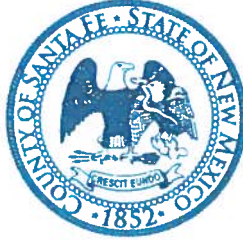


Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: August 18, 2016

TO: Planning Commission

FROM: Mathew Martinez, Development Review Specialist. *MM*

VIA: Penny Ellis-Green, Growth Management Director *PEEG*
Vicki Lucero, Building and Development Services Manager *VL*
Wayne Dalton, Building and Development Services Supervisor *WD*

FILE REF.: Case # V 16-5160 Santa Fe County Galisteo Fire Station Variances

ISSUE:

Santa Fe County, Applicant, requests variances of Chapter 8, Section 8.8.5, Side and Rear Setbacks and Chapter 7, Section 7.13.11.7, Water Harvesting of the Sustainable Land Development Code, Ordinance No. 2015-11 (SLDC). The Applicant proposes to add 1,192 square foot (sq. ft.) to an existing 3,365 sq. ft. unmanned Fire Station (Fire and Rescue Station) for a total of 4,557 sq. ft. The site is within the Galisteo Community District Overlay (GCD) and is zoned as Public/Institutional (GCD PI). Under the GCD Use Table a Fire and Rescue Station is allowed as a Permitted use. The property is located at 39 Avenida Vieja, off N.M. 41, within Township 14 North, Range 9 East, Section 36, (Commission District 3).

Vicinity Map:



Site Location

SUMMARY:

On July 28, 2016, this case was heard by the Hearing Officer. The Hearing Officer recommended approval of the request.

The Applicant acquired the property as evidenced by the warranty deed recorded in the records of the Santa Fe County Clerk in book 340 page 158 on October 20, 1976. The Applicant is requesting a 1,192 sq. ft. addition to an existing 3,365 sq. ft. volunteer unmanned fire station for a total of 4,557 sq. ft. The proposed addition will provide an additional apparatus bay, exercise room, and storage area.

The Applicant requests a variance of Chapter 8, Section 8.8.5, Side and Rear Setbacks, Table 8-17-1, which states that setbacks within a PI (Public Institutional) zone shall be a minimum of 40 feet. The Applicant states that in order to provide access to the new addition and a turning radius for trucks the new addition must be aligned with the existing facility. The current side setback for the existing building is 10' therefore the Applicants request the same 10' setback for the addition. Also, the proposed rear setback for the addition would be a little over 18', although the SLDC requires a 40' rear setback, making this variance request for both the side and rear setbacks.

The Applicant additionally requests a variance of Chapter 7, Section 7.13.11.7, Water Harvesting. The Applicant states that existing landscaping is on the property, which includes four deciduous trees and shrubs and that this existing landscaping is mature and does not require watering. The Applicant states that the parking lot is less than 40 spaces and there will be screening provided to the north of the addition by means of a coyote fence. The Applicant states that roof water will be oriented with downspouts and will direct water to existing trees with on-site ponding to the east of the building. The station is already screened with a landscape density that keeps with the natural landscaping in the area, characterized by more open land with little vegetation. Additionally, the station being unmanned does not provide staff who can maintain landscaping, therefore the variances are needed.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2015-11 (SLDC), which govern this Application are the following:

Chapter 8, Section 8.8.5, Table 8-17-1, Side and Rear Setbacks that are greater than 12 feet but less than or equal to 24 feet shall have minimum Side and Rear setbacks of 40 feet. (Exhibit 5)

Chapter 7, Section 7.13.11.7.3, Water Harvesting, Catchment Requirements, Non-Residential Structures states:

- a. Systems shall be designed to capture rainwater from the roofed area.
- b. Cisterns shall be buried, partially buried or insulated and shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pump may be used to convey that water to the point of use.
- c. Cisterns shall be sized to hold 1.5 gallons per square foot of roofed area or the equivalent of one month supply of water. (Exhibit 7)

Chapter 14, Section 14.9.7.1, Variances, Purpose, states:

The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

Chapter 14, Section 14.9.7.4, Variance Review criteria states:

A variance may be granted by only a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) where authorized by NMSA 1978, Section 3-21-8(C):

1. Where the request is not contrary to public interest;
2. Where, owing to special conditions, a literal enforcement of the SLDC will result in unnecessary hardship to the applicant; and
3. So that the spirit of the SLDC is observed and substantial justice is done.

Chapter 14, Section 14.9.7.5 Variance Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or minimize adverse impacts on the general health, safety and welfare of property owners and area residents.
2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant takes affirmative action consistent with the approval.

As required by the SLDC, the Applicant presented the Application to the Technical Advisory Committee (TAC) on April 7, 2016, at the regular scheduled monthly meeting, which satisfied the requirements set forth in Chapter 4, Section 4.4.4.3 Pre-application TAC Meeting and Table 4-1.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice

posting regarding the Application was made for fifteen days on the property, beginning on July 13, 2016. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on July 13, 2016, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on May 27, 2016.

