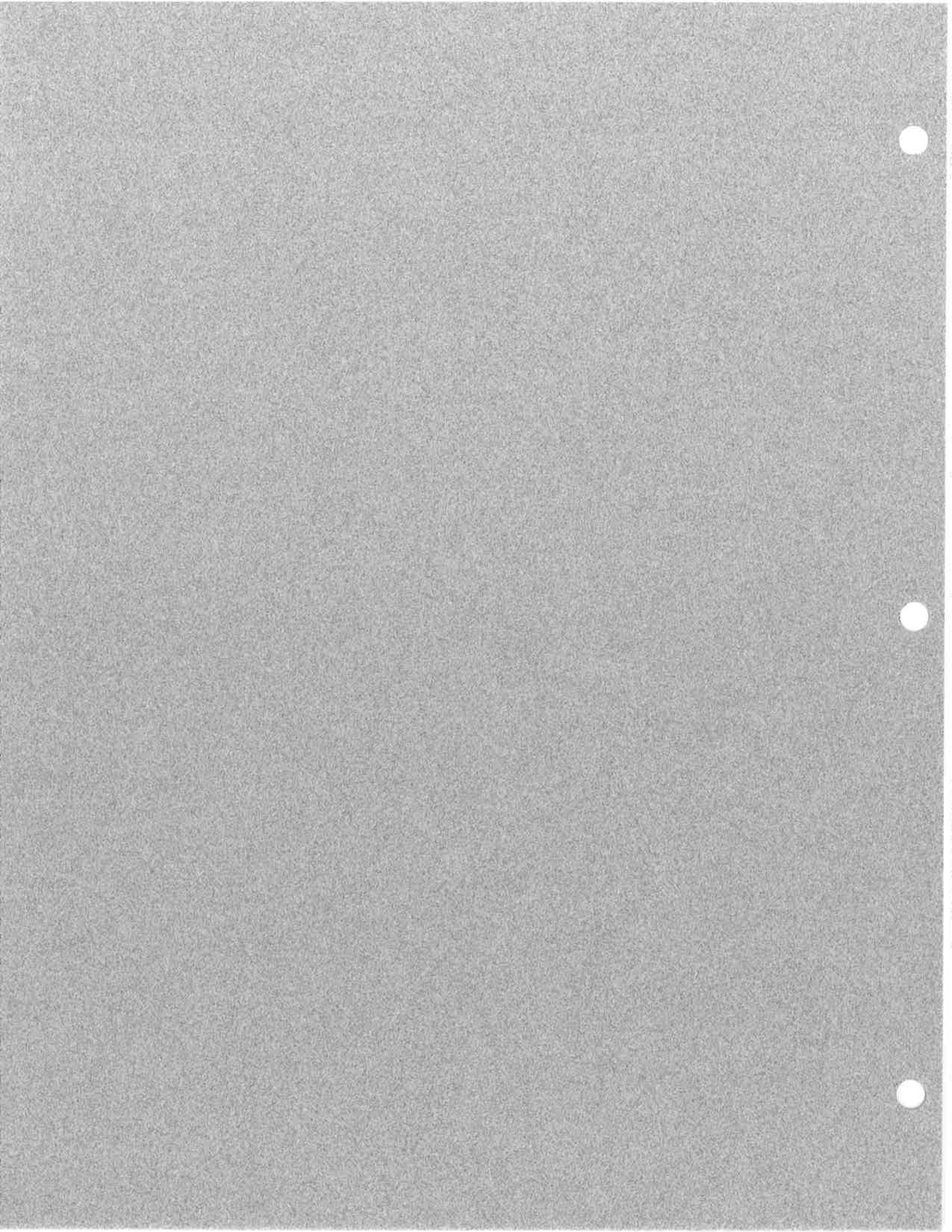


INSTITUTIONAL FRAMEWORK



10 INSTITUTIONAL FRAMEWORK

Specifically, the purposes of this chapter are to:

- Establish criteria and procedures to ensure consistency between the General Plan and land development laws;
- Prescribe a clear project review and approval process for analyzing impacts and eliminating redundant, overlapping procedures;
- Set resource-based standards that reduce the need for extensive discretionary project review; and
- Create an orderly process for General Plan amendments.

