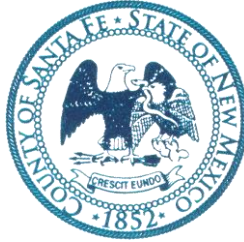


Daniel “Danny” Mayfield
Commissioner, District 1

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

Date: Oct 5, 2012

To: Board of County Commissioners

From: Sarah Ijadi, Senior Planner/ Growth Management
Elisabeth Salinas, Community Planner/ Growth Management

Via: Penny Ellis-Green, Interim Director/Growth Management

Re: Sustainable Land Development Code Public Review Meetings Summary and Public Comments Received

Report Overview

This report summarizes the public review process for the public review draft of the Sustainable Land Development Code (SLDC). The report consists of two parts. The first part summarizes public concerns regarding the draft SLDC. The second part provides an overview of the County’s efforts to reach out to the public and solicit feedback on the draft SLDC.

Background

The public review process launched on September 11th, with the release of the SLDC PRD. The public review meetings will conclude on October 18th. The public comment period will conclude on October 26th. The public review process has involved a variety of outreach methods including providing information on the County website, numerous press releases, providing SLDC copies and background information at community centers and libraries and conducting 12 facilitated public meetings held in a variety of locations across the County.

Public Review Meetings

A total of 80 members of the public have attended the County’s four Informational Open Houses and four of Series II meetings which addressed code administration/ procedures and growth management / financing. These meetings took place in the following locations:

Series I Informational Open Houses

- Estancia (Stanley Community Center 9/20)
- El Norte (Pojoaque Satellite Office 9/13)

- Galisteo (Galisteo Community Center 9/18)
- El Centro (La Cienega Community Center 9/20)

Series II Administration/ Procedures and Growth management / Financing

- Galisteo (Hondo Fire Station 2 9/26)
- El Norte (Nambe Community Center 9/27)
- Estancia (Edgewood Senior Center 10/02)
- El Centro (Nancy Rodriguez Community Center 10/4)

Key Issues

The following key issues represent major concerns expressed at SLDC public meetings. For a complete summary of each public meeting, please visit <http://www.santafecountynm.gov/sldc> and scroll down to “Public Meeting Summaries” and click on links to each meeting summary.

Concerns Regarding Public Review Process and Information Gaps:

- Community members have criticized County outreach efforts for not having stressed the importance of getting involved in the SLDC public review process. The public has also criticized the County’s advertisements for not specifying a definitive time for group discussion.
Issue raised at the following meetings: Stanley Informational Open House- September 12; Galisteo Informational Open House- September 18
- The public expressed concern that a 7-week review period will not provide enough time for the public to thoroughly review the draft code, particularly given the number of key components missing from the draft code and the document’s level of complexity.
Issue raised at the following meetings: Stanley Informational Open House- September 12; Pojoaque Informational Open House- September 13; Galisteo Informational Open House- September 18, Edgewood Series II, Oct 2.
- The public has criticized the draft code for not being readable and missing key pieces of information including reference maps and tables, a zoning map, an official map, clear timeframes and criteria for development review, and an impact fee/development fee schedule. The public has requested that the County take the following actions to make the document more readable and descriptive:
 - Make all maps and fee schedules available to the public for review.
 - Provide examples and flowcharts of different application review processes by application type.
 - Provide cost information for the Adequate Public Facilities requirements; the Study, Reports, and Assessments requirements; and development fees. Explain how these requirements were developed and why they are necessary.
 - Fix the document’s internal inconsistencies, its information gaps and other major flaws and resubmit the document for public review.

Issue raised at the following meetings: Stanley Informational Open House- September 12; Pojoaque Informational Open House- September 13; Galisteo Informational Open House- September 18; Nambe Series II Meeting- September 27; Edgewood Series II, October 2; Nancy Rodriguez Center Series II Meeting, October 4.