RECOMMENDATION:

Since there is already an existing building with a 10' side setback, it is unreasonable to require an addition to that structure to meet a 40' setback. During the 6 month review of the SLDC, Staff will be proposing an exception to setbacks for additions to existing structures, and to delete the additional setbacks in the PI district.

The existing trees are mature and require little water. The roof drainage will be directed into the trees. Water use for landscaping is so minimal that requiring a cistern would result in an unnecessary hardship.

As part of the 6 month review of the SLDC, staff will be recommending to the Board of County Commissioners that the rainwater section be amended to allow non-residential uses, where no new landscaping is required, to utilize rain barrels or other water catchment systems including berm, swales, and tree wells to capture rainwater, as approved by the Administrator.

The request for variances meets all variance review criteria set forth in Chapter 14, Section 14.9.7.4.

This matter came before the Hearing Officer for a hearing on July 28, 2016. The Hearing Officer recommended approval of the Application.

If the decision of the Planning Commission is to approve the application, you may consider adopting the Hearing Officer's finding of fact and conclusion of law in the written recommendation.

EXHIBITS:

1. Applicants Request
2. Recorded Survey Plats
3. Recorded Warranty Deed
4. Aerial of Site and Surrounding Area
5. Chapter 8, Section 8.8.5, Table 8-17-1 Side and Rear Setbacks
6. Chapter 7, Section 7.13.11.7. 2(b) (Water Harvesting)
7. Noticing
8. Hearing Officer Minutes



RISKIN ASSOCIATES ARCHITECTURE
227 East Palace Avenue, Suite C
Santa Fe, New Mexico 87501
tel 505.983.0722 fax 773.913.0722
www.riskinassociates.com

VARIANCE REQUESTS

Date
Project

7.13.16
Galisteo Fire Station - Addition

Code Exceptions Requested

The County is requesting three variances:

- Setbacks (to be less than 40' side and rear)
- Cistern (to eliminate the requirement for a cistern)

The Galisteo Fire Station Addition is a 1192 sf addition to an existing 3365 sf volunteer, unmanned fire station for a total of 4557 sf. The station is owned and operated by Santa Fe County. The station is on a site of approximately 0.6 acres located in the village of Galisteo on Avenida Vieja. The maximum height of the existing facility is approximately 21' at the top of the end parapet wall. The proposed addition will be lower than the existing height. The addition provides an additional apparatus bay and an exercise room as well as some storage.

Setbacks - Exception Requested

The new code (section 8.8.5) requires side and rear setbacks of 40' for a building between 12 and 24 feet. The existing facility has a 10' side setback. In order to provide access to the new addition and turning radii for trucks, the addition needs to be aligned with the existing facility; therefore we are requesting an exception to the code to allow the same 10' setback for the new addition. Since there is approximately 50' rear setback currently, we are also requesting an exception to the rear setback requirement to allow the addition to be contiguous to the existing building. The setback will be a little over 18'.

Water Harvesting - Exception Requested

We are requesting an exception to 7.13.11.7 which requires a cistern, since the landscaping on-site is mature and requires little to no water and we are not adding additional landscaping. The existing roofwater will be oriented with downspouts and channels to direct-water existing trees. We will pond water on-site to the east of the building.



WARRANTY DEED

340158

Galisteo Community Corporation, for consideration paid, grant to Board of County Commissioners, Santa Fe County the following described real estate in Santa Fe County, New Mexico:

That certain tract lying, situated and being within the E. W. Eaton Grant, Santa Fe County, New Mexico and being more particularly described as follows, to wit:

Beginning at an iron pipe set at the N.W. corner of this tract, from which a rock set for the N.E. corner of the Galisteo Grant bears N87°24'W - 1445.6' distant, thence S79°53'E - 100.0' to the NE corner of this tract, thence S10°53'W - 100.0' to the SE corner of this tract, thence N79°53'W - 100.0' to the SW corner of this tract, thence N10°53'E - 100.0' to the point and place of beginning.

Said tract contains .230± acres and represents the northwest portion of tract described on that certain plat by Guy Hayden, N.M.L.S. No. 4070, titled "Lands Platted 22 July '75, Galisteo Community Corp., Santa Fe County, New Mexico".

with warranty covenants. WITNESS hand and seal this 20th day of October, 1976. (Seal) Roman Attenberger (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO COUNTY OF Santa Fe ss. The foregoing instrument was acknowledged before me this 20th day of October, 1976 by Roman Attenberger (Name or Names of Person or Persons Acknowledging)

My commission expires: (Seal)

Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO COUNTY OF Santa Fe ss. The foregoing instrument was acknowledged before me this 20th day of October, 1976 by Roman Attenberger (Name of Officer) President of Galisteo Community Corp. (Name of Corporation Acknowledging) New Mexico Corporation, on behalf of said corporation. (State of Incorporation) My commission expires: 1/16/77 (Seal) Notary Public

