



Agenda

CITY CLERK'S OFFICE

DATE 11/22/10 TIME 1:40p
PREPARED BY Gloria Garcia
REVIEWED BY [Signature]

AMENDED
PLANNING COMMISSION
December 2, 2010 – 6:00 P.M.
CITY COUNCIL CHAMBERS

- A. ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS
MINUTES: November 4, 2010
FINDINGS/CONCLUSIONS
- E. OLD BUSINESS
- F. NEW BUSINESS

1. **Case #2010-139. 517 St. Francis Rezoning and Variance.** Darren Branch, agent for Annette Garcia, requests rezoning of 0.10± acres of land from R-8 (Residential, 8 dwelling units per acre) to C-4 (Limited Office and Retail District). The application also includes a variance request from Section 14-7.4(D)(4)(e), landscape buffer requirements for non-residential uses abutting developed residential uses. (Donna Wynant, case manager) **(POSTPONED FROM OCTOBER 7, 2010 AND NOVEMBER 4, 2010)**
2. **Case #2010-165. St. John's College Development Plan.** Linda Tigges, agent for St. John's College, requests Development Plan approval for a 20,985 square foot Residential Center located on the existing 298± acre campus. The application includes two (2) variances to terrain management regulations: 1) 347 square feet of construction on an area with natural slopes 30% or greater; and 2) 1,359 square feet of construction on natural slopes over 20% and 5 feet above existing grade. (Heather Lamboy, case manager)
3. **Chapter 14 Rewrite Amendments.** Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning Commission Chapter 14 Rewrite Subcommittee and by staff: 1) 14-10 Nonconformities; 2) 14-11 Enforcement; 3) 14-12 Definitions. (Greg Smith, case manager) **(POSTPONED FROM NOVEMBER 18, 2010)**

4. **Chapter 14 Rewrite Amendments.** Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning commission Chapter 14 Rewrite Subcommittee and by staff: 1) Section 14-4 Zoning Districts; 2) 14-5 Overlay Districts; 3) 14-8 Development and Design Standards. (Greg Smith, Case Manager) **TO BE POSTPONED**

G. BUSINESS FROM THE FLOOR

H. STAFF COMMUNICATIONS

I. MATTERS FROM THE COMMISSION

J. ADJOURNMENT

NOTES:

- 1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.
- 2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.
- 3) The agenda is subject to change at the discretion of the Planning Commission.
***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**



DATE 11/9/10 TIME 3:35pm
BY Geraldine Guro
ED BY [Signature]

Agenda

PLANNING COMMISSION
December 2, 2010 – 6:00 P.M.
CITY COUNCIL CHAMBERS

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**
MINUTES: November 4, 2010
FINDINGS/CONCLUSIONS
- E. OLD BUSINESS**
- F. NEW BUSINESS**

1. **Case #2010-139. 517 St. Francis Rezoning and Variance.** Darren Branch, agent for Annette Garcia, requests rezoning of 0.10± acres of land from R-8 (Residential, 8 dwelling units per acre) to C-4 (Limited Office and Retail District). The application also includes a variance request from Section 14-7.4(D)(4)(e), landscape buffer requirements for non-residential uses abutting developed residential uses. (Donna Wynant, case manager) **(POSTPONED FROM OCTOBER 7, 2010 AND NOVEMBER 4, 2010)**
2. **Case #2010-165. St. John's College Development Plan.** Linda Tigges, agent for St. John's College, requests Development Plan approval for a 20,985 square foot Residential Center located on the existing 298± acre campus. The application includes two (2) variances to terrain management regulations: 1) 347 square feet of construction on an area with natural slopes 30% or greater; and 2) 1,359 square feet of construction on natural slopes over 20% and 5 feet above existing grade. (Heather Lamboy, case manager)
3. **Chapter 14 Rewrite Amendments.** Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning commission Chapter 14 Rewrite Subcommittee and by staff: 1) Section 14-4 Zoning Districts; 2) 14-5 Overlay Districts; 3) 14-8 Development and Design Standards. (Greg Smith, Case Manager)

G. BUSINESS FROM THE FLOOR

H. STAFF COMMUNICATIONS

I. MATTERS FROM THE COMMISSION

J. ADJOURNMENT

NOTES:

- 1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.
- 2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting “quasi-judicial” hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In “quasi-judicial” hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.
- 3) The agenda is subject to change at the discretion of the Planning Commission.
***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk’s Office (955-6520) 5 days prior to the hearing date.**

Index Summary of Minutes
Santa Fe Planning Commission
December 2, 2010

| INDEX | ACTION TAKEN | PAGE(S) |
|--|---|---------|
| Call to Order | Chair Lindell called the meeting to order at 6:00 pm | 1 |
| Roll Call | A quorum was declared by roll call, 1 excused absence. | 1 |
| Pledge of Allegiance | Pledge of Allegiance was led by Commissioner Ortiz. | 1 |
| Approval of Agenda | <p>Director Greg Smith stated that #3 –Chapter 14 Rewrite Amendments, under New Business – as indicated in the caption of the staff report, staff intends also to present to the commission Chapter 14-3-7 through Chapter 14-3-19 which were postponed automatically by operation of Roberts Rules of Order from the Planning Commission meeting of November 4th. They are not explicitly listed on the agenda. In reviewing the matter with the City Attorney, the City Attorney has advised that the Planning Commission should proceed with extension of these items. Staff wishes to table 14-3-7 through 14-3-19 to a later date when we can get this advertised and reopen discussion at that later meeting.</p> <p>The Chair reconfirmed that 14-3-7 through 14-3-19 will be heard but no action will be taken until the January, 2011 meeting.</p> <p><i>Commissioner Gonzales approved agenda as amended, second by Commissioner Hughes, motion carried by unanimous voice vote.</i></p> | 1-2 |
| A. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS <u>MINUTES:</u> November 4, 2010 Page 13 – Paragraph 8, 2 nd sentence: states Commissioner Vigil should read: Commissioner | <i>Commissioner Mier moved to approve the minutes of November 4, 2010 as amended, second by Commissioner Gonzales, motion carried by unanimous voice vote.</i> | 2 |