- The public has requested that the County write up the major changes between the 1996 code and the new draft code in order to help them better understand the implications of the new code.
Issue raised at the following meetings: Galisteo Informational Open House- September 18; Nambe Series II Meeting- September 27
- The public has requested information regarding how much it will cost the County to implement and administer the new code. They have questioned whether the County has the budget, staff and expertise to implement the code.
Issue raised at the following meetings: Galisteo Informational Open House- September 18, Nambe Series II Meeting- September 27; Edgewood Series II, October 2; Nancy Rodriguez Center Series II Meeting, October 4.
- Community members have asked how much it will cost new development to meet the SLDC's requirements. They have asked the County to consider how increasing the cost of development by imposing new standards will affect the County's affordable housing needs. They have questioned whether the Hearing Officer and the new Study, Report, and Assessment requirements are necessary for the County's decision-making, whether requirements might be scaled back so that they apply to a narrower range of application types, and whether these new requirements will inappropriately burden applicants with additional costs and delays.
Issue raised at the following meetings: Edgewood Series II, October 2; Hondo Fire Station 2, Series II Sept 26
- The public has requested that the County produce a clear list of what Area Plans, District Plans and Community District Overlays Zones can and cannot regulate.
Issue raised at the following meetings: Galisteo Informational Open House- September 18; La Cienega Informational Open House- September 20; Nambe Series II Meeting- September 27; Edgewood Series II, Oct 2.

Area Concerns: Is the code “one size fits all”?

- The public has alleged that code provisions, including zoning districts and design standards, do not reflect the functional differences between different parts of the County. For instance, residents in the El Norte Growth Management Area have expressed concern that the Agricultural/Ranch zoning district does not accommodate typical agricultural and ranch activity in the northern part of the County which typically occur on smaller lots.

Similarly, at the Stanley Informational Open House, Commissioner Anaya suggested that it may be appropriate to have higher height restrictions in the southern part of the County given the area's custom of building tall barns and having pitched roofs on multi-story homes. Residents have recommended that the County review zoning districts in light of historic patterns.

Issue raised at the following meetings: Stanley Informational Open House- September 12; Pojoaque Informational Open House- September 13; Edgewood Series II, October 2.

- The public has asked how requirements that new development hook up to public or community water systems will affect development rights in areas where community water systems are having difficulty serving existing residents or in areas where property owners are unable to obtain the easement required to hook up to public or community water systems.

Issue raised at the following meetings: Pojoaque Informational Open House- September 13; Edgewood Series II, October 2; Nambe Series II Meeting- September 27.

- The public has asked whether current community planning ordinances will take precedence over the new code once it is adopted. They have asked how conflicts between the code and current community planning ordinances will be reconciled and they have requested that the County produce a clear list of what current community overlays can and cannot regulate.

Issue raised at the following meetings: Galisteo Informational Open House- September 18; La Cienega Informational Open House- September 20; Nambe Series II Meeting- September 27

- The public has suggested that home occupations be limited to non-industrial uses; that their hours of operation be restricted to normal business hours (8:00 am to 5:00 pm); and that they not be allowed to emit noise, fumes, or ultraviolet light outside the building.

Issue raised at the following meetings: Nambe Series II Meeting- September 27

- The public has expressed concern that the code does not include provisions for conservation subdivisions (compact development) that reflect sustainable development patterns envisioned in the Sustainable Growth Management Plan (SGMP).

Issue raised at the following meetings: Galisteo Informational Open House- September 18;

- The public has alleged that the imposition of impact fees will be abused and absurd for typical development (minor subdivisions), in the southern portions of the County.

Issue raised at the following meetings: Edgewood Series II, Oct 2.

Other Concerns & Questions Regarding Draft Code Provisions:

- Community members have asked what procedures and methodology the County will use to map zoning districts. What will be the process for approving the zoning map? How will county “assign” zoning? How can assignments be appealed?