STATE OF NEW MEXICO COUNTY OF SANTA FE 1976 #371298 FOR RECORDER'S USE ONLY I hereby certify that this instrument was filed for record on the 20 day of October, A.D. 1976, at 1:25 o'clock P.M. and was duly recorded in my book 310 pages 58 of the records of Santa Fe County. Witness my Hand and Seal of Office DANNY ORTIZ County Clerk, Santa Fe County, N.M. Deputy





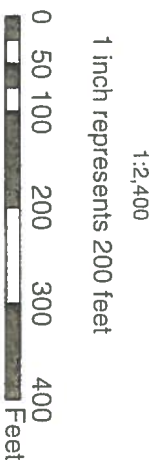
Legend

-  Roads
-  DRIVEWAYS
-  PARCELS

tabbles[®]

EXHIBIT

4.



SITE
LOCATION

2015 Imagery
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
User are solely responsible for
confirming data accuracy.

8.8.3. Dimensional Standards. The dimensional standards within the PI district are outlined in Table 8-17 below.

8.8.4. Review/approval procedures. All PI developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A conceptual plan shall be required for all phased development in accordance with procedures outlined in Chapter 4.

Table 8-17: Dimensional Standards – PI (Public/Institutional).

P/I Zoning District	P/I
Density	2.5*
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48
Lot coverage (maximum, percent)	80

*density shall be 1 acre if the surrounding zoning district is RC, or reduced to 0.75 acres if the surrounding zoning district is TC.



8.8.5. Side and Rear Setbacks. For buildings in the PI district that are over 12 feet in height, side and rear setbacks adjacent to any A/R, RUR, RUR-F, RUR-R, RES-F, RES-E, R-C, or TC districts, and any predominantly single-family detached or attached dwelling districts or sub-districts in areas subject to community district zoning, as well as any existing or approved development consisting of predominantly single-family detached dwellings or 1- or 2-story duplex or single-family detached dwellings in MU or PDD districts, are outlined in Table 8-17.1 below.

Table 8-17-1: Side and Rear Setbacks – PI (Public/Institutional).

Building Height	Minimum Side and Rear Setbacks
Greater than 12 but less than or equal to 24 feet	40 feet
Greater than 24 but less than or equal to 36 feet	100 feet
Greater than 36 but less than or equal to 48 feet	150 feet

8.9. MIXED USE ZONING DISTRICT (MU).

8.9.1. Purpose. The Mixed Use (MU) district provides for areas of compact development with primarily residential and some commercial uses. The MU district provides a full range of housing choices and promotes a sense of community, vitality, and adequate facilities and services. The purpose of the MU designation is to accommodate compact communities, which typically have public gathering places or community facilities with a mix of associated land use such as residential and neighborhood-scale retail, small businesses, and local commercial uses. Community facilities may include schools, post offices, community centers, and recreational facilities, multi-modal transportation facilities that promote bicycling, equestrian activities, park and ride, and transit.

8.9.2. Applicability. The MU district requires residential uses and allows commercial, retail, recreational, community and employment uses. A variety of housing types are allowed in this district, including duplexes, multi-family and single family. A housing density is given (as shown in Table 8-18) if at least 10% of the developed square footage within the MU district is allocated to commercial/retail use intended to serve the local community.



2. Fugitive Water. Fugitive water is prohibited. No person, firm, corporation, county, state, federal, municipal or other governmental facility or operation shall cause or permit the occurrence of fugitive water.

a. Fugitive water means the pumping, flow, release, escape or leakage of any water from any pipe, valve, faucet, irrigation system or facility onto any hard surface such that water accumulates as to either create individual puddles in excess of ten (10) square feet in size or cause flow along or off of the hard surface or onto adjacent property or the public right-of-way, arroyo, or other water course, natural or manmade. Fugitive water also means, during the irrigation of landscaping, the escape or flow of water away from the landscaping plants being irrigated even if such flow is not onto a hard surface.

b. Fugitive water shall not include:

i. Incidental run-off caused by vehicle washing provided that a shut-off nozzle is in use;

ii. Periodic draining of swimming pools and spas;

iii. Storm run-off, including snowmelt run-off;

iv. Flowing resulting from temporary water system failures or malfunctions;

v. Water applied, such as in the cleaning of hard surfaces, to prevent or abate public health, safety or accident hazards when alternate methods are not available. The washing of outdoor eating areas and sidewalks is not included in this exemption,

vi. Flow resulting from vandalism, high winds, emergencies and acts of God; or

vii. The occurrence of an unforeseeable or unpreventable failure or malfunction of plumbing or irrigation system hardware, prior to the issuance of a formal warning notice. Once a formal warning notice has been issued, the water user is instructed not to operate the faulty system until it is appropriately repaired, unless operating the system is integral to the operation of the facility. Once a warning notice has been issued, subsequent fugitive water events at the same location will be subject to issuance of citations.