Index Summary of Minutes
Santa Fe Planning Commission
December 2, 2010

| | | |
|---|--|-------------|
| <p>Villarreal</p> <p>FINDINGS/CONCLUSIONS</p> | <p><i>Commissioner Gonzales moved to approve the Findings/Conclusion as presented, second by Commissioner Hughes, motion carried by unanimous voice vote.</i></p> | |
| <p>OLD BUSINESS</p> | <p>The Chair took time to recognize the following past Planning Commissioners and provided a plaque of appreciation for their past service:</p> <p>Recognition of Past Commissioner Dolores Vigil.</p> <p>Recognition of Past Commissioner Boni T. Armijo</p> <p>Recognition of Past Chair John Salazar</p> | <p>2</p> |
| <p>B. NEW BUSINESS</p> <p>1. Case #2010-139. 517 St. Francis Rezoning and Variance. Darren Branch, agent for Annette Garcia, requests rezoning of 0.10± acres of land from R-8 (Residential, 8 dwelling units per acre) to C-4 (Limited Office and Retail District). The application also includes a variance request from Section 14-7.4(D) (4) (e), landscape buffer requirements for non-residential uses abutting developed residential uses. (Donna Wynant, case manager) (POSTPONED FROM OCTOBER 7, 2010 AND NOVEMBER 4, 2010)</p> <p>2. Case #2010-165. St. John's College Development Plan. Linda Tigges, agent for St. John's College, requests Development Plan approval for a 20,985 square foot Residential Center located on the existing 298± acre campus. The application includes two (2) variances to terrain management</p> | <p><i>Commissioner Gonzales moved to approve Case #2010-139. 517 St. Francis Rezoning, second by Commissioner Mier, Motion carried by unanimous voice vote.</i></p> <p><i>Commissioner Gonzales moved to approve Case #2010-139. 517 St. Francis Variance, second by Commissioner Mier, motion carried by unanimous voice vote.</i></p> <p>Mr. Smith stated for the record that the recommendation will go to the Council on these two actions.</p> <p><i>Commissioner Mier moved to approve Case #2010-165. St. John's College Development Plan as presented, second by</i></p> | <p>2-18</p> |

Index Summary of Minutes
Santa Fe Planning Commission
December 2, 2010

| | | |
|---|---|----|
| <p>regulations: 1) 347 square feet of construction on an area with natural slopes 30% or greater; and 2) 1,359 square feet of construction on natural slopes over 20% and 5 feet above existing grade. (Heather Lamboy, case manager)</p> <p>3. <u>Chapter 14 Rewrite Amendments.</u> Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning Commission Chapter 14 Rewrite Subcommittee and by staff: 1) 14-10 Nonconformities; 2) 14-11 Enforcement; 3) 14-12 Definitions. (Greg Smith, case manager) (POSTPONED FROM NOVEMBER 18, 2010)</p> <p>4. <u>Chapter 14 Rewrite Amendments.</u> Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning commission Chapter 14 Rewrite Subcommittee and by staff: 1) Section 14-4 Zoning Districts; 2) 14-5 Overlay Districts; 3) 14-8 Development and Design Standards. (Greg Smith, Case Manager) TO BE POSTPONED</p> | <p><i>Commissioner Spray, motion carried by unanimous voice vote.</i></p> <p><i>Commissioner Mier moved to approve <u>Case #2010-165. St. John's College Variance request, second by Commissioner Gonzales, motion carried by unanimous voice vote.</u></i></p> <p><i>Commissioner Gonzales made the motion to have the Commissioner's comments incorporated and recommend to the City Council the approval of the amendments in the presented Chapter 14 Amendments 14-10 and 14-11, second by Commissioner Spray, motion carried by unanimous voice vote.</i></p> <p><i>Commissioner Gonzales moved to postpone, second by Commissioner Hughes, motion carried by unanimous voice vote.</i></p> | |
| Business from the Floor | None | 19 |
| Communications from Staff | None | 19 |
| Matters from the Commission | <p>Clarification on action taken on Findings and Conclusions:</p> <p><i>Commissioner Gonzales moved to reconsider the vote on finding and conclusions, second by Commissioner Hughes, motion carried by unanimous voice vote.</i></p> <p><i>Commissioner Hughes moved to not accept the finding and conclusions, second by Commissioner Spray, motion carried by unanimous voice vote.</i></p> | 19 |

Index Summary of Minutes
Santa Fe Planning Commission
December 2, 2010

| | | |
|--|---|----|
| C. ADJOURNMENT AND SIGNATURE PAGE | There being no further business to come before the Planning Commission, the meeting was adjourned at 9:15 pm. | 19 |
|--|---|----|

**PLANNING COMMISSION
December 2, 2010 – 6:00 P.M.
CITY COUNCIL CHAMBERS**

MINUTES

The Planning Commission meeting was called to order at 6:00 pm by Chair Lindell. Roll call indicates a quorum.

A. ROLL CALL

MEMBERS PRESENT:

**Signe Lindell, Chair
Ken Hughes, Vice Chair
Estevan Gonzales
Lawrence Ortiz
Dr. Mike Mier
Angela Schackel-Bordegaray
Tom Spray
Renee Villarreal**

ABSENT

Ruben Montes

OTHERS PRESENT:

**Heather Lamboy, Case Manager
Greg Smith, Planning Director
Kelley Brennan, Assistant City Attorney
Matthew O'Reilly, Director, Land Use Department
Chris Brasier, Attorney (Chapter 14 Rewrite)
Peter Brill, St. John's College
Mr. James Olmstead, St. John's College**

Fran Lucero, Stenographer

B. PLEDGE OF ALLEGIANCE

Commission Ortiz led the Pledge of Allegiance.

C. APPROVAL OF AGENDA

Director Greg Smith stated that #3 –Chapter 14 Rewrite Amendments, under New Business – as indicated in the caption of the staff report, staff intends also to present to the commission Chapter 14-3-7 through Chapter 14-3-19 which were postponed automatically by operation of Roberts Rules of Order from the Planning Commission meeting of November 4th. They are not explicitly listed on the agenda. In reviewing the matter with the City Attorney, the City Attorney has advised that the Planning Commission should proceed with extension of these items. Staff wishes to table 14-3-7 through 14-3-19 to a later date when we can get this advertised and reopen discussion at that later meeting.

The Chair reconfirmed that 14-3-7 through 14-3-19 will be heard but no action will be taken until the January, 2011 meeting.

