


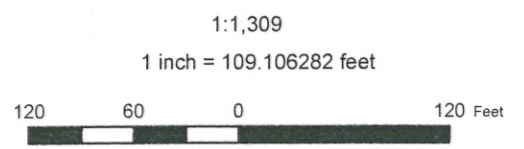




Legend

-  Major
-  Minor
-  Parcels

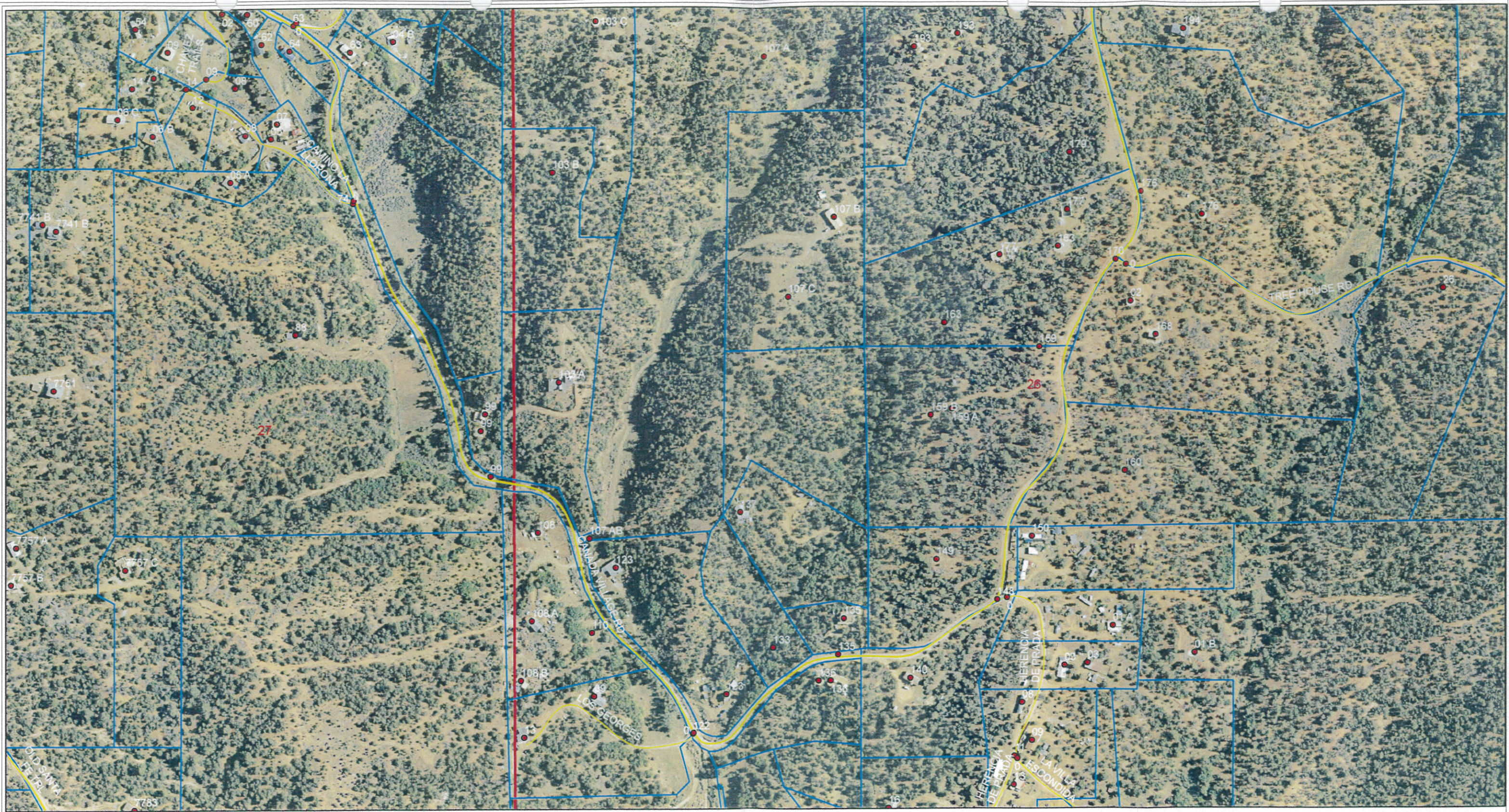


2008 Orthophotography




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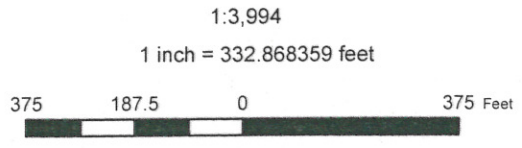