7.13.11.7. Water Harvesting.

1. Rainwater Catchment Systems.

a. Rainwater catchment systems are required for all new construction whose roof area is 2,500 square feet or greater. Rainwater catchment systems are required for all remodeling of an existing structure whose roof area, after the remodeling, is 2,500 square feet or greater. Rainwater catchment systems are required of any accessory structure whose roof surface is 500 square feet or greater.

b. Systems shall be designed to capture rainwater from a minimum of 85% of the roofed area.

c. Structures whose roof surface is 2,500 sq. ft. or greater shall install a cistern that is buried or partially buried and insulated. The cistern shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey water to the point of use.

d. A structure whose roof surface is 2,500 sq. ft. or less, and any accessory structure shall install as its rainwater catchment system: (i) rain barrels, (ii) cisterns, or (iii) passive water harvesting systems using berms, swales, or tree wells. The system shall capture water from at least 85% of the roofed surface.

e. Cisterns shall be sized to hold 1.15 gallons per square foot of roof area.

2. Catchment Requirements, Residential Structures.

a. Systems shall be designed to capture rainwater from a minimum of 85% of the roofed area.

b. Structures whose roof surface is 2,500 sq. ft. or greater shall install a cistern that is buried or partially buried and insulated. The cistern shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.

c. A structure whose roof surface is 2,500 sq. ft. or less, and any accessory structure whose roof surface is 500 sq. ft. or greater shall install rain barrels, cisterns or other water catchment system including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater from a minimum of 85% of the roofed area.

d. Cisterns shall be sized to hold 1.15 gallons per square foot of roof area that is captured.

3. Catchment Requirements, Non-residential structures:

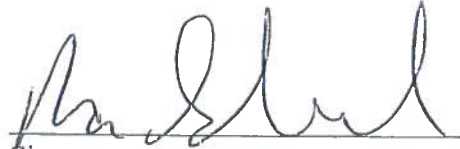
a. Systems shall be designed to capture rainwater from the roofed area.

b. Cisterns shall be buried, partially buried or insulated and shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.

c. Cisterns shall be sized to hold 1.5 gallons per square foot of roofed area or the equivalent of a one month supply of water.

CERTIFICATION OF POSTING

I herby certify that the public notice posting regarding a Variance
Case # **16-5160** was posted for 15 days on the property beginning the **13th**
day of **July, 2016**. **

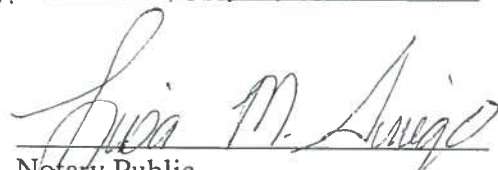

Signature

*Photo of posting taken from a public road must be provided with affidavit.

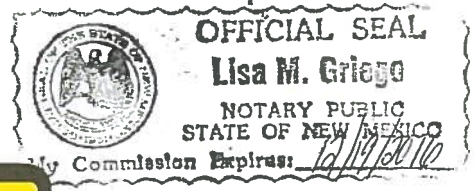
****PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 15 days. It is the Applicant's responsibility to ensure that the notice is on the property for the full 15 days. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

STATE OF NEW MEXICO }
 }
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 13th day of
July, 2016, By Ron Sandoval


Notary Public

My Commission Expires:
12/19/2016



PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for **A VARIANCE OF CHAPTER 8, SECTION 8.8.5 SIDE & REAR SETBACKS & CHAPTER 7 SECTION 13.11.7 WATER HARVESTING OF ORDINANCE NO. 2015-11 THE SUSTAINABLE LAND DEVELOPMENT CODE (SLOC)**. THE APPLICANT PROPOSES TO ADD 1,260 SF. TO AN EXISTING 3,365 SF. UNMANNED FIRE STATION (FIRE & RESCUE STATION) FOR A TOTAL OF 4,625 SF. THE SITE IS WITHIN THE GAUSTED COMMUNITY DISTRICT OVERLAY (GCD) & IS ZONED AS PUBLIC/INSTITUTIONAL (GCD PI). UNDER THE GCD USE TABLE A FIRE & RESCUE STATION IS ALLOWED AS A PERMITTED USE.