Commissioner Gonzales approved agenda as amended, second by Commissioner Hughes, motion carried by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

MINUTES: November 4, 2010

Page 13 – Paragraph 8, 2nd sentence: states ~~Commissioner Vigil~~ should read:
Commissioner Villarreal

Commissioner Mier moved to approve the minutes of November 4, 2010 as amended, second by Commissioner Gonzales, motion carried by unanimous voice vote.

FINDINGS/CONCLUSIONS

Commissioner Gonzales moved to approve the Findings/Conclusions as presented, second by Commissioner Hughes, motion carried by unanimous voice vote.

E. OLD BUSINESS

The Chair took time to recognize the following past Planning Commissioners and provided a plaque of appreciation for their past service:

Recognition of Past Commissioner Dolores Vigil
Recognition of Past Commissioner Boni T. Armijo
Recognition of Past Chair John Salazar

Mr. O'Reilly added his voice of appreciation and thanks for the work that the above commissioners contributed unselfishly to the Planning Commission.

(10 minute break)

The Chair called the meeting back to order at 6:30 pm

F. NEW BUSINESS

- 1. Case #2010-139. 517 St. Francis Rezoning and Variance.** Darren Branch, agent for Annette Garcia, requests rezoning of 0.10± acres of land from R-8 (Residential, 8 dwelling units per acre) to C-4 (Limited Office and Retail District). The application also includes a variance request from Section 14-7.4(D) (4) (e), landscape buffer requirements for non-residential uses abutting developed residential uses. (Donna Wynant, case manager) **(POSTPONED FROM OCTOBER 7, 2010 AND NOVEMBER 4, 2010)**

Ms. Lamboy provided historical information related to St. Francis Drive; it was constructed in the early 1960's over an existing neighborhood, specifically on the Westside. (Ms. Lamboy made reference to the location on the plat overhead). She

noted that in the 1950's the Westside was not one simple street that was taken out, it actually left a lot of awkward lots left over that weren't really usable. This is an example of what is present in the case at hand tonight. Ms. Lamboy stated that a letter dated November 17th from the Applicant lists the conditions for approval relative to this site. The site is currently located in an R-8 zoning district, immediately adjacent to it is the Animal Hospital. The applicant is seeking to change the zoning designation to a Commercial 4 to sever the Animal Hospital in order to use the site for a parking lot. This would require a commercial designation. The site is narrow, Ms. Lambert has done a review and it would not be able to be used other than a parking lot. The applicant is requesting a variance from the 15 landscape requirements for the C4 district where it abuts residential property. The applicant has met with Noah Burk and the landscaping staff for the city and they are looking at alternatives to meet the intent of the landscaping setback. An ENN meeting was held in June and there was one neighbor that was interested in the uses and there have been no objections through the entire process. The applicant has responded to all criteria related to the variance request. Staff supports the variance request and recommends approval with the conditions that are outlined in the report.

Sworn In:

Michael P. Branch, 228 St. Francis Drive, Santa Fe, NM 87501

Mr. Branch made the comment that he served on the Planning Commission in 1970 and he admires the work of this Commission and expressed his thanks and congratulated the recipients on their awards of recognition and service.

Mr. Branch referenced the letter from November 17th and stated that they had requested under parking a submission for 7 additional parking spaces by consolidating two small lots. The city asked for 9 spaces and it does not fit with the requirement of the landscaping and turnaround. The 7 lots will provide auxiliary parking for the animal hospital itself or designate it as an employee lot. Mr. Branch asked for consideration of the parking lot request.

Chair Lindell: Thank you for your service to this commission.

Public Hearing: No Participation.

Staff Comments:

Ms. Lamboy clarified that the 9 spaces that Mr. Branch made reference to are the minimum parking requirements for the use of the Animal Hospital. The request is over and above the requirement for the site. The parking site for the employees will keep the general public off this side and will keep them on the side of the assigned parking.

Commissioner Villarreal: Is there existing vegetation? The photo shows that there are existing trees.

Ms. Lamboy said that the existing vegetation will need to be moved to accommodate the new construction. There is not much on this site; it is mostly overgrown, there is a tree or two that would have to be relocated or removed.

Commissioner Villarreal asked for clarity on the last parking space on the north part of the lot; is that going to be vegetation?

Ms. Lamboy stated that they have asked that the last space be designated a landscape island for the last car to be able to back out.

Commissioner Villarreal asked from the last requirement list, is there going to be a bike rack or did it change?

Mr. Smith said that the parking regulations in addition to requiring the 9 spaces do require a certain amount of bicycle racks. Staff asked if the Commission wanted this language put back in.

Commissioner Villarreal: It appears it was taken out and asked if the applicant would conform to this request?

Mr. Branch: The applicant would conform to the requirement.

Mr. Smith: It might be possible to conserve the existing tree. These spaces are not required; they are for employee parking not accessible to the general public. There is also a condition that a minimum percentage of the new lot be landscaped and staff will work out the details with the applicant.

Mr. Branch stated that the tree is a Siberian Elm.

Commissioner Spray: Regarding Exhibit C-2, he asked if the green area is all R8.

Ms. Lamboy: Yes, that is correct.

Commissioner Spray referred to Exhibit C4 outlining where some of the changes were made when the street was widened. The one in the yellow box is what is in question. Were the two lots to the North truncated when St. Francis was widened?

Ms. Lamboy confirmed, "that is correct."

Commissioner Spray referred to staff comments; "*Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same district and which do not result from the actions of the applicant.*" Commissioner Spray asked if the statement should reflect that nothing can be developed on this land and refers to these two lots.

Ms. Lamboy said that this is correct and peculiar as these two lots don't qualify to be lots and be developed. The only way they can be functional is if they are consolidated as in this particular case.

Commissioner Spray asked why it was zoned R8.

Ms. Lamboy said that the reason it was zoned R8 is because the zoning never changed, the underlying zoning remained the same even after St. Francis was cut through.

Mr. Smith stated that in 2003 – 2005 time frame, there was a community rezoning on St. Francis where property was down zoned from RM to R8 and that was to address concerns from the neighbors and also to conform to the policy of the 1999 General Plan.

Commissioner Spray said if we make this change are we making the change for lot C4 as well?

