox area to serve the Apache Springs Subdivision and other areas must be provided. This pullout shall meet the minimum specifications for mailbox pullouts set forth by the NMDOT. The pullout driving surface shall be a minimum of 6" of aggregate basecourse, and adequate drainage must be provided. The detail of this location shall be included in the final development plan, and additional right-of-way as required indicated on the final plat.
13. The applicant shall submit a financial surety, as required by Article V, Section 9.9 of the Code, in a sufficient amount to assure completion of all required improvements. The surety bond shall be based on a county approved engineering cost estimate for the completion of required improvements as approved by staff prior to final plat recordation. All improvements shall be installed and ready for acceptance within eighteen months of recordation.

Joe Ortiz, agent for the applicant, was placed under oath and stated that after diligent work with staff and the State Engineer's Office the proposal now meets all state statutes and guidelines and the Code, and has received a positive recommendation from the OSE. He said they are in agreement with all staff conditions.

Chairman Romero asked if they had met with the neighborhood. Mr. Ortiz said they met formally once and informally around three times. "I believe they're pretty happy about it," he said, and their concerns seem to have been addressed.

Member Dayton asked if the proper road gradient had been met to the satisfaction of the fire department. Mr. Ortiz said they meet all the requirements and will be putting in a 125-foot cul-de-sac and a 30,000-gallon water tank. The houses will be sprinklered.

Member C. Gonzales asked for clarification on the regional pond and on-lot ponding. Ms. Lucero indicated that as each lot applies for a building permit they will have to comply with the rainwater harvesting ordinance and install retention ponds. The regional pond will handle runoff from the roads and infrastructure.

Mr. Ortiz said it is difficult dealing with water restrictions when they intend to sell lots only.

Duly sworn, Chris Sweeney stated they received the first notice in April but due to personal circumstances have not been able to meet with Mr. Ortiz. She and her husband have property near the development and they planned to retire on the land. Now, they would like to sell it and are concerned about the additional traffic and that it will be less valuable. She said they were not necessarily opposing the project, but would like to meet with the applicant.

Member J.J. Gonzales asked who would be maintaining the road. Mr. Ortiz said it is all County roads. James Lujan, County Growth Management Director, stated Public Works said the County maintains the road and currently, there is a basecourse program underway in the Eldorado area; this property may be part of that program.

Member C. Gonzales asked if whoever buys the lot with the regional pond would be responsible for its maintenance. Mr. Ortiz stated that will be on the disclosure statement. Chairman Romero asked if there was an easement and Mr. Ortiz said there was.

Member Salazar moved to approve CDRC Case #DP 07-5501 with staff conditions. Chairman Romero asked for a friendly amendment recommending that the applicant meet with the Sweeneys. This was accepted. The motion was seconded by Member C. Gonzales and passed by unanimous voice vote.

PETITIONS FROM THE FLOOR

Mr. Ortiz noted that during the appraisal process, for the first time in his experience, the value of the lots was reduced \$50,000 since there was no prohibition of mobile homes. He said this goes against the desire for affordable housing. "It's just sad to see."

COMMUNICATIONS FROM THE COMMITTEE

Chairman Romero asked if the water harvesting ordinance had been amended. Ms. Cobau stated Rancho Viejo petitioned that changes be made to reduce cistern requirements where graywater is being used and this was done in 2007.

COMMUNICATIONS FROM STAFF

None was presented.

COMMUNICATIONS FROM THE ATTORNEY

None was presented.

ADJOURNMENT

With all business completed, this meeting was declared adjourned at approximately 4:35 p.m.

Approved by:

Jon Paul Romero, Chair
CDRC

ATTEST TO:

COUNTY CLERK

| Before me, this ____ day of _____, 2008.

| My Commission Expires:

Notary Public

|
Submitted by:

Debbie Doyle, Wordswork

D R A F T

subject to approval