Name of Applicant **SANTA FE COUNTY**
Address of Request **39 AVENIDA VIEJA**
Legal Description: Section **30** Township **14 NORTH**
Range **9 EAST** NMPM Santa Fe County, New Mexico
A **PUBLIC HEARING** will be held/ ~~made~~ at the Old Santa Fe County Courthouse, corner of Palace and Grand Avenues, Santa Fe, New Mexico on/ ~~the~~ the **28TH** day of **JULY 2016** at **3 PM** before the **SFC HEARING OFFICER & ON AUG 18, 2016 AT 4 PM BEFORE THE SFC PLANNING COMMISSION**
Further information can be obtained by contacting, **Commissioner** the Land Use Department, P.O. Box 276, Santa Fe, NM 87504
Phone (505)986-6225. Development Permit # **16-5160**

JOIN OUR TEAM



1-13

505-992-3087

volfire@santafecountynm.gov



PUBLIC NOTICE
[Illegible text]

JOIN OUR TEAM

606-592-0087
[Illegible text]

14

COUNTY
CTS DIVISION
IVAL - PROJECT MANAGER
MEDA SUITE 20C
IM 87501

Ranchitos de Galisteo Water Users
Association - Roger Taylor
54 Camino de Los Angelitos
Galisteo, NM 87540

COUNTY
CTS DIVISION
IVAL - PROJECT MANAGER
MEDA SUITE 20C
IM 87501

Ranchitos de Galisteo Water Users
Association - Roger Taylor
54 Camino de Los Angelitos
Galisteo, NM 87540

COUNTY
CTS DIVISION
IVAL - PROJECT MANAGER
MEDA SUITE 20C
IM 87501

Galisteo Community Association
Mr. Wayne King
22 Avenida Vieja
Galisteo, NM 87540