March 21, 2012



Legend

-  Major
-  Minor
-  Parcels



2008 Orthophotography

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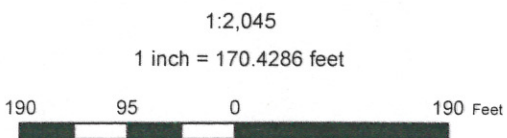
March 21, 2012

NBB 18



Legend

-  Major
-  Minor
-  Parcels



2008 Orthophotography
2001 2 Foot Contours

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March 21, 2012

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Submittal Review

Date	April 10, 2012		
Project Name	Garcia, Andres & Shanda		
Project Location	107 B Canada Village Road T16; R10; S26 "High Wildland-Urban Hazard Area"		
Description	Variance for second dwelling unit	Case Manager	Jose Larranaga
Applicant Name	Andres & Shanda Garcia	County Case #	12-5050
Applicant Address	107B Canada Village Road Santa Fe, NM 87505	Fire District	Hondo
Applicant Phone	N/A		
Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>	Wildland <input checked="" type="checkbox"/>
Hydrant Acceptance <input type="checkbox"/>	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input checked="" type="checkbox"/>
Inspection <input type="checkbox"/>	Lot Split <input type="checkbox"/>		
Project Status	Approved <input type="checkbox"/>	Approved with Conditions <input type="checkbox"/>	Denial <input checked="" type="checkbox"/>

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*) :

Summary of Review

As submitted, this development plan is Denied because the access road/driveway follows the runoff drainage from the Tract B-2 to the bottom where it intersects with Canada Village Road.

- ...*Fire apparatus access roads... shall be provided with a surface so as to provide all-weather driving capabilities (page #2)*
- There shall be incorporated into the driveway(s) ... a turnaround area for emergency vehicle purposes (*page #2*)
- ...maximum slope for a driveway/fire access driving surface shall not exceed 11%...(page #3)
- This development location is rated within a "High Wildland-Urban Hazard Area" and does not comply with all applicable regulations...(page #3)



- Per SFC 2001-11 / EZA 2001-04 Chapter 4, Section 3.2 Roads and Driveways; *Access roads, driveways, driveway turnarounds and driveway turnouts shall be in accordance with provisions of the Fire Code and the Land Development Code...(page #4)*

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

- **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

1997 Uniform Fire Code Article 9, Section 902.2.2.2. Surface; Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities.

Access road/driveway follows the runoff drainage from the Tract B-2 to the bottom where it intersects with Canada Village Road.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Driveway, turnouts and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted base course or equivalent. Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

There shall be incorporated into the driveway(s) no farther than 150' from the proposed residence a turnaround area for emergency vehicle purposes such as a cul-de-sac or K-type or hammerhead type turnaround conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

- **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

Section 901.4.5 Street or Road Signs (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

- **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

The maximum slope for a driveway/fire access driving surface shall not exceed 11% and shall have a minimum 28' inside radius on curves.

- **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

To prevent the possibility of emergency responders being locked out, all access gates should be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

Urban-Wildland Interface

SFC Ordinance 2001-11, Urban Wildland Interface Code

This development location is rated within a "High Wildland-Urban Hazard Area" and does not comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.

- **Building Materials**

Buildings and structures located within urban wildland interface areas, not including accessory structures, shall be constructed in accordance with the Fire Code, the Building Code and the Urban Wildland Interface Code.

- **Location/Addressing/Access**

Per SFC 2001-11/EZA 2001-04, addressing shall comply with Santa Fe County Rural addressing requirements.

Per SFC 2001-11 / EZA 2001-04 Chapter 4, Section 3.2 Roads and Driveways; Access roads, driveways, driveway turnarounds and driveway turnouts shall be in accordance with provisions of the Fire Code and the Land Development Code. Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development.

▪ **Vegetation Management**

It is recommended that the development also have a vegetation management plan to establish fire-safe areas and to minimize the threat and occurrence of fire in the urban wildland interface areas. Assistance in details and information are available through the Fire Prevention Division.