Issue raised at the following meetings: Stanley Informational Open House- September 12; Pojoaque Informational Open House- September 13; Galisteo Informational Open House- September 18; Nambe Series II Meeting- September 27; Edgewood Series II, Oct 2.

- Community members have expressed dismay that permits will be required for agricultural uses and that the draft code does not appear to incentivize agricultural land uses.

Issue raised at the following meetings: Pojoaque Informational Open House- September 13; Galisteo Informational Open House- September 18

- Community members have asked how disputes between developers and members of the public in the development review process will be mediated.

Issue raised at the following meetings: Galisteo Informational Open House- September 18; Nambe Series II Meeting- September 27

- Community members have expressed support of resource conservation standards overall but have raised concerns that the standards for water conservation do not reflect current higher standards for

low- flow shower heads and other fixtures. Others have suggested that these standards are overly proscriptive.

Issue raised at the following meetings: Hondo Fire Station 2, Series II Sept 26

County Outreach

Santa Fe County has made great effort to solicit feedback regarding the draft SLDC. County outreach efforts have included sought to raise public awareness of the SLDC through a variety of means:

Website

The website has been up running since the Sept 11. The website allows the public to view and download a copy of the SLDC, as well as to view background information, public comments regarding the SLDC, and public meeting summaries. The website also includes a form for members of the public to submit their comments on the draft code directly to County staff. The following link will direct you to the County's SLDC website: <http://www.santafecountynm.gov/sldc>

Copies of the SLDC PRD

The SLDC PRD is available for download from the County website and can be purchased (hard copies for \$12.00 or compact discs for \$2.00) from the Planning Division.

Reference copies of the SLDC PRD are available at all of the County Community Centers, Satellite Offices and Administrative Offices and several area public libraries.

Additional Information

The County has distributed brochures, posters, postcards and comment sheets to community centers, libraries, County offices, and at public meetings.

Public Input

There are numerous opportunities for the public to provide feedback on the SLDC. In addition to on-going public meetings, the County accepts written comments and e-mails (sldc@santafecountynm.gov) and provides a web-based tool for submitting comments.

In order to track public input and compile information for review, the County has designed and is managing a public input database which includes all public input from all sources listed above. To date the database contains over 80 comments from the public.

Advertising for Public Meetings, Print and Electronic Media

The County has run the following advertisements to raise public awareness of public meetings:

- Edgewood Independent - quarter page ad; Sept.5-11, Sept. 12-18, Sept. 26-Oct. 2, Oct. 3-9
- Albuquerque Journal - 3x8 ad; September 18, September 19, September 23, October 7
- Rio Grande Sun - quarter page; September 19 – 25, September 25-October 2, October 3-9
- Mountain View Telegraph- half page; September 13 – 19, October 4 – 10

- Santa Fe New Mexican - Email News Mailer (16,000 emails daily) – Sept 10 – 14, Sept. 17-21; quarter page print; Sept 6, Sept.9, Sept.13, Sept.16, Sept. 28.
- (Please note the meetings are also included in the regular Weekly Meeting Ad schedule that runs every Sunday in the Santa Fe New Mexican Local Section)

E-mail List Serve:

Weekly reminders to Planning Division's e-mail list serve, (over 900 members including neighborhood associations), on public meeting location and dates of public meetings and BCC code study sessions.

Articles

The following articles have been generated in response to the release of the SLDC PRD and public meetings:

- SF County Seeks Input on New Law (Mountain View Telegraph) By Lee Ross | Sep 6, 2012
- Draft of County code available (Santa Fe New Mexican News Briefs) / September 14, 2012
- County nearly ready to pass land use law (Edgewood Independent) By Leota Harriman / September 19, 2012
- Land code meetings scheduled (Santa Fe New Mexican News Briefs) / September 22, 2012

Press Releases

Three press releases to date announcing the release and availability of the SLDC PRP and the purpose, time and location of public meetings.