... - - - - -
COUNTY
COUNTS DIVISION
VAL - PROJECT MANAGER
MEDA SUITE 20C
LAMY, NM 87501

THERESA BOHN &
JAMES RUSSELL GODMAN JR.
43 AVENIDA VIEJA
LAMY, NM 87540

COUNTY
COUNTS DIVISION
VAL - PROJECT MANAGER
MEDA SUITE 20C
LAMY, NM 87501

HENRY E. & CAROLINE SINGLETON
90 SAN CRISTOBAL RANCH RD.
GALISTEO, NM 87504-7519

COUNTY
COUNTS DIVISION
VAL - PROJECT MANAGER
MEDA SUITE 20C
LAMY, NM 87501

SAN CRISTOBAL RANCH
SC RANCH RD. 22-A
LAMY, NM 87540

COUNTY
ECTS DIVISION
OVAL - PROJECT MANAGER
A SUITE 20C
NM 87501

SERAPIO ANAYA
4 LA OTRA BANDA
LAMY, NM 87540

COUNTY
ECTS DIVISION
OVAL - PROJECT MANAGER
MEDA SUITE 20C
NM 87501

DR. T ROY CHAN &
JO ANN CHAN
8 CAMINO COSTADINO
SANTA FE, NM 87508

COUNTY
ECTS DIVISION
OVAL - PROJECT MANAGER
MEDA SUITE 20C
NM 87501

CHARLES & BARBARA
HOLLOWAY
31 AVENIDA VIEJA
GALISTEO, NM 87540-9701

17

... 87501
COUNTY
PROJECTS DIVISION
VAL - PROJECT MANAGER
LAMEDA SUITE 20C
NM 87501

CLYDE & MARY B. PENA
507 ESCUDERO
SANTA FE, NM 87501

... 87501
COUNTY
PROJECTS DIVISION
LAMEDA SUITE 20C
NM 87501

JOSEPH RICHARD ANAYA
137 22ND AVE.
TEXAS CITY, TX 77590

COUNTY
PROJECTS DIVISION
VAL - PROJECT MANAGER
LAMEDA SUITE 20C
NM 87501

DORA JEAN MOYA
23 VIA LA PUETE
GALISTEO, NM 87540

COUNTY
ECTS DIVISION
OVAL - PROJECT MANAGER
AM SUITE 20C
NM 87501

SINGLETON PROPERTIES LLC
90 SAN CRISTOBAL RANCH RD.
LAMY, NM 87540

COUNTY
JECTS DIVISION
DOVAL - PROJECT MANAGER
LAMEDA SUITE 20C
NM 87501

MATHEW MCQUEEN &
CAROLINE SEIGEL
P.O. BOX 1236
SANTA FE, NM 87504

COUNTY
ECTS DIVISION
OVAL - PROJECT MANAGER
LAMEDA SUITE 20C
NM 87501

ANTHONY A. CHAVEZ
27 AVENIDA VIEJA
LAMY, NM 87504

19

COUNTY
ECTS DIVISION
OVAL - PROJECT MANAGER
AMEDA SUITE 20C
NM 87501

RICHARD A. GRISCOM
900 N SWITZER CANYON DR.
APT 141
FLAGSTAFF, AZ. 86001-4841

COUNTY
IECTS DIVISION
OVAL - PROJECT MANAGER
AMEDA SUITE 20C
NM 87501

CLYDE & MARY B. PENA
507 ESCUDERO
SANTA FE, NM 87505

COUNTY
CTS DIVISION
VAL - PROJECT MANAGER
MEDA SUITE 20C
M 87501

LOUIS R. & JULIA
1950 HAMMOND RD.
SANTA FE, NM 87507

COUNTY
CTS DIVISION
VAL - PROJECT MANAGER
SUITE 20C
7501

ANTONIO A. CHAVEZ
27 AVENIDA VIEJA
LAMY, NM 87540

COUNTY
CTS DIVISION
VAL - PROJECT MANAGER
MEDA SUITE 20C
IM 87501

ROBERT A. ANAYA
123 LITTLE RANCH RD.
STANLEY, NM87056-7011

S DIVISION
AL - PROJECT MANAGER
EDA SUITE 20C
I 87501

EDWARD A. EPPING &
MARGARET DIGGS
32 AVENIDA VIEJA
GALISTEO, NM 87540

SANTA FE NEW MEXICAN

202 E. Marcy
PO Box 2048
Santa Fe, NM 87504
Phone: 505-983-3303
FAX: 505-984-1785

Ad Proof/ Order Confirmation/ Invoice

SF COUNTY
PO BOX 276,
SANTA FE NM 87504

505-986-6375
<dolivas@co.santa-fe.nm.us

Account Number 2438

Order Number 0000172174

Ordered By Lisa Griego

Ad Cost \$101.35 Sales Rep omartinez

Tax Amount \$8.42 Order Taken by: omartinez

Total Amount \$109.77 Payment \$0.00

Amount Due \$109.77

PO Number PENDING

Ad Number 0000172174-01

Product Santa Fe New Mexican-SFNM Daily

Placement Legals - Legal Notices

Classification Legal Notices-Legals Classified

Ad Type Legal

Ad Size : 1.0 X 145 Li

Color <NONE>

Run Dates

7/13/2016

LEGAL # 81289

CASE # V 16-5160
Santa Fe County
Galisteo Fire
Station,

**NOTICE OF PUBLIC
HEARING**

Notice is hereby given that a public hearing will be held to consider a request by Santa Fe County, Applicant, requests variances of Chapter 8, Section 8.8.5 Side and Rear Setbacks and Chapter 7 Section 7.13.11.7 Water Harvesting of Ordinance No. 2015-11 the Sustainable Land Development Code (SLDC). The applicant proposes to add 1,260 sf to an existing 3,365 sf unmanned Fire Station (Fire and Rescue Station) for a total of 4,625 sf. The site is within the Galisteo Community District Overlay (GCD) and is zoned as Public/Institutional (GCD PI). Under the GCD Use Table a Fire and Rescue Station is allowed as a Permitted use. The property is located at 39 Avenida Vieja, Off N.M. 41, within Township 14 North, Range 9 East, Section 36, (Commission District 3).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 28th day of July 2016, at 3:00 p.m. on a petition to the Santa Fe County Hearing Officer and on the 18th day of August 2016, at 4:00 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments and questions to the County Land Use Administration Office at 936-6225.

All interested parties will be heard at the Public Hearing prior to the Hearing Officer/Planning Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing

Account Number

2438

Ad Order Number

0000172174

SF COUNTY

to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Published in the Santa Fe New Mexican on July 13, 2016.

TRANSCRIPT OF THE

SANTA FE COUNTY

SLDC HEARING OFFICER MEETING

Santa Fe, New Mexico

July 28, 2016

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer meeting was called to order by Santa Fe County Hearing Officer Nancy Long on the above-cited date at approximately 3:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Staff Present:

Penny Ellis-Green, Growth Management Director
Vicki Lucero, Building & Services Manager
Tony Flores, Deputy County Manager
Mathew Martinez, Building & Development
Andrea Salazar, Assistant County Attorney
Mark Hogan, Capital Projects Manager
Miguel Romero, Building & Development
John Lovato, Building & Development
Dave Sperling, Fire Chief
Steve Moya, Assistant Fire Chief
Ron Sandoval, Capital Projects

II. **APPROVAL OF AGENDA**

Hearing Officer Long approved the agenda as published which included a tabled item.

III. **PUBLIC HEARING**

A. **CASE #16-5160 Galisteo Fire Station. Santa Fe County, Applicant,** requests variances of Chapter 8, Section 8.8.5, Side and Rear Setbacks and Chapter 7 Section 7.13.11.7, Water Harvesting of the Sustainable Land Development Code, Ordinance No. 2015-11 (SLDC). The Applicant proposes to add 1,192 square feet to an existing 3,365 sq. ft. unmanned Fire Station (Fire and Rescue Station) for a total of 4,557 sq. ft. The site is within the Galisteo Community District Overlay (GCD) and is zoned as Public/Institutional (GCD PI). Under the GCD Use Table a Fire and Rescue Station is allowed as a Permitted use. The property is located at 39 Avenida Vieja, off N.M. 41, within Township 14 North, Range 9 East, Section 36 (Commission District 3)



[Case number corrected as shown]

Hearing Officer Long read the case caption as shown above.