General Requirements/Comments

▪ **Inspections/Acceptance Tests**

Prior to acceptance and upon completion of any permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

▪ **Permits**

As required

Final Status

Recommendation for Development Plan **DENIAL** as submitted.


Tim Gilmore, Inspector


Code Enforcement Official

4.10.12
Date

Through: David Sperling, Chief/Fire Marshal

File: DevRev/H/Garcia,A/041012

Cy: Applicant
District Chief
Buster Patty, Capt., Fire Prevention Div. 

~~VI. Old Business~~~~None was presented.~~VII. New BusinessB. CDRC CASE # V 12-5050 Andres M. Garcia Variance. Andres M. Garcia, Applicant, Requests a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on 10 Acres. The Property is Located at 107-B Cañada Village Road, within Section 26, Township 16 North, Range 10 East, (Commission District 4)

Case Manager Jose Larrañaga read the caption and gave the staff report as follows:

“The Applicant requests a variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code to allow two dwelling units on 10 acres. There is currently one dwelling unit on the property. The Applicant states he would like to place a 2,000 square foot manufactured home on his property for his mother to reside in. The proposed unit will share the existing well and a new septic tank will be installed to serve the proposed dwelling.

“Article II, § 3 (Variances) of the County Code states: ‘Where in the case of proposed development, it can be shown that strict compliance with the requirements of the code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the purposes of the Code, the applicant may submit a written request for a variance.’ This Section goes on to state ‘In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.’

“Growth Management staff has reviewed this project for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request.”

Mr. Larrañaga stated staff was recommending denial of a variance from Article III, §10 (Lot Size Requirements) of the Land Development Code. If the decision of the CDRC is to recommend approval of the Applicant’s request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per dwelling. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Revised water restrictive covenants shall be recorded in the County Clerk’s Office (as per Article III, § 10.2.2 and Ordinance 2002-13).



2. The Applicant shall obtain a development permit from the Building and Development Services Department for the second dwelling unit (as per Article II, § 2).
3. The Applicant shall provide a liquid waste permit from the New Mexico Environment Department with Development Permit Application (as per Article III, § 2.42.a (iv)).
4. The placement of additional dwelling units on the property shall be prohibited (as per Article III, § 10).
5. The Applicant shall comply with all Fire Prevention Division requirements (as per the 1997 Uniform Fire Code and 1997 Life Safety Code).

Referencing the aerial photographs and packet reports, Member Gonzales asked how far the driveway is from the main street. Mr. Larrañaga said he did not know, adding the Fire Marshal seemed more concerned with the grade and condition of the road.

Member Gonzales asked if they submitted a well report. Mr. Larrañaga said they submitted a well permit but that the County Hydrologist had not reviewed it. He said the lot was created through a family transfer process in 2004. In response to questions concerning restrictions, Mr. Larrañaga stated the conditions on the plat were the standard plat notes.

Member Gonzales asked if there were other properties in the area that exceeded the specified density. Mr. Larrañaga said he believed there were, however, he did not know if they were permitted or legal non-conforming.

Member Drobnis asked if additional square footage could be added to the existing dwelling unit, and Mr. Larrañaga said that would be acceptable as long as there was no additional kitchen.

Member Martin asked if the lot was in the wildland urban interface area and was told it was.

Chair DeAnda asked if the request was made on the basis of extraordinary hardship. Mr. Larrañaga said the applicant's letter of intent mentions the new dwelling would be for the applicant's mother. He reiterated that a variance is required because the proposal exceeds density limits.

Duly sworn, applicant Andres Garcia stated the driveway is 1,753 feet long. He agreed the driveway went through a wash, but so does the Cañada Village Road. He pointed out there are numerous dwellings in the area that exceeded density, some of which never obtained permits.

Member Anaya noted the aerial photograph was from 2008 and asked if there were any more recent views and Mr. Larrañaga said that was the latest.

Member Gonzales asked whose property the driveway goes through before reaching his property. Mr. Garcia said it belonged to relatives of his. His family originally owned 73 acres in the area to run cattle. He noted the only way the driveway

could be improved would involve major amounts of grading. He detailed how basecourse, which is expensive, is not always the best solution and in certain weather conditions makes things worse. He added there is adequate room on his properties for turning around emergency equipment and he maintains the road himself, and he described the detention ponds in the area.

Mr. Garcia pointed out that the County road that adjoins his driveway does not have basecourse. Speaking as an employee of the County Public Works Department, he said he thought it unfair to ask a higher standard of residents than what is asked of the County itself. There are many people in the area with driveways just as steep and in the same condition and they are used year-round.

Chair DeAnda asked if there were currently any problems with access. Mr. Garcia said the Cañada Village Road is one way in/one way out. If it floods there is no access. The last time that happened was around three years ago.

Chair DeAnda asked if the applicant was in agreement with the conditions. Mr. Garcia reiterated his position that basecourse was not the answer, but he will do what he has to do.

Chair DeAnda asked staff if condition #5 referred to the recommendations of the Fire Department and Mr. Larrañaga said it did.

Fire Captain Buster Patty made himself available for questions. He noted that the 1997 Fire Code requires an all-weather crossing. This road has flow across it. Additionally, when the driveway reaches Mr. Garcia's property it is 17 percent grade. He said the surface in that area is granitic so it is likely to support the 75,000 pounds required. However, the code sets the grade limit at 17 percent and he is obliged to go by that standard in his recommendation. He referred to Section 902, Exception 2 that gives discretion to the Fire Chief to issue approvals with mitigating measures such as sprinklering that would allow the Fire Department more time to be on the scene.

Referring to other non-compliant roads in the area Captain Patty said those are legal non-conforming. Mr. Garcia wants to add another dwelling that could need emergency services. He said there was enough room at the top to allow for turnarounds. If the request is approved, the Fire Chief would likely add conditions of approve. "It is a difficult piece of property."

Referring to Wildland Interface requirements, Chair DeAnda asked if a manufactured home would meet the building materials requirements. Captain Patty said for the most part they do. There would have to be a vegetation management plan, and decks and skirting would have to be non-combustible.

There was no one from the public wishing to speak.

Chair DeAnda said the committee was sympathetic to the applicant's request, but no extraordinary hardship was expressed. She noted the applicant's reluctance to adhere to the conditions.

Member Anaya asked if the Fire Department had been up in the area, and Captain Patty said they had, adding there is a 30,000-gallon draft tank on one of the hills which is on a road over 11 percent. He said, "We're not saying we're not going to go; there are no guarantees that we're going to get there." He described the different kinds of turnarounds, adding there is room on the property to accommodate one of these.

Mr. Dalton noted that the code's definition of hardship referred only to unusual topography.

Noting the criteria for granting a variance, specifically the lack of hardship, were not met Member Drobnis moved to deny the variance request in Case #V 12-5050. Member Martin seconded the motion which passed by 3-2 voice vote with Members Drobnis, Martin and DeAnda voting with the motion and Members Anaya and Gonzales voting against.

Mr. Dalton stated the case will come before the BCC on June 12th.

**VII. D. CDRC CASE # V 12-5001 Camino de Paz School and Farm Variance.
Camino De Paz School and Farm, Applicant, Scott Hoeff (Santa Fe Planning Group, Inc.), Agent, Request a Variance of Article III, Section 9.1 (Parking Requirements), of the Land Development Code. The Property is Located at #03AB Camino De Paz, in Cuarteles, within Section 7, Township 20 North, Range 9 East (Commission District 1)**

Mr. Larrañaga read the caption and gave the following staff report:

"The Applicant has made Application for Master Plan Zoning and Preliminary Development Plan, as a Community Service Facility, which does not meet the parking requirements set forth in the Land Development Code. The Applicant requests a variance of the Community Service Facility parking requirements, set forth Article III, § 9.1, of the Land Development Code.

"Article III, § 9.1, of the Land Development Code require a Community Service Facility to provide 1 parking space per employee plus 1 per 300 square feet of structures used for the facility. The Applicant states that 12 teachers/staff will be employed at the school. The total square footage of the proposed and existing structures, to be utilized for the school, is 12,875. The Code requires that 54 parking spaces be provided for this development.

"The Applicant is proposing 24 parking spaces. The Applicant states that the site will be designed with the intended use of an elementary school / middle school that features 12 teachers at full build out and zero children at the age to drive. The Applicant also states that the ratio provided in the Code, for a Community Service Facility, is a generic calculation for all community facilities which may include a senior center, community center, or a school.