Mr. Smith stated that the C4 is in fact what the tax books would call a floating zone, the policy in the General Plan support the C-4 eligibility along St. Francis. Each partial is reviewed on a case-by-case basis and in 15 years that he has worked with the city maybe 6 have been approved and a possible 2 have been denied. Mr. Smith stated that it would not necessarily set precedence for the lots to the north.

Commissioner Gonzales moved to approve Case #2010-139. 517 St. Francis Rezoning, second by Commissioner Mier, Motion carried by unanimous voice vote.

Commissioner Gonzales moved to approve Case #2010-139. 517 St. Francis Variance, second by Commissioner Mier, motion carried by unanimous voice vote.

Mr. Smith stated for the record that the recommendation will go to the Council on these two actions.

2. **Case #2010-165. St. John's College Development Plan.** Linda Tigges, agent for St. John's College, requests Development Plan approval for a 20,985 square foot Residential Center located on the existing 298± acre campus. The application includes two (2) variances to terrain management regulations: 1) 347 square feet of construction on an area with natural slopes 30% or greater; and 2) 1,359 square feet of construction on natural slopes over 20% and 5 feet above existing grade. (Heather Lamboy, case manager)

Ms. Lamboy stated that the application submitted tonight is a continuation for the development of the campus. Last year the Planning Commission heard an amendment to the Master Plan for St. John's College. The college was established in 1962 and has grown over time and has had a master plan associated with it. The review last year under the master plan amendment was to include several facilities on campus including the secondary access drive which has been a matter of discussion in that neighborhood. It also included the construction of the residential center in the western portion of the campus and some other service type facilities. What is under consideration for tonight is the residential center that is to be located on the western portion of the campus where there will be a series of buildings that will be organized around the central courtyard. The overall square footage for these buildings is 22,629 feet.

Ms. Lamboy continued to say that when they published the agenda for this particular case it was anticipated that two variances would be required to the terrain management standards. As the St. John's College drawings got finalized it was determined by the

City Engineer that one of the variances was not necessary. It has been determined that one of the variances was not necessary which is the 347 square feet, that request is withdrawn.

The remaining variance request is for approximately 1,359 square feet of construction on natural slopes of over 20% and 5' above existing grade. Ms. Lamboy said that St. John's College architects have been looking in to mitigating any potential impact that a building might have on that site. There is a lot of discussion since it is right next to Sun Mountain and has a lot of challenges when it comes to terrain. The Architect felt that this area would have the least impact; it is nestled between some existing dorms and the Arroyo Chamiso and will be buffered from the existing residential neighborhood with some mature trees along the west Arroyo Chamiso. With the construction of the additional 45 dorms and meeting space the student population will not go up. St. John's College continues to believe it is important to have their students living on campus for their overall educational experience so they are trying to provide additional space for student to do so.

Ms. Lamboy addressed the variance request. St. John's College is in a planned unit development zoning district; it was originally in an R-1 and had to have a special district to function in that part of town. There are criteria for variances in the PUD zoning district that apply to design standards, setbacks and dimensional requirements. There are also special variance requirements in terrain management and she has addressed both criteria in her presentation. St. John's College has tried to mitigate the impact on surrounding properties and it is retaining its compact for the construction of the dorms in that location. The terrain management standards are what are critical here. There are two standards that the applicant has to meet. Ms. Tigges took the normal variance criteria and analyzed that together with the terrain management criteria. Ms. Lamboy says similarly what she has reported in her response is the same as Ms. Tigges has said.

Ms. Lamboy said St. John's College would have an extraordinary hardship in developing a building of this size unless they were to go further out or if the campus was to grow larger. The Planning Commission may require that conditions will share substantially the objectives and standards of the terrain management regulations and the overall objectives of the terrain management regulations and to mitigate the impacts to decrease the overall downstream impacts.

Ms. Lamboy said that they had received several comments from the agencies that reviewed this case. The Fire Department requested that the secondary access road be constructed prior to the construction of the dorm/residential facility. St. John's College has complied and their grading permit was issued before Thanksgiving. The Fire Permit, through the parking study realized there was not good access through the existing roadway; the extension of Camino Cruz Blanca, the on street parking causes access problems for fire and police vehicles. There will be removal of off street parking and the expansion of the parking lot across from the upper dorm facility will accommodate that current on street parking to off street parking. That requirement will also need to be built before the dorm can be built.

Ms. Lamboy directed the Commission to the conditions on Exhibit A-1: I would like to update under the current Planning which was prior to the certificate of occupancy, since the fire department required that the vehicles be off the street, it would be based on the Fire Marshall's review if the grading permit would be released and, the actual parking lot H, parking on the street would have to be removed before any type of permit would be issued. She spoke to the applicant and there is no objection to that modification.

Ms. Tigges stated that Mr. Brill would make the presentation on behalf of the owner.

Peter Brill, 1021 Camino Redondo, Santa Fe, NM

I am the owner's representative from St. John's College. This is our third visit on projects in the last three years. We are particularly proud of this project as we will be able to attain the goal of retaining more students on campus instead of students commuting through the city. This project will raise the level of students who can live on campus. Mr. Brill thanked the staff for working closely with St. John's College so professionally in the last 4 years. Mr. Brill introduced two of the board members; Jim Osterholdt, Vice President, Bryan Valentine, Treasurer and the Architect.

James Osterholdt, 1160 Camino Cruz Blanca, Board Member, St. John's College

This is a very important project for us to be able to house 80 % of our graduate students. It is also a residential center; it is much more than a dormitory as it will have classrooms, faculty offices and an apartment for a senior resident who is a faculty member who will be housed in the complex. It is our high priority to be a good neighbor both to those who live in the close vicinity and to the larger Santa Fe community. This project is carefully sited, it is designed to fit in with the campus, and it is going to be constructed in an environmentally responsible way. It is also something that we feel will be important to the Santa Fe Community. We are bringing \$11 million in private gift funds into the city with this project; construction jobs in the local area and we are committed to maintaining that pattern and that priority as well. It has been a pleasure to work with staff, we have had a constructive series of discussions and we would like to thank everyone, thank you for your consideration.

David Perrigo, Box 8610, Santa Fe, NM 87504

Mr. Perrigo offered to answer any questions. The Chair asked Mr. Perrigo to give a brief walk through. (The Plat was on display for the use of the members.) St. John's College is 298 acres, when it was master planned in 1993 it was broken up in to different tracks. Tract D is the core of the campus, it is 48 acres. When the college was put into a PUD, Tract E was the semi-open space so the R1 density was transferred to this lot. Everything on this campus is in Tract D, and he showed the area that was approved in the preliminary master plan. The first project is the residential center and he provided orientation to the tract, tennis courts, and the private home. The college wanted to balance those living on campus. The general idea is to take this road, eliminate it, create a turnaround in the parking and create a pedestrian path which is the completion of a pedestrian path that that goes all the way through the campus. We now have a handicap path that goes through the east end and goes down to the lowers which do not have handicap accessibility. (Mr. Perrigo showed the 30' drop and why they would access through the 2nd level). This new facility would have 18 units that would be handicap accessible. We would access them through the 2nd level, we are trying to create this as one residential zone, this is all landscaped, and we have fire access that

mimics what we have now. We are adding a turn around, construction of masonry. All of the parking that existed is now reconfigured; the dumpsters have been relocated and expanded. Now the refuse trucks can pull in and turn around and not have to back up. The Fire Department has collaborated with the owner and they are happy with the accessibility. Presently they are required to have 28 additional bicycle spaces and they have 140 spaces available. They are adding a trail that goes in to the Arroyo Chamiso and try to maintain about 40' of piñon trees. He showed a line indicating that they would not go across or damage any trees. These large piñons and we are maintaining them; some have their roots in the arroyo. Mr. Perrigo said that they have shown Ms. Wirth the property line drawing and she is ok with it. In reference to the terrain management, these slopes are up almost 25' on the site and most of the existing slopes were created when the first road was created. We positioned the building as close to fire access.

(Building description on plat) The height of the new buildings is lower than the balcony of the existing buildings. Variance is for about 1300 sq. ft., they have a footprint for about 1100 sq. ft, we are trying to minimize as much as possible

In terms of storm water, this was a drainage plan that was for the entire preliminary master plan. They calculated and were hoping to save 6200 cubic ft., we are providing for a 30,000 gallon tank that will catch all the water from the existing building. The runoff on these new building will be caught in a tank and runoff from these buildings will be caught up by ponds; this other tank water will be used for irrigation. Soil that is being brought in is stored on the track.

PUBLIC HEARING – NO PARTICIPATION – CLOSED PUBLIC HEARING

Commissioner Ortiz: RE: Drainage Management Plan, is this maintained publicly or by St. John's?

Mr. Perrigo stated that all utilities on campus are privately owned and maintained by the college. He said that the discharge at the site is lower than what it is now; 3 cubic feet per second.

Mr. Perrigo: Said that they would meet all the current requirements which are to release water to the Arroyo Chamiso. Personally he would like to see them hold back as much water as they could. It is also important to take into consideration the public use of the Arroyo Chamiso, they is a public trail. He said that the discharge at this site after the development is lower than the discharge right now. It is about 3 cubic feet by second.

Commissioner Ortiz: Asked for clarification on porous pavement, what material is used to accomplish that.

Mr. Perrigo stated that they had considered a paving block but because there is a 3 foot drop at the southeastern edge of the road to the northwestern part of the parking lot. They found out that blocks leave very little room for the gravel and scour out in time. What was recommended by the engineers was that in cold climates where you have snow plowing, porous asphalt or porous concrete works best. It is an 18" bed of gravel

with filter fabric, 6" ½" porous on top of that and a 2" asphalt layer. We are trying to do this with the parking lot.

Commissioner Mier: There is discussion about abandoning on street parking, how does that get enforced?

Mr. Perrigo: The College has a 24 hour security service that would be the enforcement. We would be required by the fire department to put up no parking signs and red stripes at the curbs. College Security staff issues the first ticket and if the tickets are ignored the vehicles are then towed. In fire areas they have less tolerance.

Mr. Smith said that the Fire Marshall can also have authority to ticket and tow vehicles or city police can issue violations on fire zone areas.

Commissioner Mier said that he is concerned about the limited police staff and to go out and ticket for enforcement would be a lot of work on the Police Department.

Mr. Perrigo: As a condition for approval, the college agreed to provide a second emergency vehicle access road to the campus. Once the campus is over 2000 sq. ft. you need to entrances to the campus. In addition the second one has to be as far away as possible in the case of an emergency. In negotiations with the neighbors and city staff the emergency access is being built across an easement from a neighbor's property. It has been widened 15' to 20', it has been re-graded; he showed where the gates are and where it crosses the arroyo. Mr. Perrigo stated that city staff requested that they provide additional parking. In the master plan they needed to provide 41 additional spaces when the college is totally built out and that is being phased in. 7 spaces are required for this new project and they are being added plus the 8 that will need to be relocated.

Commissioner Mier asked how many students this new dormitory would accommodate.

Mr. Perrigo said there will be 45 beds, 29 to relieve overcrowding on campus, 16 new beds. Student body is about 450 under graduates and that is not increasing to take on new students.

Commissioner Mier stated with all the campus violence happening in this nation, was that topic taken into consideration when doing this design.

Mr. Perrigo said that they created it with internal security staff; one comment from them was that they want to be able to move right through the center of the campus. He showed where the units would be and that they would not be accessible other than thru the main gateway. He showed the fire access road, part of it is paved and there is a grid set in to the ground, it will have grass and flowers planted in there. It will support a fire truck. On a daily basis campus staff still needs to drive their vehicles through this road. It will support 75,000 lbs, so it will support a fire truck.

Commissioner Hughes: Thank you Ms. Lamboy for your excellent presentation tonight. Did you write this Exhibit B1 and B2?

Ms. Lamboy: Yes I did.

Commissioner Hughes: B2 refers to the parking analysis and in 2008 it references the need for 402 spaces, does that include current spaces?

Ms. Lamboy: Yes, that is correct. As Mr. Perrigo stated, there is an increase of 15 spaces. There are currently 412 spaces on campus.

Commissioner Hughes: What is the basis for the 412 spaces?

Ms. Lamboy: The basis for the 412 spaces is based on the different uses on campus, and what the parking requirements are associated with those uses. We need to keep in mind when students live on campus and going to classes on campus that there are two uses by one parking space. It was done based on a parking study done in 2008.

Commissioner Hughes asked if the college has considered shared parking spaces.

Ms. Lamboy said that there was discussion about limiting vehicle and shared parking spaces, but no action was taken.

Commissioner Hughes said that there are about 90 colleges that have started giving out bicycles for students, it seems like a lot of management could be done on car parking with use of the bicycles.

Mr. Perrigo stated that there are about 70 bikes in racks, and about 40 in the rooms, a lot of students who own bikes own cars. In addition they are sharing about 20 spaces with the Forest Service and the City for the trail head which is on the eastern end of the parking lot on campus. Some of those spaces in the additional 41 spaces, 10 will be for staff and the additional 31 are needed. The original plan showed 54 as they wanted to get more cars off the road. They are required to add 10 and 7, 17, which is a total of 24 spaces.

Mr. Brill stated that the discussions have started at the college and there is a momentum on how they can make it more pedestrian friendly and stop cars from coming in to the interior. This parking lot would be the last in the interior and future requests or options would be for exterior parking.

Commissioner Hughes stated that he appreciates the design and said that at Notre Dame there was no parking lot.

Mr. Osterholdt mentioned some of the initiatives that they have established; a loaner pool of bicycles that are owned by the college and lent to students. The College has other programs including Music on the Hill in which they have established a positive relationship with Santa Fe Trails in terms of increasing ridership to the campus. They are also looking for a shuttle bus service to help students get back and forth.

Commissioner Gonzales complimented the College for the thought given to parking design and appreciates the efforts. The college is a fabulous institution for the students

and fun for the community as they have a number of events. He feels that this is a smart design and understands the goal to increase the housing for students on campus. In particular the neighbors in this area would be very concerned if it wasn't thought out as well. You have done an outstanding job and I support this project.

Commissioner Villarreal said that she wanted to echo that praise and feels that they have done a thoughtful job. She asked if Mr. Perrigo could elaborate on erosion control and the techniques that would prevent the erosion or refer to the run off.

Mr. Perrigo stated that this facility was built in 1966 and all of the buildings have roof drains and they all join together and come out two pipes. Water goes in to the cistern, it isn't eroded anymore and any overflow from that goes in to the three ponds that are stair stepped down the hill. There are a series of terraces that go through these native landscapes with moss rock, 4' or 5' high.

Commissioner Villarreal: What is the density for forestry area – vegetation with existing trees – will you be replanting trees?

Mr. Perrigo said that their success rate at replanting is about 98% failure, so it is best to plant new. St. John's College is where it changes in to Ponderosa's; it also helps screen this project. They tried to do coniferous trees on the north to let sun into the campus.

Commissioner Spray extended his thank you for a very well thought out presentation. He directed a question to Ms. Lamboy: Sec. 14.5.6 – that is the escarpment overlay, is this project in the escarpment overlay district?

Ms. Lamboy: It is located in the escarpment district, but it is terrain management.

Mr. Perrigo stated that this is not in the escarpment district, although there are escarpment districts on the campus.

Commissioner Spray asked for clarification on the Condition of approval stating that no building should be over 35'

Ms. Lamboy said this was misquoted. This project is in the historic review district and will go to Historic Review to discuss the height.

Commissioner Mier moved to approve Case #2010-165. St. John's College Development Plan as presented, second by Commissioner Spray, motion carried by unanimous voice vote.

Commissioner Mier moved to approve Case #2010-165. St. John's College Variance request, second by Commissioner Gonzales, motion carried by unanimous voice vote.

***5 minute break
Resumed: 8:05 pm***

- 3. Chapter 14 Rewrite Amendments. Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning***

Commission Chapter 14 Rewrite Subcommittee and by staff: 1) 14-10 Nonconformities; 2) 14-11 Enforcement; 3) 14-12 Definitions. (Greg Smith, case manager) (POSTPONED FROM NOVEMBER 18, 2010)

Mr. Greg Smith asked the Commission to look at the summary analysis in the staff report. As indicated earlier in the meeting, staff intends to present 14-3 through 14-19 from the November 4th agenda and then proceed to 14-10 Nonconformities; 14-11 Enforcement, these were items that were postponed due to cancellation of the November meeting.

14-3.7 Subdivisions – The significant changes proposed by the subcommittee, staff and the consultant include:

1. Provisions for “serial subdivisions.”
2. Subdivisions by court order.
3. Certificates of Compliance – Documentation of lots that were created legally before current subdivision procedures were adopted. The Director would be authorized to approve a certificate of compliance that documents that a particular lot was legally created by a deed or record of survey, before city or extraterritorial subdivision regulations required approval of a subdivision plat. The second circumstance is to cure an illegal subdivision. This type of certificate of compliance would allow the Planning Commission to review those lots on a case by case basis. If it would meet applicable standards and if the approval would not prevent the owners other illegal lots from meeting ordinance standards for their lots. The owner of a lot that met density and access standards could get a certificate of compliance that recognized his lot as a legal lot of record, as long as approval of that lot did not block compliance of other illegal lots with density and access standards.

The proposed language would not provide an avenue for “grandfathering” illegal lots that do not meet standards such as density or access. Staff is continuing to review the possibility of setting up a procedure that would allow those lots to be treated as legally nonconforming rather than as illegal.

4. Notices of Violation – They have adopted procedure for notice of violation. These are a handful of cases where a piece of property has been illegal. This would provide a mechanism to flag illegal lots in a way that would show up in title searches.
5. Elimination list of application requirements – They have taken out the lengthy subdivision application requirements, they will be an administrative procedure.
6. Time Limits – They have modified the time limits to be consistent with the 3-years permitted between the commission hearing and the filing of the final paperwork.
7. Phasing – has been addressed.

8. Summary Committee process has been put in to writing as much of the summary committee process relies on adopting on past best practices.
9. Family Transfers have changed through the years. When escarpment management and terrain management regulations were initially adopted, family transfer subdivisions were exempted from compliance. We are making sure that the family transfer subdivisions meet all three management and escarpment management.

Commissioner Villarreal: Does that include improvements?

Mr. Smith – No there is another procedure for improvement. The Family transfers are not required to complete the improvements at the time that the plat is filed but when the improvements are created they are required to meet the standards.

10. Variances – Obsolete language concerning variances to subdivision regulations is deleted. Subdivision variances will be subject to the same criteria as other types as specified in 14-3.16.

14-3-8: Development Plans - This has not been analyzed in detail; it will be discussed at a future meeting.

14-3-9: Development to Special Flood Hazard Areas: With the exception of flood hazard areas, all of the variances with the exception of flood hazard areas will be covered by 14-3.6. What was referred to as variances in the flood hazard regulations will now be referred to as “waivers.” They will have their own mini standards – due to FEMA has specific language which they require local agencies to use in flood hazard district. Staff attempted to mesh federal standards with local requirements. It was decided flood hazard would have its own process.

14-3-10: Construction permits, formerly building permits, not a lot of substantive change. 14-3.10 and 14-3.11 are basically making it clear that regards to construction permits and certificates of occupancy that they are using the same document to demonstrate compliance with both. They will all be referred to as construction permits here on out.

14-3-12: Certificates of Compliance – recommending that this section be repealed. The role that has been on paper with regards to certificate of zoning compliance for years has been handled as certificates of occupancy. They are doing away with the obsolete certificates of compliance.

14-3.13 and 14-3.14 – Archaeological Clearance Permits and Demolition of Historic or Landmark Structures; changes to those subsections are going to be reviewed by the Archeological Board and the Historical Design Review board.

14-3.15: Minor Modifications – is a new subsection that gives the Planning Commission authority over minor changes or alternate means of compliance on projects that have been previously approved by the governing body.

14-3.16 - Variances – Purpose and Applicability – Significant changes in the procedure for variances in reviewing court cases or state statutes authorizing the commission's authority to grant variances. In talking with members of the Planning Commission and the Board of Adjustment, staff and the commission have had frustration dealing with, first, the variety of variance procedures that there are in Chapter 14 and second, most of them refer to some type of hardship as the central test for whether a variance should or should not be approved. Some of the existing transactions talk about extreme or extraordinary hardships. Staff has been working with the subcommittee and that concerned citizens which in several important ways; first it has been clarified that you are not allowed to give variances to provisions which restrict the categories or intensity of principal or accessory uses allowed within a district including limits on maximum residential density, and no variance shall be granted to any procedural rule.

14-3.17: Appeals – the commission has looked at this and recommended changes to the City Council. Mr. Smith said it is his understanding that the City Council is scheduled to adopt those changed recommended by the commission. We are not recommending further changes other than what has been recommended.

14-3.18: Utility Conformity Reviews is a state statute which is infrequently used. Not recommending further changes.

14-3-19: Expiration, Extension and Amendment of Development Approvals. There are four or five different places in the code where the language about when a variance expires, when a special exception expires, when the subdivision plat expires, when the development plan expires, when the master plan expires. We have pulled this all in to one section 14-3.19 and we have made it consistent that where in some cases the approval is good for one year if you didn't get a permit or filing plat, in some cases it was two years; we made it uniform for a period of 3 years from the time you get your approval from the board or commission to the time that you get your development plan on record. We have also made it possible for the Land Use Director to issue two 1 year extensions. It was appropriate that the director would review the circumstances and if there were no material changes they would put that in the consent and it would be served to the commission as a non public hearing.

14-10: Nonconformities – Technically the Planning Commission reviewed this and recommended approval in 2009 and we are bringing it back after further discussion with the subcommittee. Basic concept has not changed, nonconformities may continue until they are demolished or terminated but they may not be expanded in any way that increases. We have made it clear what the practice has been for the commission and staff that it is allowed to make conformity decisions to nonconformity structures. There is the change that says if the nonconforming portion of the structure is demolished the nonconforming structure cannot be rebuilt. This is a stricter rule than the existing one.

14-10-11: Enforcement

We have added to enforcement methods that are specified in Chapter 14. These are not new and different means of enforcement, they are putting in place more that the city staff and city attorney's office would need for compliance with the provisions of Chapter 14. There is one other that has been discussed with the subcommittee and will be drafted and brought back to this committee and that will be the procedure for the

revocation of permits that have been issued by the city. Basic methods that are available under 14-10.11 are currently criminal action, civil court actions, and administrative notices of violations and there are also references that will be clarified and brought back later regarding stop work orders and revocations.

Staff presentation completed.

PUBLIC HEARING

Matthew O'Reilly: There is a member of the public that would like to speak and pass out a memo that addresses certain sections of the code.

Sworn In:

Celeste - 2175 Candelero Street, Candlelight Neighborhood Association, Santa Fe, NM

I am here on behalf of Candlelight Neighborhood Association. Thank you for giving me the opportunity to speak. We wanted to address the sections on variances, 14-3.16. [***Exhibit A – Statement and wording***]. The whole concept of variances is important to us because we believe that the protection that is afforded to us in the law of the code is important. Therefore, the categories and situations in which the variances are granted are also important. I think that our major concern is with the public interest aspect that has been spelled out by staff. Overall we feel that the changes that staff has proposed are excellent and strong and add to this section and enhance it.

I would like to propose to additions to the wording and again I am not so much concerned on specifically what we are saying as what we are concerned about. 14-316(c) – One of the concerns and the statement says... *"The variance is not contrary to the public interest."* We would like to strengthen that by adding: *"The variance is not contrary to the public interest, and is not consistent with the General Purposes and Powers described in 14-1.3 and 14-1.7."* These are the sections that establish the principles of the Land Development Code.

Our concern is that public interest is such a vague statement and yet it is important for you as the Planning Commission to find out what is in the best of public interest in situations where you might be challenged by the public in a particular area.

RE: 14-3.16(A) Purpose and Applicability: The second change that we would propose which is more in spirit than in specificity is adding to the section that says; *"no variance shall be granted to provisions which restrict the categories or intensity of principal or accessory uses allowed within a district, including limits on maximum residential density, and no variance shall be granted to any procedural rule."* We strongly support this provision. This is important in prohibiting granting of variances that alter the limits given regarding any underlying (ZONING) or overlying (Highway Corridor) district.

Suggested additions to (A): It is in the public interest that residents and visitors have access to the mountain vistas, therefore variances will not be granted that would result in the obstruction of vistas such as the Sangre de Cristo mountains.

RE: 14-3.16 (C) Approval Criteria

(3) *"The intensity of development shall not exceed that which is allowed on other properties in the vicinity which are subject to the same relevant provisions of this chapter."* We strongly support this provision.

Thank you.

Public Hearing is closed.

Commission:

14-3.7

Commissioner Spray: Page 11 – RE: subdivisions: Word is missing.

Mr. Smith will correct the word.

Commissioner Villarreal:

Page 12: #3B Any one person may receive only one lot total by family transfer. **Mr. Smith:** Under the existing language if a family owns lands, family can transfer subdivision, it is not the intent of a family member to receive a lot.

Page 14: Notice, 2nd to last sentence: Any person intending to purchase a lot within this subdivision should contact city hall staff. What staff?

Mr. Smith: We would change that to the Land Use Director.

Commissioner Villarreal – 14.3.9

Page 2C - Enforcement - Does this mean that staff time will be used every time they want an investigation?

Mr. Smith: I suspect that the language would be correct unless it was a frivolous request. The existing practice if there is no violation of the code.

Matthew O'Reilly: Staff investigates every case that is reported.

Commissioner Villarreal - #3 Inspections: Demand Entry?

Mr. Smith: Yes, they demand entry.

Commissioner Spray: 14-3.10

14-3.10 - Page #2: B1A -- Is the strike out is to shorten the provision?

Mr. Smith: That is correct:

Draft Page #3: (4) Record of Construction Permits: Recording of construction permits, secondary construction permits, electrical; is that discussed later?

Page 11 – Construction Permits for Landscaping and Utilities. Was that meant to be Planning and electrical under landscaping and utilities?

Mr. Smith: We may need to define this in the practice. The general contractor has the permit for the building and the secondary are for the

Commissioner Spray: includes others, in F. would you want to add on page 11 –

Mr. Smith: I think leaving the reference to permits in (F) is appropriate.

Commissioner Spray: (5) Posting of Construction Permits. Posting on a public street?

Mr. Smith: The requirement is that it be visible from a public street, it is an official notice and it is required to be published by the code. I don't recall when any homeowners association has actually prohibited anyone from complying. The practice is that where it is allowed and where it is appropriate, it is hard to write a regulation that it should be on a private street.

Kelley Brennan: It constitutes a notice, it has legal ramifications and this is why it is required. We may need to finesse the posting so it serves what is intended.

Matthew O'Reilly: May I make a suggestion; this does come up sometimes, this section of the code Section ~ it won't be voted on till January, let staff review the wording.

Commissioner Spray - Draft page 5: Struck out section (C), can you tell me why?

Mr. Smith: The reference is covered with stronger language in Sectionthis is actually a weaker requirement, and it is provided in another section.

The Land Use staff has asked the City Attorney to review; if it does not come to the committee it will go to the governing body

Section 3-11, 3-12, and 315 – No Comments or changes from the Commission.

Section 3-16 – C (5) - Page 4, addingpublic interest can be misconstrued.

Matthew O'Reilly: Considerable amount of time was considered on the variance section; my concern is that this wording is not something that our attorney has looked at.

Mr. Chris Grasier, Attorney: I don't see anything in this document that is a problem with State Statute or policy variance, we would want to word smith it so it can be consistent with what we are doing.

Commissioner Hughes: I would like for you to come back to the January meeting with the proposed C5 language.

Commissioner Spray: I am one of those commissioners frustrated with variances and I want to commend the committee for trying to clarify this. Question: Page 1 – ENN has been eliminated.

Mr. Smith: It is covered in 14-3.1

Commissioner Spray: I appreciate the committees work.
Page 3 and 4: trying to explain what the variances are.

3-18 and 3-19 no changes form the Commission.

14-10

Commissioner Spray: Page 4: Sec F - Change of Use, 4th line: Correction: the new used should be new use. *Mr. Smith acknowledged the correction.*

14-11

Commissioner Villarreal: Page 3, #5 – Certified Mail: *Did we decide on no certified mail? Mr. Smith explained that this is mail from the enforcement staff to the alleged perpetrator.*

Matthew O'Reilly added that it protects the city's position when they send out notices on public hearings. Some people won't pick them up.

Commissioner Mier stated to leave it as is; this cost is minimal

Commissioner Villarreal: #6 - Should read - he/she. ~~He~~

Commissioner Spray: Page 2 – Enforcement Office – Who is the Enforcement Officer?

Land Use Director - Matthew O'Reilly – is the Enforcement Officer. It was further stated that the city commissions a person; the different divisions in the Land Use Department have Enforcement Officers who can issue citations.

Chair Lindell: *We can make a recommendation on 14-10, 14-11 and we will hold off on 14-3-7 to 14-14, document can have word smoothing for incorporation and brought back to the January meeting.*

Mr. Smith stated that the definitions will go back to the sub-committee.

Commissioner Gonzales made the motion to have the Commissioner's comments incorporated and recommend to the City Council the approval of the amendments in the presented Chapter 14 Amendments 14-10 and 14-11, second by Commissioner Spray, motion carried by unanimous voice vote.

4. **Chapter 14 Rewrite Amendments.** Consideration of amendments to three sections of Chapter 14 SFCC 1987 Land Development as recommended by the Planning commission Chapter 14 Rewrite Subcommittee and by staff: 1) Section 14-4 Zoning Districts; 2) 14-5 Overlay Districts; 3) 14-8 Development and Design Standards. (Greg Smith, Case Manager) **TO BE POSTPONED**

Commissioner Gonzales moved to postpone, second by Commissioner Hughes, motion carried by unanimous voice vote.

G. BUSINESS FROM THE FLOOR

None

H. STAFF COMMUNICATIONS

None

I. MATTERS FROM THE COMMISSION

The Chair clarified that there were no Finding and Conclusions on the agenda and action has been taken. Corrective action followed:

Commissioner Gonzales moved to reconsider the vote on finding and conclusions, second by Commissioner Hughes, motion carried by unanimous voice vote.

Commissioner Hughes moved to not accept the finding and conclusions, second by Commissioner Spray, motion carried by unanimous voice vote.

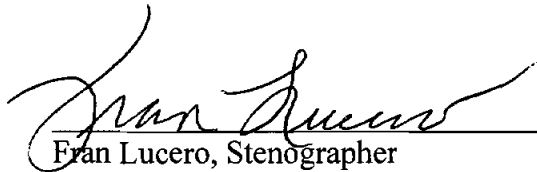
The Commission sincerely expressed their condolences to Mr. Smith on the loss of his mother.

J. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:15 pm.

SIGNATURE PAGE:

Signe Lindell, Chair



Fran Lucero, Stenographer