MATHEW MARTINEZ (Case Manager): The Applicant acquired the property as evidenced by the warranty deed recorded in the records of the Santa Fe County Clerk in Book 340 page 158 on October 20, 1976. The Applicant is requesting a 1,192 square foot addition to an existing 3,365 square foot volunteer unmanned fire station for a total of 4,557 square feet. The proposed addition will provide an additional apparatus bay, exercise room, and storage area.

The Applicant requests a variance of Chapter 8, Section 8.8.5, Side and Rear Setbacks, Table 8-17-1, which states that setbacks within a PI, Public Institutional zone shall be a minimum of 40 feet. The Applicant states that in order to provide access to the new addition and a turning radius for trucks the new addition must be aligned with the existing facility. The current side setback for the existing building is 10 feet; therefore the Applicants request the same 10 feet setback for the addition. Also, the proposed rear setback for the addition would be a little over 18 feet, although the SLDC requires a 40 feet rear setback. Making this variance request for both the side and rear setbacks.

The Applicant additionally requests a variance of Chapter 7 Section 7.13.11.7, Water Harvesting. The Applicant states that there is already existing landscaping on the property, which includes four deciduous trees and shrubs that will remain. This existing landscaping is mature and does not require watering.

The Applicant states that the parking lot is less than 40 spaces and there will be screening provided to the north of the addition by means of a coyote fence. The Applicant states that roof water will be oriented with downspouts and will direct water to existing trees with on-site ponding to the east of the building. The station is already screened with a landscape density that keeps with the natural landscaping in the area, characterized by more open land with little vegetation. Additionally, the station being unmanned does not provide staff who can maintain landscaping, therefore the variances are needed.

Recommendation: Since there is already an existing building with a 10 foot side setback, it is unreasonable to require an addition to that structure to meet a 40 foot setback. During the six month review of the SLDC, Staff will be proposing an exception to setbacks for additions to existing structures.

The existing trees are mature and require little water. The roof drainage will be directed into the trees. Cistern sizing can be based on a one month water supply for landscaping. Water use for landscaping is so minimal that requiring a cistern would result in an unnecessary hardship. The request for variances meets the variance review criteria set forth in Chapter 14, Section 14.9.7.4.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on August 18, 2016. I stand for any questions.

HEARING OFFICER LONG: So the variance request for the setback is a request for a 30 foot variance for the side of the building; is that correct?

MR. MARTINEZ: For the side of the building they are requesting a 10 foot setback. The 18 foot setback from the rear is what they're also requesting, therefore, requesting the variance.

HEARING OFFICER LONG: All right. And then your recommendation states that cistern sizing can be based on a one month water supply for landscaping, but then the next sentence says that requiring a cistern would result in an unnecessary hardship. So is there a cistern being proposed or is there one that exists there already?

MR. MARTINEZ: Hearing Officer Long, there is no cistern on the property and they are wanting to do without the cistern being that there is nobody there to actually water the vegetation and the lack of vegetation on the property.

HEARING OFFICER LONG: So there won't be any cistern sizing based on a one month water supply then.

MR. MARTINEZ: That is correct.

VICKI LUCERO (Building & Services Manager): Hearing Officer Long, if I could just clarify or expand on that. The applicants are stating that the trees are already mature so that they require very little irrigation any way so their one month water supply would be minimal.

HEARING OFFICER LONG: But they're not proposing a one month water supply.

MS. LUCERO: That's correct. They are proposing to have downspouts that direct the water into the tree wells.

HEARING OFFICER LONG: All right. And I know we had some cases several months ago regarding cisterns and I think the issue there was heated square footage versus the rooftop area and they were requesting variances based upon the prior code requirements. But I take it that this is a different situation. Are you just saying it is not necessary due to the mature landscaping and that no one is there to water the landscaping?

MR. MARTINEZ: Hearing Officer Long, that is correct.

HEARING OFFICER LONG: And if it is an unmanned fire station why do they need an exercise room? I guess I need an explanation of unmanned. I know you have a presentation to show me as well so why don't we continue with that.

RON SANDOVAL: Good afternoon. My name is Ron Sandoval; I am a project manager for Project's Division, Santa Fe County Public Works Department. I am here representing Santa Fe County Fire Department.

Ho: And could I have you sworn in please and any staff that may be speaking on behalf, or consults on behalf of the applicant which is the County to be sworn in.

[Duly sworn, Ron Sandoval testified as follows]

MR. SANDOVAL: Madam Hearing Officer, members of staff, members of the audience I am here representing Santa Fe Fire Department. We are requesting two variances. The first variance is setbacks and the second variance is the water harvesting. I'll go ahead and discuss a little bit about the water harvesting at this time.