Santa Fe's current framework of planning regulations has evolved over a long time. As such, comprehensive review and update of the city's implementing regulations and administrative procedures will require a major effort. However, Chapter 14 of the City Code, which contains the city's land development laws, will need to be updated fairly quickly upon adoption of the General Plan, or the city will be faced with the dilemma of having to review projects based on two differing sets of regulations.

Plan themes and guiding policies for this chapter include:

THEMES

- Review Process - Streamline the planning and development review process.
- Implementation - Ensure consistency between the General Plan, implementing ordinances (including zoning and impact fees), and the CIP.

GUIDING POLICIES

10-1 GENERAL PLAN AND ZONING CONSISTENCY

- 10-1-G-1 Ensure consistency between the General Plan and the city's land development laws.
- 10-1-G-2 Ensure that there is a mix of housing types and densities in all parts of the city.

10-2 PROCESS FOR AMENDING THE GENERAL PLAN

- 10-2-G-1 Ensure that the General Plan is maintained as a living document, reflecting current city and community priorities.

10.1 POLICIES AND REGULATIONS

As the city's constitution for development, the General Plan lies at the apex of decision making. It is a policy instrument, providing the basis for the implementing land use regulations, which are contained in the City Code. Unlike the General Plan, regulations

contained in the City Code, such as zoning and subdivision regulations, are not policy-making instruments, but rather tools to implement policies established in the General Plan and elsewhere.

Chapter 14 of the City Code, which contains the city's land development laws, will be a key tool in implementing the policies of the new General Plan. The chapter has not been comprehensively updated in over 20 years, and amendments to it have been made on a piecemeal basis.

10.1.1 PURPOSE OF CONSISTENCY

The purpose of consistency is to ensure that General Plan policies addressing topics such as land use, urban design, transportation, and resource conservation are implemented. For the General Plan policies to be effective, they need to be translated into parcel-specific regulations in the land development laws, Chapter 14 Santa Fe City Code 1987. Zoning is one of the most widely used land-use regulations and the best tool for implementing map-related policies of the General Plan. While the City Code (Section 14-9.1 A Santa Fe City Code 1987) requires that in case of change in policies "the General Plan shall first be amended," the requirement of consistency needs to be explicitly established in both the General Plan and the City Code.

Only full consistency between the General Plan and land development laws in the City Code can ensure realization of the city's vision for its future. Protection of neighborhoods, and sensitive environmental, cultural, and archaeological resources, and creation of new neighborhoods that build on Santa Fe's urban design tradition are all dependent on consistency between the General Plan and the City Code.

Thus, upon adoption of the General Plan, the city's zoning and subdivision regulations in the City Code Land Development Laws (Chapter 14), would be revised to be consistent with the General Plan. This would involve adding, removing, and modifying zoning districts and revising development standards and other regulations to implement Plan policies. Specific development standards have been provided throughout this document where appropriate.

10.1.2 WIDESPREAD SUPPORT FOR CONSISTENCY

General Plan and zoning consistency has been an issue for city residents for a long time. The Round Tables in 1989, which preceded the current General Plan effort, expressed concern with the city's planning and code enforcement functions. The Round Tables recognized that successful long-range planning depends not only on the development of realistic, consistent, and achievable goals and policies, but also on having ordinances implemented and enforced that are consistent with the Plan. In the kick-off meeting for the General Plan, there was complete agreement for ensuring consistency between the General Plan and the Land Development Laws of the City Code.

In survey responses and neighborhood scoping meetings for the General Plan during the summer of 1994, the same issues of code enforcement and General Plan/Zoning consistency were raised. An astounding 80 percent of Santa Feans who responded to the survey noted zoning and design standards as a concern for the city's future. Many citizens were adamant that the General Plan should be used, honored, and enforced and that it should include

procedures for its amendment, review, and periodic update. Above all, the city's regulations and ordinances should implement the General Plan.

In response to these concerns, one of the 14 General Plan themes is to ensure consistency between the General Plan, implementing ordinances and standards (including zoning and engineering standards) and programs (such as the CIP). This section pertains specifically to General Plan/Zoning consistency.

10.2 PROCESS FOR AMENDING THE GENERAL PLAN

10.2.1 PROCESS

The General Plan is intended to be a living document that reflects changing conditions and community needs. As such, the General Plan will be subject to amendments over time—for example, for annexations that may take place beyond the Urban Area Boundary in the General Plan, for other land use changes, and also for changes to guiding and implementing policies. To maintain the currency of the General Plan, policies that become obsolete or unrealistic due to changed conditions (such as the completion of a task or project, development of a site, or adoption of an ordinance or plan) should be eliminated or modified. The General Plan amendment process is also the means through which the city, including Planning Commissioners, City Council Members, members of the Joint Planning Policy Commission, private property owners, project proponents, community groups, neighborhood associations, and individual citizens can initiate changes to the General Plan.

Applications for General Plan amendments initiated by the general public will be submitted first to city planning staff for review. Applications would be accepted on an ongoing basis. On a semiannual schedule, staff will prepare a summary report describing the requested changes and staff recommendations, including any necessary language and drawings for review by the Planning Commission and the Joint Planning Policy Commission.

A Joint Planning Policy Commission shall be established to study planning policy issues, including annexation and long-range issues, and to make recommendations for changes in the General Plan. Its members may include representatives from the city and county, planning staff, citizens, and planning professionals. This body would provide for an orderly assessment of needs, rather than reactive management of crises.

Review by the Historic Design Review Board or Archaeological Committee for specific related amendments would also be completed prior to Planning Commission and Joint Planning Policy Commission review. General Plan amendments may be initiated by the City Council and referred to the Planning Commission and Joint Planning Policy Commission, or initiated by the Planning Commission, the Joint Planning Policy Commission, or by city planning staff, or by any citizen, group, or organization. The Planning Commission or the Joint Planning Policy Commission, after review of the applications, would make recommendations to the City Council. Amendments to the General Plan take place only upon adoption by the City Council. Although the General Plan can only be amended two times per year, there would be no limit to the number of changes that could be made at the time of the amendment.

The following two exceptions apply to the restriction on the number of General Plan amendments permitted per year:

- To resolve an emergency or a matter of urgent public interest where a critical need has been identified by the City Council, Planning Commission, or Joint Planning Policy Commission, or
- To comply with a court decision.

The purpose of limiting the number of times amendments can be made to the General Plan is to maintain the continuity of the Plan, allow for an orderly amendment process, and allow staff, the Planning Commission, and the Joint Planning Policy Commission to focus on long-range planning issues.

The General Plan amendment process includes citizen involvement in several ways. Community meetings should be held semiannually prior to hearings on proposed General Plan amendments, at which time project proponents would present their plans, respond to questions, and hear comments. Such community meetings should be scheduled prior to the Planning Commission public hearing. The public would also have an opportunity to comment at the formal public hearings before the Planning Commission and the City Council. All community meetings as well as the formal public hearings would be announced.

10.2.2 ANNUAL REPORT ON AMENDMENTS

A summary of all General Plan amendments adopted during the preceding year would be included as part of the Annual General Plan Report, prepared to report on the progress in implementing the Plan. This summary would include the date of adoption, a brief description of the change and to which section of the General Plan the amendment applies.

10.3 GENERAL PLAN IMPLEMENTATION PROGRAM

All the implementing policies of the General Plan have been consolidated into an Implementation Program, which also outlines departmental responsibilities and action priorities. The Implementation Program is not an adopted part of the General Plan and may be modified as often as is necessary to reflect changing priorities.

Some of the major programs resulting from the General Plan include:

- **Zoning Ordinance and Subdivision Regulations.** The major implementation process for the land use proposals will be administration of the Zoning Ordinance through the Zoning Map. The Zoning Ordinance will need to be amended to be consistent with the General Plan. The Subdivision Regulations also will need to be amended to provide consistent street design and block-size standards, and to ensure adequate provision of transit, bike and pedestrian facilities, and connections between neighborhoods, schools, parks, and shopping areas, consistent with Plan policies for community design, land use, transportation, and parks and public facilities.
- **Urban Design and Development Standards.** The Urban Design and Development Standards included in the General Plan will guide physical planning and building design, and will need to be incorporated in the City Code.

- **Capital Improvements Program (CIP).** The CIP through the Urban Area Staging Plan will be the primary means of scheduling and funding infrastructure improvements of citywide benefit.
- **Impact Fee**The General Plan includes the land use assumptions that will provide the basis for establishment of the impact fee. Special assessment or infrastructure financing districts may also be used, in cooperation with other regional agencies, such as the county, if necessary. In many areas General Plan implementation will depend on actions of other public agencies and of the private sector, which will fund most of the development expected to occur in the Planning Area on a “fair share” basis.
- **Subsequent Planning Efforts.** The General Plan will provide a basis for city review of proposals in the Extraterritorial Zone and any planning for it that may be subsequently undertaken. Detailed plans for some areas, such as the redevelopment corridor areas as shown in the Land Policy Overlay (Figure 3-1) will also need to be undertaken.
- **Streamlining the Development Review Process.** In order to address the critical goals of promoting affordable housing and economic development opportunities , and promoting historic preservation and environmental conservation, while ensuring that new development is compatible with existing neighborhoods, careful analysis of the economic impact of all proposed new regulations is needed. In order to address the goal of streamlining the development process, a concerted and highly coordinated effort must be launched which will include the development of a comprehensive step-by-step guide to city fees and other levied costs. Development of a handbook to serve as a “how-to” guide for developing affordable housing, and continuous review of the city’s Land Use Code and administrative policies and procedures to identify opportunities to streamline the review process and create cost savings for new development are needed.

The General Plan will serve a coordinating function for public and private sector decisions. It also provides a basis for action on individual development applications, which must be found to be consistent with the General Plan if they are to be approved.

IMPLEMENTING POLICIES

10-1 GENERAL PLAN AND ZONING CONSISTENCY

- 10-1-I-1 Develop a comprehensive step-by-step guide to city fees and other levied costs.
- 10-1-I-2 Analyze and carefully consider the cost impact on affordable housing prior to the adoption of any ordinance regarding development review requirements, and identify and evaluate the effects of compound regulations.
- 10-1-I-3 Improve enforcement of existing regulatory constraints on short-term rentals in order to expand the housing stock available.
- 10-1-I-4 Develop a handbook to serve as a “how to” guide for developing affordable housing.
- 10-1-I-5 Review and update the internal consistency of all new and existing rules and regulations, ordinances, and policies to ensure they meet the guiding policies

of the General Plan and amend the City Code (Chapter 14) to reflect the guiding policies.

As part of these updates a continuing education program will be provided that includes a series of seminars—brown-bag lunches—where city staff would lead an explanation and discussion about the land development chapter of the City Code.

- 10-1-I-6 Prepare detailed Community Area Plans for new growth areas as well as for existing neighborhoods, and include a CIP to direct and phase growth to prioritized development areas (see Chapter 4 Growth Management).
- 10-1-I-7 The detailed Community Area Plans will help form the basis for city-initiated rezonings to update the Zoning Atlas and implement the General Plan.
- 10-1-I-8 Amend existing land use codes to provide for a mountain ordinance.
The Plan recognizes the “mountain ordinance” adopted by the Extraterritorial Zoning Authority in June 1995 (EZA ordinance 1995-1). Those lands within the Urban Area should continue to be regulated by the EZA ordinance until the City has passed its own mountain ordinance.

10-2 PROCESS FOR AMENDING THE GENERAL PLAN

- 10-2-I-1 There shall be a process for semiannual amendments to the General Plan.
- 10-2-I-2 Prepare annual and five-year reports on the General Plan.
- 10-2-I-3 Maintain a General Plan Implementation Program that reflects priorities for public action and is accessible to all residents.