We actually had a community meeting on May 11th with different – several different neighboring neighbors along with a couple of community organizations. We discussed and we explained our requests for these variances and why. One of the comments that we did receive from in particular the president of the water board, they

would be very concerned on having to supply water into the cistern because that is part of a cistern system. If that cistern goes low we've got to resupply it in some way. So their concern is there water is a big issue out there so they mentioned to us that they would prefer not to have a cistern on this facility in particular because the lack of water in that area. Again, we don't plan on putting additional landscaping. Also, if you look at the drawing we actually are building on the far end from the roadway where no traffic will be able to see the facility. In fact, what I would like to do ma'am, if you don't mind, look at some of these colored pictures [*Exhibit 1*] that I have provided you. The very – what we had planned, ma'am, actually, if you look at the very last picture it's the one that I mentioned to you that shows the setback, we're going to actually build in this area right here. There's no or any facilities or anybody that can actually visually see what we're doing so what we're wanting to do is to create a detention pond to collect the rain runoff instead of this cistern that is part of the code. So that's kind of my explanation for the cistern and one of the reasons that we're requesting a variance on it. Will that help?

HEARING OFFICER LONG: Yes, that is helpful.

MR. SANDOVAL: Great. Now as far as the exercise room I would like to go ahead and turn it over to Assistant Chief Steve Moya. He has a better idea of what that facility does and how this training or exercise room will benefit their staff.

[Duly sworn, Steve Moya testified as follows]

STEVE MOYA: Ma'am, it is a volunteer station so there are volunteers that will go in there. They do their trainings every week. They do use the exercise room. Actually, what they're doing is in the bays – you've got diesel exhaust, you've got vehicle exhaust and it's just an unsafe environment. So since it is a volunteer station they're requesting just to have their weight room and treadmills. So it's really not a full blown out exercise room. It's is just somewhere to kind of stay in shape. We do have it in our manned stations but we're also trying to keep the volunteers in good physical condition because they are actually responding to a lot of fires.

HEARING OFFICER LONG: Thank you for that explanation.

MR. SANDOVAL: So, Madam Hearing Officer, in this first handout [*Exhibit 2*] I would like to go ahead and discuss what we have here. Would you mind helping me, I'm going to ask you to flip it as we move along.

On this first page, is really what we would like to see the facility stay as. We're going to go ahead and move on to the second page. The second page actually shows you the setback of 40 feet. It actually kind of shows you a shaded area, that's actually the buildable area with the new code in place. One of the main concerns is that we have trucks that actually back into these bays so we definitely need turning radius in this area.

Okay, I'm going to go ahead and move onto the third page of this handout. Basically, these are the elevations. What is highlighted in yellow is the addition we're proposing.

On the fourth page it actually shows the additional apparatus bay. One thing that was not mentioned, the apparatus bay is actually going to benefit because they have actually received I believe a grant for an additional apparatus – right, so basically we have another piece of equipment, a fire truck, that we need to place in this station and that's the purpose of this additional apparatus bay.

As Chief Moya has mentioned the additional exercise space is actually to try and encourage volunteer to be more active in the fire fighting in that area and I believe by

adding an exercise room that actually would help encourage some of these younger folks to partake. Okay.

Madam Hearing Officer, at this point are there any questions regarding the setbacks?

HEARING OFFICER LONG: Tell me what the second sheet is again?

MR. SANDOVAL: The second sheet actually represents what the building would look like if we went with the setback of 40 feet, the required setback.

HEARING OFFICER LONG: So that is setback from Avenida Vieja.

MR. SANDOVAL: That's not – ma'am that is actually from the north end fence line/property line.

HEARING OFFICER LONG: Oh, I see where the road is, yes. Okay, thank you.

MR. SANDOVAL: Ma'am, I want to move on to one more and maybe this will help. I want to talk a little bit about that aerial the very last page on that handout [*Exhibit 2*].

Again, I want to show you that the majority of the area out there is just open space. So, again, that is one of the reasons that we are asking for a variance for the water harvesting and additional landscaping.

HEARING OFFICER LONG: So what is the variance requested for additional landscaping?

MR. SANDOVAL: There is not a variance for additional landscaping.

HEARING OFFICER LONG: It's only for the water harvesting.

MR. SANDOVAL: Correct, ma'am.

HEARING OFFICER LONG: All right. Thank you.

MR. SANDOVAL: Thank you.

HEARING OFFICER LONG: Is there anyone here today that would like to speak to this application? And there is no one who would like to speak any further other than the Applicant and their agents.

My inclination will be to approve the two variance requests for the setback, rear and side yard setback variance request and the variance to not have to construct a cistern. It looks like a good project and thank you for your helpful handouts and presentation so that I might understand it. Thank you.

All right, is there anything else that we need to take care of today?

MS. LUCERO: Nothing, Hearing Officer Long.

IV. ADJOURNMENT

Having completed the agenda and with no further business Hearing Officer Long declared this meeting adjourned at approximately 3:20 p.m.

Approved by:
