



Planning and Land Use Department Planning Commission Staff Report

Case Nos: 2024-9461 & 2025-11164

Hearing Date: June 18, 2026

Agent: NM Land Solutions, LLC

Owner: Larry Boylan

Request: General Plan Amendment and Rezoning

Location: 1372 Boylan Lane, 2743 Boylan Circle, 2745 Boylan Circle

Case Mgr: Joel Cruz-Haber

Zoning: R1 (Residential)

Future Land Use: Transitional Mixed-Use

Overlays: Rivers and Trails Archeological District; West Santa Fe River Corridor

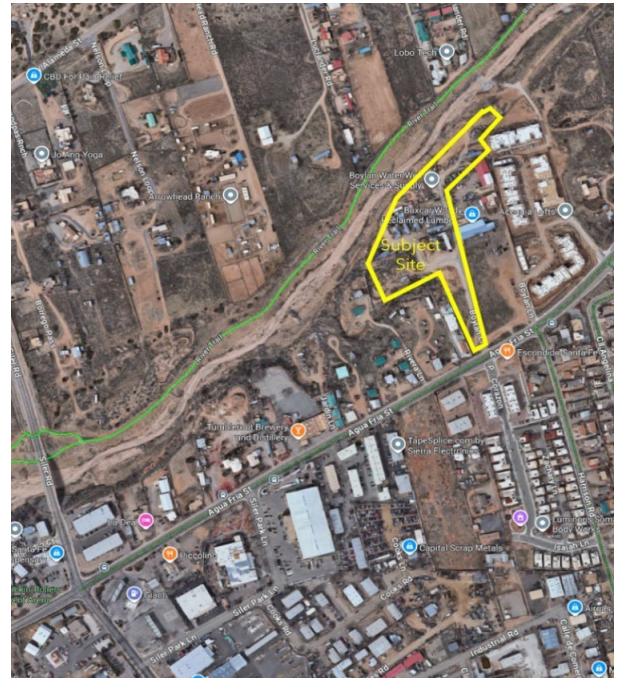
Master Plan: None

Pre-app Mtg: June 13, 2024

ENN Mtg: September 26, 2024

Applicant Proposal: The applicant requests approval for a General Plan Amendment from Transitional Mixed/Use to Community Commercial and a Rezoning from R1 (Residential) to C-2 (General Commercial).

Site Map



Case #2025 – 11164. General Plan Amendment at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle. NM Land Solutions, LLC, Agent, for Larry Boylan, Owner, requests approval to amend the General Plan Future Land Use Map from Transitional Mixed Use to General Commercial on a 5.96- acre lot. The property is located within the River and Trails Archaeological Review district and West Santa Fe River Corridor. (Joel Cruz-Haber, Case Manager, jacruzhaber@santafenm.gov).

Case #2024 – 9461. Rezoning at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle. NM Land Solutions, LLC, Agent, for Larry Boylan, Owner, requests approval for a rezoning of a 5.96-acre lot located at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle from R1 (Residential) to C-2 (Commercial) (Joel Cruz-Haber, Case Manager, jacruzhaber@santafenm.gov).

I. STAFF RECOMMENDATIONS:

- a. City Planning and Land Use Department staff (“Staff”) recommends **the Planning Commission recommend the Governing Body deny Case #2025 – 11164, General Plan Amendment from Transitional Mixed Use to Community Commercial.**
- b. City Planning and Land Use Department staff (“Staff”) recommends **the Planning Commission recommend the Governing Body approve Case #2024 – 9461, Rezoning to a less intensive zoning designation of C-1 (Office and Related Commercial District) subject to Santa Fe City Code 1987 §14-3.4(B)(2)(b).**
- c. City Planning and Land Use Department staff (“Staff”) recommends **the Planning Commission recommend the Governing Body approve Case #2024 – 9461, Rezoning to a less intensive zoning designation of MU (Mixed Use) subject to Santa Fe City Code 1987 §14-3.4(B)(2)(b).**

Option Motion language: Ranked by staff’s preference

1. *Recommend the Governing Body approve or deny Case #2024-9461 Rezoning from R-1 (One Dwelling Unit Per Acre) to C-1.*
2. *Recommend the Governing Body approve or deny Case #2024-9461 Rezoning from R-1 (One Dwelling Unit Per Acre) to MU.*

II. EXECUTIVE SUMMARY:

This application was submitted on November 12, 2024, and is being reviewed under the Land Development Code (“Code”) that was in effect prior to January 1, 2026. The 5.96-acre property is located at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle (the “Property”). The Property is located just north of Agua Fria Street, and approximately ½ mile east of the Siler and Agua Fria intersection. The Property is currently a mix of vacant land as well as a small mobile home park (approximately 15 units). New Mexico Land Solutions (the “Agent”) on behalf of the property owner, Larry Boylan (the “Owner”) requests the Planning Commission recommend that the Governing Body approve a General Plan Amendment (the “Amendment”) to the Future Land Use Map (“FLUM”) designation for the Property from Transitional Mixed Use (“TMXU”) to Community Commercial (“CCOM”). In addition, the Agent requests a rezoning of the Property from R-1 (1 Dwelling Unit Per Acre) to C-2 (General Commercial District) (the “Rezoning”).

Staff’s analysis finds that the Amendment and Rezoning as submitted by the applicant, are not in compliance with the relevant approval criteria (see Tables 6, 7, and 8) and recommends denial of the proposed General Plan Amendment. However, as provided for in Santa Fe City Code 1987 (“SFCC”) §14-3.5(B)(2)(b),¹ Staff requests the Planning Commission recommend the Governing Body approve a rezoning in compliance with the General Plan, to a less intensive zone district than requested by the Agent. Staff finds that a rezoning from R-1 to C-1 (Office and Related Commercial District) or to MU (Mixed Use) would meet the required rezoning approval criteria and negate the need for a General Plan Amendment as the C-1 and MU zone districts are compatible with the Site’s FLUM designation of Transitional Mixed Use and the vision for the Property as articulated in the West Santa Fe River Corridor Plan.

Subject to SFCC § 14-3.1(E) a pre-application meeting was held on June 13, 2024. Thereafter, a virtual Early Neighborhood Notification (“ENN”) was held on September 26th, 2024, via Zoom pursuant to SFCC §14-3.1(F). A General Amendment and Rezoning application was submitted to the Land Use Department on November 13th, 2024, and transmitted to the Departmental Review Team (“DRT”).

Subject to SFCC 14-2.5, the notice requirements for the June 18th, 2026 Planning Commission (“Commission”) public hearing were duly notified; the Agent sent notice of public hearing via certified mail to neighbors within 100’ of the Property, first class mail for the remaining 200’ of neighbors and posted a notice of public hearing sign on May 20th, 2026. In addition, a legal ad with the notice of public hearing was posted in the New Mexican on May 20th 2026. At the June 2nd, 2026 public hearing, the Planning Commission voted to postpone hearing the Agent’s request to June 18th, 2026.

¹ *The governing body may approve a rezoning to a less intensive zone district than originally requested by the applicant . In such cases, no re- application or re-processing of the original application shall be required.*

A rezone to C-2 is inconsistent with the Transitional Mixed Use (“TMXU”) designation because C-2 zoning permits certain uses, as outlined in Table 5, that are not “appropriately scaled retail/services that are intended to primarily serve the residential uses as an added local amenity”. The intensity of these uses could have negative impacts on neighboring existing uses and are not consistent with the intent of the General Plan or the West Santa Fe River Corridor Plan for this Property.

The nearby properties zoned C-2 at 1400 and 1411 Boylan (Ord. 2014-32) and 2751 and 2749 Agua Fria (Ord. 2015-34) achieved their zoning in 2014 and 2015 respectively, prior to the adoption of the West Santa Fe River Corridor Plan. The Acequia Lofts residential development to the east of the Property is zoned C1-PUD and the mixed-use development across the street with Escondido is zoned Mixed-Use.

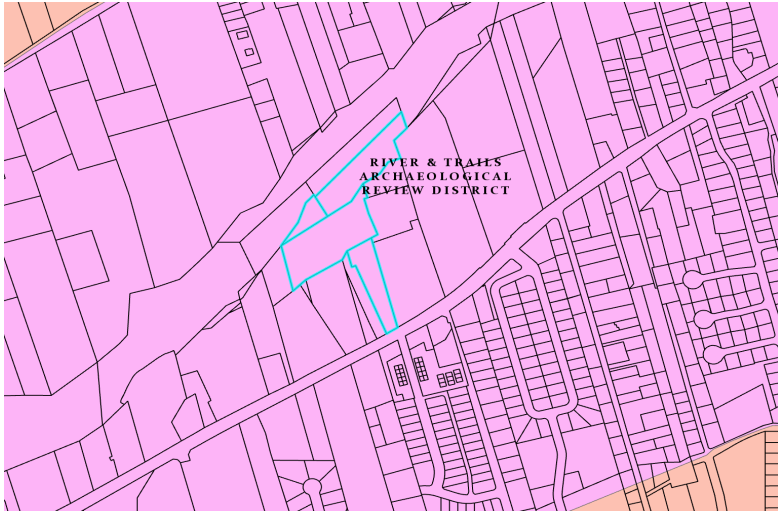
The properties surrounding the Site have a range of designations on the Future Land Use Map. To the east and west of the Site, the properties are designated as Community Commercial (CCOM), Transitional Mixed Use (TMXU), and Office. The properties across Agua Fria Street to the south are designated as Transitional Mixed Use (TMXU). The Site to the north is the Santa Fe River and designated as Open Space.

When the applicant requested a C-2 zone district, staff expressed concern regarding the wide variety of uses that would be incompatible with surrounding uses. During review, Staff recommended that the Agent include a Master Plan or Development Plan with the Amendment and Rezone to constrain development of the Property. A Master Plan could have been used to limit certain uses, ensuring compatibility with the General Plan, the West Santa Fe River Corridor Plan and surrounding developments. A Master Plan or Development Plan would have allowed for the review the site’s feasibility to connect to City infrastructure or to measure consistency with the surrounding neighborhood uses and could have potentially led to a positive recommendation for approval. However, due to this deficiency in the Agent’s application, staff cannot discern whether future development of the Property will be consistent with the Transitional Mixed Use land use category and the overall vision for this area as articulated in the General Plan and West Santa Fe River Corridor Plan. Therefore, staff recommends denial of the General Plan Amendment, and recommends approval of a rezoning to either C-1 or MU, but not to C-2. The C-1 and MU zone districts are consistent with the existing future land use category.

B. Overlay Districts

The Property lies within the River and Trails Archaeological Review District Overlay and the West Santa Fe River Corridor Overlay.

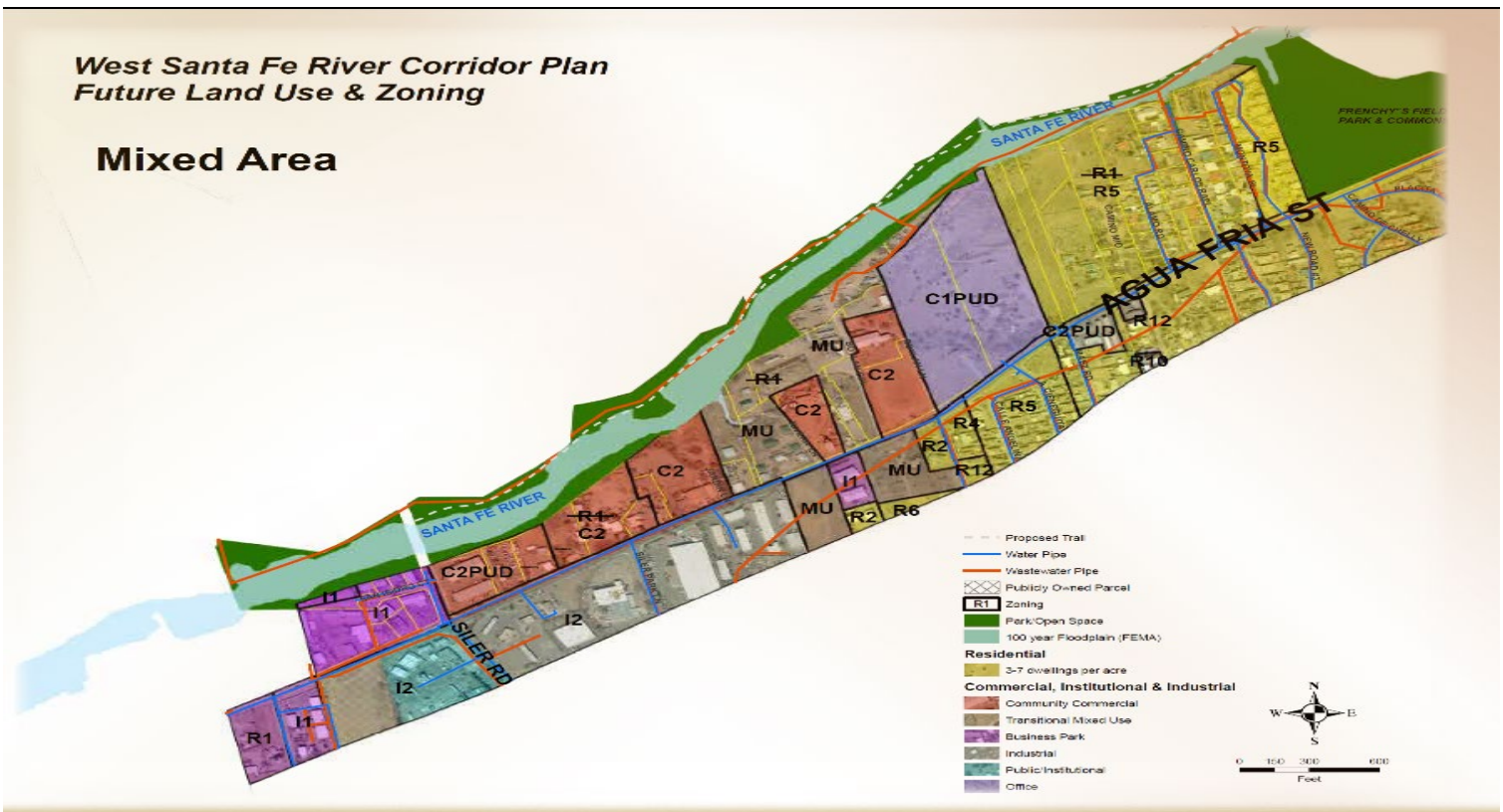
Figure 2 River and Trails Archeological Review District



1. Rivers and Trails Archeological Review District

Subject to SFCC 1987 §14-5.3(D) and §14-3.13(B)(2), an archeological clearance permit shall be provided at the time of development when located in the Archeological Review District. An archeological clearance permit is not required for a rezoning when a development plan or plat are not proposed.

Figure 3 West Santa Fe River Corridor Plan

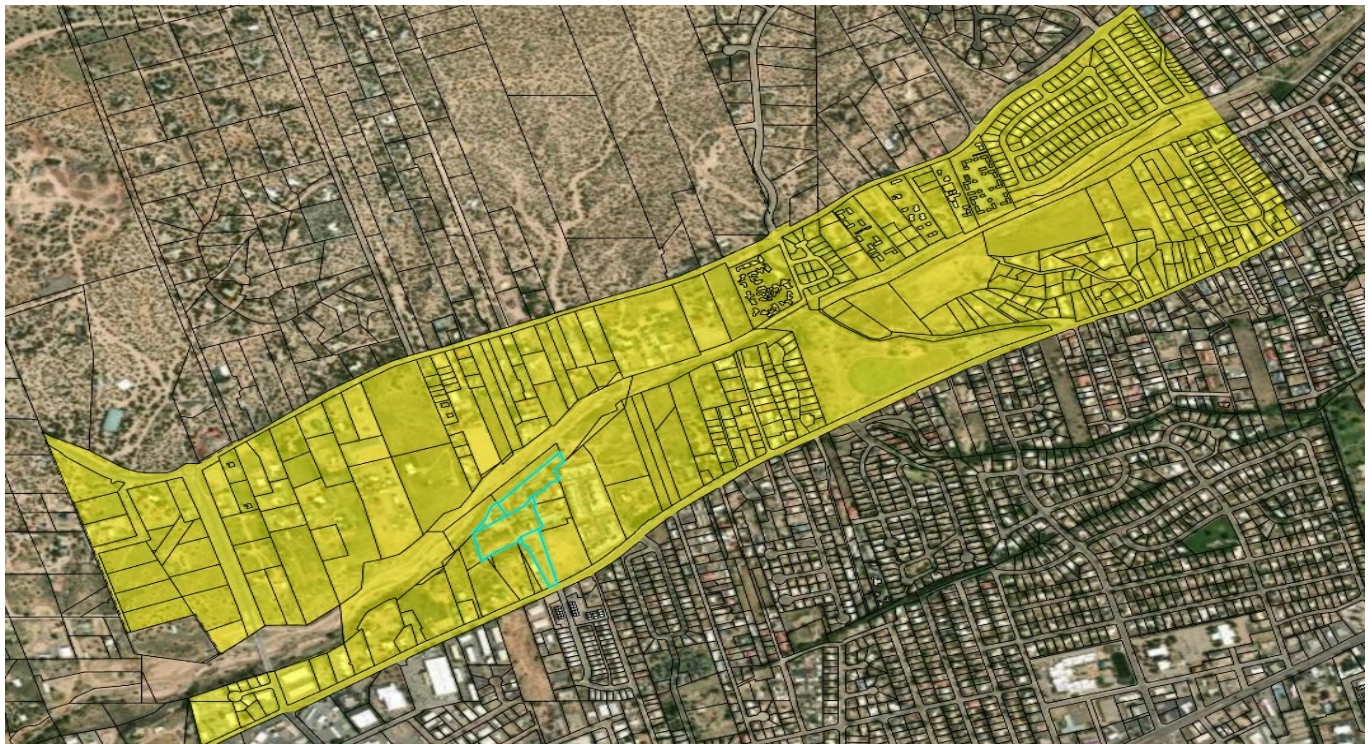


2. West Santa Fe River Corridor Plan and Overlay

On December 13, 2017, the Governing Body adopted the West Santa Fe River Corridor Plan (the “Plan”) (Resolution 2017-87), the result of a year’s long collaboration between multiple city departments and a citizen’s working group of “local residents, business owners, architects, Planning Commission and members of the Agua Fria Traditional Historic Community”. There was robust engagement including 22 weekly meetings with City staff and the working group and several open houses to allow local residents an opportunity to review and discuss the plan recommendations.

The Plan led to the adoption of the West Santa Fe River Corridor Overlay district (Ord. 2017-25) which sets specific development standards for the plan area. The Property under review is located within the Plan’s “Mixed Area” (see Figure 3). The Plan acknowledges that the city’s default zoning of R1 is, “not appropriate for the Mixed Area as many of the parcels already contain business uses and because warehouses with industrial zoning are located directly across Agua Fria Street.” The Plan proposes re-zoning to, “create a reasonable transition from more intense commercial uses near Siler Road to less intense residential uses near Frenchy’s Park.” Further the Plan specifies that Parcels zoned R-1 with a Future Land Use as Transitional Mixed Use should be rezoned to Mixed-Use.

Figure 4 West Santa Fe River Overlay with Property



The Plan led to the adoption of the West Santa Fe River Corridor Overlay (see Figure 4) which ensures future development adheres to the design criteria and purpose of the River Corridor Plan. The Overlay design criteria include setbacks to Agua Fria and the Santa Fe River, limits to building height, and additional open space requirements as described in Table 1. The West Santa Fe River Corridor Overlay will be the primary guide for design and the base zoning district will address other

dimensional standards related to lot coverage and density as described in Table 3 or 4 of this report.

Table 1: West Santa Fe River Corridor Overlay Requirements

| | |
|--|---|
| Maximum Height | 28' |
| Setbacks From Street | <p><i>In the case of residential development, the setback applies when proposing a minimum of two lots or two housing units. Minimum setbacks from the street for new developments and new subdivisions fronting:</i></p> <p><i>1. Agua Fria Street: 30 feet, or 20 percent of lot depth, whichever is less, from the Agua Fria Street frontage property line.</i></p> <p><i>2. West Alameda Street: 50 feet from the West Alameda Street frontage property line.</i></p> |
| Building Setbacks from Santa Fe River | <p><i>A minimum of fifteen (15) feet from whichever one of the following is the most restrictive:</i></p> <p><i>(1) River Greenway Boundary, or</i></p> <p><i>(2) 100-year Floodplain Boundary (FEMA), or</i></p> <p><i>(3) City code setback measurement for streams and watercourses, [14-8.2 (D)(4)(e)(i)].</i></p> |
| Minimum Frontage Width for Development along West Alameda St. | <p><i>Minimum street frontage width of two hundred and fifty (250) feet along West Alameda Street is required for any subdivision, unless approved by the traffic engineer.</i></p> |
| Common Area Open Space | <p><i>In lieu of park dedication to the city, residential subdivisions or developments with a density of five (5) dwellings per acre or greater, or a minimum of twenty-five (25) total housing units or lots, shall have a minimum of ten (10) percent of the total land area of the proposed subdivision or development reserved as common area open space. [See also Land Development Code, "Residential Common Open Space Standards," 14-7.5(B)].</i></p> |

C. Zoning and Dimensional Standards

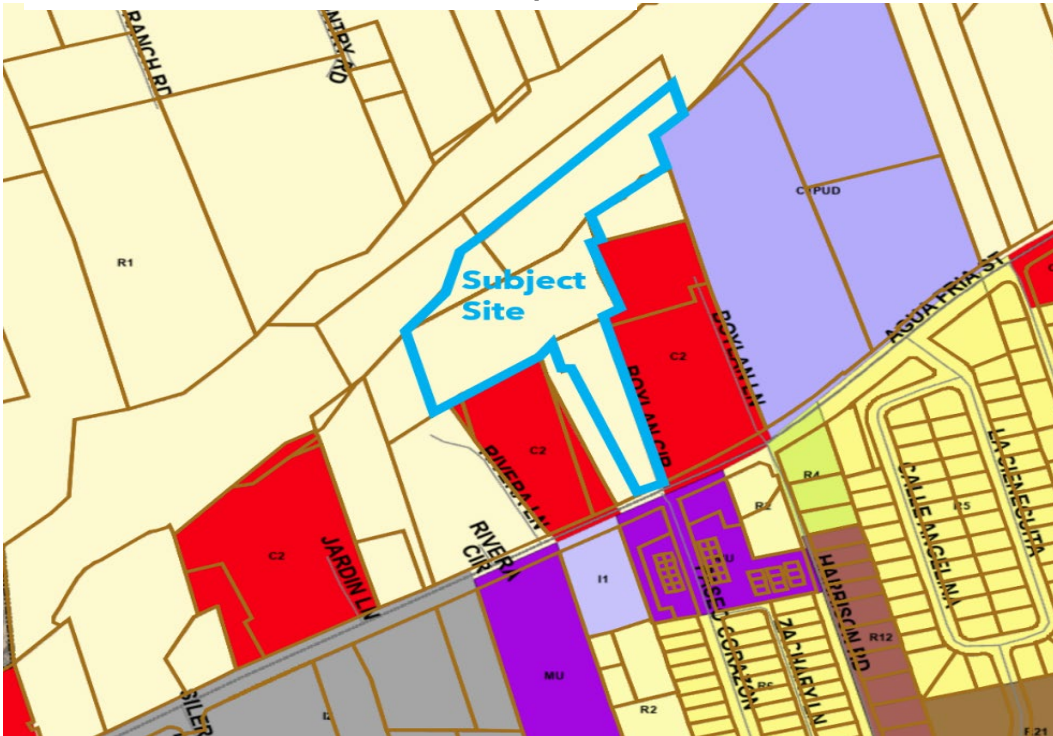
The Property was a part of the City initiated annexation located in Area 2 phase 1 in 2013 as described in Ordinance 2013-36 (Attachment A). When annexed, the Property was given an R-1 zoning district designation and has remained the same, “Figure 5: Existing Zoning.” The R-1 zoning district allows for 1 dwelling unit per acre and a number of accessory uses which are compatible with low density residential development.

Table 2 below describes the zoning and existing land uses in the area surrounding the Site.

Table 2: Adjacent Zoning and Land Uses

| Direction | Zoning | Existing Land Use |
|---------------------------------|---|--|
| North | R-1 (Residential) | Santa Fe River and River Trail |
| West | C-2 (Commercial) and R-1 (Residential) | Variety of residential uses (both single family and multifamily) and commercial uses (offices and service-oriented businesses) |
| East | C-2 (General Commercial) and C-1 PUD (Commercial) | Vacant land and multifamily residential (Acequia Lofts) |
| South (across Agua Fria Street) | MU (Mixed-Use) | Residential uses (single family and multifamily) and commercial uses (Escondido Restaurant) |

Figure 5: Existing Zoning Map



If the Amendment is approved as requested by the Applicant, the requested C-2 zone Rezoning would not be consistent with the Future Land Use Map or the West Santa Fe Corridor River plan. Staff’s recommendation to rezone from R-1 to C-1 or MU zoning district is consistent with the current FLUM designation of Transitional Mixed-Use (TMXU) and if followed would not require an amendment to the General Plan.

Table 3. Residential and Non-Residential Dimensional Standard Differences Between C-1 and C-2 per Table 14-7.2-1 & 14-7.3-1 (Old Code)

| Standard Type | C-2 | C-1 |
|--------------------------------|---|---|
| Height (feet)* | 45' | 36' |
| Setbacks ** | Street: 15' Rear: 10' Side: 0' | Nonresidential Uses: Street : 10 Side: 5 Rear: 10 Residential Uses: Same as for R-21 district. (Established through Development Plan) |
| Open Space*** (Square Feet) | 250 SF/ dwelling unit | Single-family dwellings or multiple-family dwellings : 250 square feet of common and/ or private open space for each unit (Defers to R:21 Open Space). |
| Lot Coverage | 60% maximum | Nonresidential Uses: 60% (Non-residential Open Space subject to 14-7.5(D)). Residential Uses: 40% |
| Density | None (Density is determined as a result of max. height, setbacks, lot coverage, and parking) | R-10=10; R-12, R-21 and R-29=10 or per development plan or special use permit approval (see 14-7.2(F)). If public sewer and water are not provided, see Note 15: <i>The maximum gross density in districts that permit residential use is 0.4 dwelling units per acre if neither public sewer or water is provided, and one dwelling unit per acre if either public sewer or water is provided, and 0.8 dwelling units per acre if the lot was created through an inheritance or family transfer subdivision that resulted in only one additional lot .</i> |

* Height of structures shall be 28' when located in West Santa Fe River Corridor Overlay. (Table 1)

** Setbacks shall also adhere to Santa Fe River and Street backs defined in West Santa Fe River Corridor Overlay. (Table 1)

*** Additional Common open space standards shall be met for future development. (Table 1)

Table 4. Residential and Non-Residential Dimensional Standards for Mixed Use 14-7.3-1 (Old Code)

| Standard Type | Mixed Use |
|---------------|---|
| Height (feet) | A maximum height of 35 feet shall be permitted where two or more <i>stories</i> are included in a <i>building</i> ; where the <i>mixed-use development</i> is located adjacent to <i>residential uses</i> or <i>residential zoning</i> , all <i>buildings</i> and <i>structures</i> within 70 feet of the adjoining <i>residential property line</i> shall not exceed 25 feet in height. Also see §14-7.3(B)(1) for step-back requirements. |
| Setbacks | Street : Equivalent to the minimum yard requirements in any adjoining residential zoning district if not separated by a street ; otherwise none is required. Side : 30 feet from property line when abutting a residential district; 5 feet from property line if not abutting a residential district. Right of way may be counted as part of setback . Rear : 30 feet from property line when abutting a residential district; 10 feet from property line if not abutting a residential district. Right of way may be counted as part of setback . Also see §14-7.3(B)(1) for separation requirements. |
| Open Space | Each <i>dwelling unit</i> shall be provided with a minimum of two hundred fifty (250) square feet of qualifying private or <i>common open space</i> . |

| | |
|--------------|--|
| Lot Coverage | None, except as may be needed to satisfy other limitations applicable to a MU district Also see §14-7.3(B)(1) for footprint requirements and residential requirements |
| Density | <i>Buildings</i> of twenty-five (25) feet or less in height shall not exceed a maximum of twelve (12) <i>dwelling units</i> per acre and <i>buildings</i> of between twenty-five (25) feet and thirty-five (35) feet or less in height shall not exceed fourteen (14) <i>dwelling units</i> per acre. Each <i>dwelling unit</i> shall be provided with a minimum of two hundred fifty (250) square feet of qualifying private or <i>common open space</i> . |

Additional Mixed-Use Standards include the following;

- Architecture Step-Backs
 - Third floors shall have a step-back (balcony or roof area) of a minimum of five (5) feet from all the building’s facades at ground level.
- Separation of Uses
 - Where any of the following uses exist on an adjoining site, group living or household living uses shall be separated from the following uses by a minimum distance of fifty (50) feet:
 - a drive-through use or facility, including gas stations, car washes, restaurants and banks;
 - animal hospitals or clinics with external overnight boarding;
 - child day care facilities with more than thirty children;
 - outdoor storage of material;
 - restaurants and bars operating between the hours of 10:00 p.m. and 7:00 a.m.;
 - liquor stores;
 - hotels and motels ; and
 - any land use that the planning commission determines will produce environmental impacts, processes or products that are incompatible with residential uses, and that is noted on the approved master plan or development plan.
- Building Tenant Space
 - No single commercial tenant space shall exceed a total of twenty thousand (20,000) square feet.
- Residential Uses
 - Residential uses shall consist of at least forty percent of the development's total floor area if located adjacent to residentially zoned districts. If not, residential uses shall consist of at least twenty percent of the development's total floor area. The master plan, plat and development plan shall show this residential /commercial mix.
- Formerly Zoned Industrial Park
 - Any property previously zoned industrial park with master plan approval on or before the date of adoption of the BIP zoning district shall be governed by and subject to the approved master plan. Where a conflict exists between the approved master plan and the requirements of this Section 14-7.3, the more lenient standard shall prevail.
 -
- The Mixed-Use district standards address the mitigation of potential negative impacts on adjacent residential uses, which is why the regulatory framework of Mixed-Use was set forth in the West Santa Fe River Corridor Plan.

D. C-1 vs C-2 Uses

The Applicant’s request to Rezone to C-2 did not include a master plan, or development plan request which would have provided in staff and the DRT an opportunity to make conditions of approval to ensure compliance with compatible uses, ity infrastructure, transportation and traffic requirements, and emergency service improvements. As a result, staff is unable to determine if the site can accommodate the level of improvements needed for future developments within the requested C-2 zone district.

Therefore, staff is recommending a less intensive zone district of C-1 or MU to ensure consistency with the Future Land Use Map designation of Transitional Mixed Use and the West Santa Fe River Corridor Plan. All future development shall adhere Summary Use Table set forth in Santa Fe City Code 2026 (“SFCC 2026”), §14-5.2(D) Table 5-1. Table 5, shows a handful of uses that are not allowed, permitted, or require conditional use permit comparing MU, C-1 and C-2.

Table 5. Comparison Summary of Allowed Uses – MU vs C-1 vs C-2

| Use | MU | C-1 | C-2 |
|--|---------------------------------------|-------------|-----------------------------------|
| Light Assembly Manufacturing | Not Allowed | Not Allowed | Permitted |
| Service and Repair Garage, including Gas Station | Not Allowed | Not Allowed | Permitted |
| Tire recapping and retreading | Not Allowed | Not Allowed | Permitted |
| Continuing Care Community | Permitted | Permitted | Conditional Use Permit |
| Foster Home | Permitted | Permitted | Not Allowed |
| Group Residential Care Facility, Large or Small | Permitted | Permitted | Conditional Use Permit |
| Cannabis Manufacturing Light | Not Allowed | Not Allowed | Permitted |
| Cannabis Producer Micro-business | Not Allowed | Not Allowed | Permitted/ Conditional Use Permit |
| Cannabis Producer | Not Allowed | Not Allowed | Conditional Use Permit |
| Cannabis Testing or Research Laboratory | Not Allowed | Not Allowed | Permitted |
| Commercial Cannabis Retailer | Permitted with Use Specific Standards | Not Allowed | Permitted |

E. Legal Lot of Record

The Applicant has provided documentation confirming that the subject properties are legal lots of record. See Attachment C: “Applicant Submittals”

F. Infrastructure

Figure 6: Utility Connections

The City Code requires that infrastructure be able to accommodate the impacts of the proposed development. “[T]he existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.” SFCC 1987, § 14-3.5(C)(1)(e). The Property is located within the County Fire District and approximately 1.12 miles from Fire Station No.3 located at the intersection of Third and Cerillos. When a development project is reviewed, Santa Fe Fire Department shall provide site specific recommendations based on the intensity and type of use being proposed in the future. For example, future development would likely require fire hydrants be placed and water connections be made to the City’s public water system. The site does not currently connect to City water however, it does access City wastewater services from the Santa Fe River via a private water line shown in red in Figure 6 of this report. The Property’s wastewater needs are currently serviced by an 8-inch PVC sewer line that is privately owned and will need a new public sewer line when development is proposed.



The Development Review Team’s (“DRT”) review of the rezoning request concluded that City resources and infrastructure are available to the Site. The types of uses allowed in C-1 or MU zoning can likely be accommodated in this location, subject to specific requirements and improvements that will be identified during Development Plan review. See Attachment A: “DRT Comments”.

GENERAL PLAN AMENDMENT APPROVAL CRITERIA

Section 14-3.2(E) and (E)(2) SFCC 2001 sets forth approval criteria for General Plan Amendment as follows:

(1) The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:

Table 6: General Plan Amendment Approval Criteria

| | |
|---|--|
| <p>Criterion a (14-3.2(E)(1)(a): consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;</p> | <p>Criterion Met: (Yes/No) NO</p> |
| <p>Applicant's Response:</p> <p>The proposed General Plan Amendment is consistent with Chapter 3-1 of the Land Use Themes as provided below:</p> <ul style="list-style-type: none"> • Quality of Life: The proposed General Plan Amendment has the potential to enhance the quality of life at the time the property is redeveloped from the existing non-conforming mobile home park that was established prior to the 1981 adoption of the Santa Fe County Code. • Economic Diversity: The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial uses. This is consistent with the General Plan's economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city. • Sustainable Growth: The existing homes on the property are served by two private wells along with a private sewer line which is connected to the trunk line located north of the property across the Santa Fe River and eventually flows into the city's system. <p>As with the non-conforming mobile home park, the two water wells that are currently feeding the existing homes is not sustainable. Redevelopment will require capping of the two wells allowing the diversion of ground water in the amount of a total of 6.0 afy of water per year. Capping of the wells directly conserves groundwater, which is a natural resource and has been severely depleted over time by the existing drought. Connection the city's water system will also require an approved water budget that will assist on restriction of water along with collection of revenue by the city for use of water.</p> <p>The existing private sewer line was installed over 40 years ago and will need to be</p> | |

adequately sized and upgraded to city standards for future dedication to the City to ensure proper construction and maintenance.

- **Mixed Use:** Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.19%. The proposed general plan amendment from Low Density Residential to Community Commercial zoning will allow for a mix of commercial and or high-density residential uses which is consistent with the mix of uses established in this area after the City/County annexation occurred in 2009. The proposed General Plan Amendment allows flexibility to re-develop the property consistent with the area by providing the ability to establish a range of permitted uses without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation flexibility supports the City's economic development goals.

Transportation and Mobility: The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.

- **Infrastructure and Public Services:** The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies. The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan's commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

The amendment is also consistent with the guiding policies within Chapter 4 of the 1999 General Plan, specifically regarding the promotion of infill development, efficient use of existing infrastructure, and recognition of water demand and conservation. By aligning with these policies, the amendment contributes to the balanced growth of Santa Fe, promoting both residential development and new employment opportunities in a sustainable manner.

Additionally, the proposal is consistent with the existing land use conditions, including the availability of access and infrastructure.

Staff Response:

The Applicant has not provided sufficient evidence to address this approval criteria. Staff finds that the criteria is not met and recommends denial of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to Community Commercial. The General Plan and the West Santa Fe River Corridor Plan were adopted after extensive data analysis, rigorous public engagement and represents the community's collective vision for development of this area. The property is currently lacking

in sufficient infrastructure to support the non-conforming 15 mobile home units, but redevelopment of the property can occur without amending the existing FLUM designation of Transitional Mixed Use. A rezoning to a less intense zone district such as C-1 or Mixed-Use would allow for a diverse set of compatible residential, commercial and office uses, without the need to amend the City’s General Plan. Furthermore the less intense MU zone district is the preferred district as articulated in the City’s adopted West Santa Fe River Corridor Plan.

| | |
|---|---|
| Criterion b (14-3.2(E)(b)): consistency with other parts of the general plan ; | Criterion Met: (Yes/No) NO |
|---|---|

Applicant’s Response:

The proposed General Plan Amendment is consistent with several key elements of the Santa Fe General Plan, Specifically the Guiding policy described in Chapter 3 of the 1999 General Plan and provided below:

Guiding Policy 3-G-3 States “There shall be infill development at densities that support the construction of affordable housing and designated mix of land uses that provide an adequate balance service retail and employment opportunities to address residential growth throughout the Urban Area, including the Railyard property”

The subject property is considered as infill located within the Urban Area as describe in the 1999 General Plan and has the potential to redevelop at higher residential densities and or other commercial uses that could create employment opportunities.

Staff Response:

The Applicant has not provided sufficient evidence to address this approval criteria. Staff finds that the criteria is not met and recommends denial of the applicant’s request to amend the General Plan’s Future Land Use Map from Transitional Mixed-Use to Community Commercial. The General Plan and West Santa Fe River Corridor Plan were adopted after extensive data analysis, rigorous public engagement and represents the community’s collective vision for development of this area. The site is currently lacking in sufficient infrastructure to support the non-conforming 15 mobile home units, but redevelopment of the site can occur without amending the existing FLUM designation of Transitional Mixed Use. A rezoning to a less intense zone district such as C-1 or Mixed-Use would allow for a diverse set of compatible residential, commercial and office uses, without the need to amend the City’s General Plan.

| | |
|--|---|
| Criterion c (14-3.2(E)(1)(c)): the amendment does not: (i)allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or (ii)affect an area of less than two acres, except when adjusting boundaries between districts; or (iii)benefit one or a few landowners at the expense of the surrounding landowners or the general public; | Criterion Met: (Yes/No) NO |
|--|---|

Applicant’s Response:

(i.) The proposed amendment does not introduce uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. Over time, particularly following the city/county annexation, the area has undergone significant changes ,allowing for the future redevelopment of infill properties with access to city utilities as well access to sufficient city maintained roadways. Many of the surrounding properties have been rezoned within the past fifteen years to accommodate higher-density residential uses, including multifamily apartment buildings, reflecting the city's growth and evolving urban landscape.

Currently, the area includes a mix of residential and commercial uses. Some commercial properties are legal non-conforming, while others were established through previous general plan amendments and rezonings.

The proposed general plan amendment is consistent with this pattern of development, as it allows for a combination of residential and commercial uses that align with the existing mix of land uses in the area. The amendment would further complement the surrounding properties by providing additional opportunities for both residential and commercial growth, without significantly altering the established character of the neighborhood.

Thus, the amendment is in keeping with the area's ongoing transition and growth, and it aligns with the existing mix of residential and commercial uses that have developed over time. The proposed change is not a dramatic departure from the current land use pattern but rather a continuation of the evolving character of the area.

(ii.) There are four adjoining legal lots of record with a total of 5.96 acres.

(iii.) The proposed amendment will provide benefits not only to the applicant but also to the surrounding landowners and the broader community. The property in question is currently occupied by an aging mobile home park that has been in place for over forty years, predating the Santa Fe County Code and prior to being annexed into the City of Santa Fe.

This property is in need of redevelopment to address current deficiencies and enhance the area's overall character. The existing site is encumbered by several electric power poles and a large stockpile of dirt along the Agua Fria Street frontage, both of which negatively impact the aesthetics and functionality of the area.

The proposed amendment will facilitate a sustainable and diverse redevelopment that connects the property to city utilities, addressing key infrastructure challenges. Specifically, the redevelopment will allow for the relocation and undergrounding of electric services, improving both the visual appeal and safety of the area. These infrastructure improvements will directly benefit the surrounding landowners by reducing existing eyesores and enhancing the overall neighborhood environment.

Additionally, by redeveloping the site, the amendment creates the potential for a more vibrant and well-integrated community with better access to essential services. The redevelopment is designed to integrate seamlessly with surrounding properties, offering opportunities for both residential and commercial growth that will benefit the area as a whole, not just a select few.

This approach ensures that the amendment does not disproportionately benefit one landowner at the expense of others but instead supports the broader public interest by improving infrastructure, enhancing the built environment, and contributing to the neighborhood’s long-term sustainability and growth.

Staff Response:

Through the General Plan and the West Santa Fe River Corridor Plan the city has articulated a vision for development of this Property. The Applicant’s request to amend that collective vision in support of a single property owners request has not been justified. Staff does not recommend approval of the applicant’s request to amend the General Plan’s Future Land Use Map from Transitional Mixed-Use to Community Commercial, but supports a Rezone to a more compatible zone district such as MU or C-1, which would not necessitate a GP Amendment.

The proposed amendment would permit uses that are significantly different from or inconsistent with the prevailing use and character in the area. Existing areas that were permitted to be rezoned to C-2 were rezoned prior to the adoption of the West Santa Fe River Corridor plan and likely were the impetus for the development of the corridor plan.

Criterion d (14-3.2(E)(d)): an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;

**Criterion Met: (Yes/No)
NO**

Applicant Response:

The proposed amendment is in conformance with Subsection 14-3.2(E)(1)(c) as stated in the above responses (c) i,ii,iii.

Staff Response:

Staff does not recommend approval of the applicant’s request to amend the General Plan’s Future Land Use Map from Transitional Mixed-Use to General Commercial and finds that the current designation of Transitional Mixed use continues to promote the general public welfare. The Applicant has not provided sufficient evidence to justify the Amendment.

Criterion e (14-3.2(E)(1)(e)): compliance with extraterritorial zoning ordinances and extraterritorial plans;

**Criterion Met: (Yes/No)
NO**

Applicant’s Response:

This criterion is no longer relevant since the adoption of Subdivision Platting and Planning Zoning Ordinance (SPPaZO), and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.

Staff Response: Not Applicable.

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| <p>Criterion f (14-3.2(E)(f)): contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development ; and</p> | <p>Criterion Met: (Yes/No) NO</p> |
| <p>Applicant’s Response:</p> <p>The proposed amendment will contribute to the coordinated, harmonious development of Santa Fe by addressing both current and future needs, and it will promote health, safety, and general welfare of the community. The existing mobile home park, currently designated as transitional mixed-use, does not comply with the current land use regulations and is limited in its ability to undergo meaningful upgrades or redevelopment due to its non-conforming status. This limitation restricts opportunities for investment, which in turn can lead to deterioration and neglect of the site.</p> <p>By encouraging the redevelopment of this property, the amendment will not only provide an opportunity to modernize the site but also help prevent blight and disrepair, thereby improving the overall quality of life for residents and the surrounding community.</p> <p>Redevelopment will ensure that the site is brought into compliance with modern land use standards, improving both the physical and environmental aspects of the area. These improvements will enhance public safety, aesthetics, and infrastructure, contributing to the general welfare of the neighborhood.</p> <p>The amendment also aligns with the City of Santa Fe’s long-term growth goals by supporting infill development and more efficient use of land. The proposed redevelopment is consistent with the city’s vision of creating sustainable, vibrant, and diverse neighborhoods that meet the needs of both current and future residents. By facilitating development that connects to city utilities and enhances the surrounding infrastructure, the amendment helps promote efficiency and economy in the development process, aligning with the city’s broader planning objectives for growth and sustainability.</p> <p>In summary, the proposed amendment will foster a coordinated and harmonious development that supports Santa Fe’s growth objectives, improves public health and safety, and contributes to the economic and social well-being of the community.</p> | |
| <p>Staff Response:</p> <p>Staff does not recommend approval of the applicant’s request to amend the General Plan’s Future Land Use Map from Transitional Mixed-Use to General Commercial. The Applicant has not provided sufficient evidence to counter the collective vision for the future needs of the city as articulated in the General Plan and the West Santa Fe River Corridor Plan.</p> | |
| <p>Criterion g (14-3.2(E)(1)(g)): consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.</p> | <p>Criterion Met: (Yes/No) NO</p> |
| <p>Applicant’s Response:</p> | |

The City has a policy of promoting a mix of land uses, this property is located within an area where there is a mix of residential, retail and entertainment. The recent changes to the City code now permit residential uses within a C-2 commercial district.

Staff Response:

Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial. The request is contrary to the vision articulated in the West Santa Fe River Corridor Plan as adopted by the Governing Body and endorsed by the community.

(2) In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties . The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping or other means, and a finding must be made that:

Table 7: SFCC §14-3.2 (E)(2): Additional Criteria for Amendments to Land Use Policies

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| <p>Criterion a (14-3.2(E)(2)(a): the growth and economic projections contained within the general plan are erroneous or have changed;</p> | <p>Criterion Met: (Yes/No) NO</p> |
| <p>Applicant’s Response:</p> <p>When the existing General Plan was adopted in 1999, it failed to recognize the complexity of land use of this part of the urban area. It is not a matter of the growth and economic projections being is an error as it is the failure to observe the diversity of existing land uses and assign a zoning district that best fit those land uses.</p> <p>Land use patterns in this area have changed over time especially with the city/county annexation recognizing infill development that can provide greater housing densities and a variety of commercial uses that are consistent with the current land use patterns.</p> | |
| <p>Staff Response:</p> <p>Staff does not recommend approval of the applicant’s request to amend the General Plan’s Future Land Use Map from Transitional Mixed-Use to General Commercial.</p> | |
| <p>Criterion b (14-3.2(E)(2)(b): no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or</p> | <p>Criterion Met: (Yes/No) NO</p> |
| <p>Applicant’s Response:</p> <p>There are other locations in Santa Fe where general commercial is available, however the current zoning does not allow for the existing residential density associated with the existing mobile home park. The intent of the property owner is to redevelop the property with more options that will maintain a higher density residential component while having an option to develop both commercial and residential uses on the subject lot.</p> | |
| <p>Staff Response:</p> <p>Staff does not recommend approval of the applicant’s request to amend the General Plan’s Future Land Use Map from Transitional Mixed-Use to General Commercial as it is inconsistent with the West Santa Fe River Corridor Plan.</p> | |
| <p>Criterion c (14-3.2(E)(2)(c): conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.</p> | <p>Criterion Met: (Yes/No) NO</p> |

Applicant's Response:

While the City continues to recognize the existing mobile home park as a legal non-conforming use, this grandfathered status is contingent upon no substantial improvements, expansion, or damage beyond repair. Should such circumstances arise, the property would revert to its R-1 zoning with a transitional mixed-use land use designation, which allows for only one (1) dwelling unit per acre, a density that no longer aligns with the area's evolving development patterns.

Over the past fifteen years, since the annexation of this property into the city, significant changes in land use patterns and zoning have occurred. The recent rezonings in the area, which have permitted higher-density multifamily residential and commercial uses, have notably increased the cost of land and shifted the market dynamics. These changes have rendered the existing mobile home park site less viable for long-term use under its current configuration, especially as surrounding properties have transitioned to more intensive uses.

Additionally, advances in building technology and changes in consumer preferences have further driven demand for higher-density housing and more diverse land uses. The costs associated with maintaining the existing mobile home park, particularly given the high land value in this growing area, make it increasingly difficult to sustain its non-conforming use. Redeveloping the property in accordance with the proposed general plan amendment will not only accommodate the evolving market but also provide a more efficient and sustainable use of the land, aligning with the city's current zoning and development goals.

This amendment is therefore a response to the changing land use patterns, market conditions, and technological advancements that have altered the feasibility of the existing mobile home park and support the need for a more appropriate and compatible development for this location.

Staff Response:

Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial.

IV. REZONING APPROVAL CRITERIA

Section 14-3.5(A) and (C) SFCC 2001 sets forth approval criteria for rezoning: *(1) The Planning Commission and the Governing Body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning.*

*Staff has found that the Applicant’s request to rezone to C-2 does NOT meet the approval criteria. The following staff findings are made in support of the rezoning to either Mixed-Use or C-1.

Table 8: Rezoning Approval Criteria

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| <p>Criterion 1 (14-3.5(C)(1)(a)): one or more of the following conditions exist:</p> <ul style="list-style-type: none"> (i) There was a mistake in the original zoning; (ii) There has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or (iii) A different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans; | <p>Criterion Met: Yes*</p> |
| <p>Criterion 1(i): Applicant Response: N/A</p> | |
| <p>Staff Response (i.):</p> <p><i>Staff finds that there is no mistake in the original zoning created by the annexation agreement in 2013 to establish R-1 zoning or compatible zoning, and was consistent with the standard that all annexed properties be assigned the R-1 zone district. (Attachment A)</i></p> | |
| <p>Criterion 1(ii): Applicant Response:</p> <p><i>With the city/county annexation that occurred approximately fifteen years ago, the surrounding area has changed significantly where there have been at least four rezoning approvals which includes nine tracts of land all within less than 1,000 feet of the subject property(s) that have been redeveloped as mostly apartments. Prior to the city annexing the area north of Agua Fria Road there was little development activity. With the availability of utilities and provision of City services within this urban area there have been more requests for development or re-development in this urban area of the City.</i></p> | |
| <p>Staff Response (ii.):</p> <p>Staff acknowledges that there has been change to the surrounding area including the addition of more housing and commercial uses (particularly multi-family housing and mixed-use development). For example, from 2018 to 2024, multiple multifamily complexes were constructed in the surrounding area such as: Homewise condominiums, Siler Yard apartments, Acequia Lofts, and the Boylan apartments. Furthermore, a review of forthcoming project proposals indicates this trend will likely continue with the addition of more housing, commercial</p> | |

and mixed-use developments along the West Santa Fe River Corridor Plan area. However, staff does not recommend a rezoning to C-2 but rather to C-1 or Mixed-Use due to the type of uses that would be permitted under the C-2 zone district. The nearby properties referenced by the Applicant zoned C-2 at 1400 and 1411 Boylan (Ord. 2014-32) and 2751 and 2749 Agua Fria (Ord. 2015-34) achieved their zoning in 2014 and 2015 respectively, prior to the adoption of the West Santa Fe River Corridor Plan. The Plan was adopted in 2017 and lays out of clear vision for the zoning for this property, Mixed Use. The Acequia Lofts residential development to the east of the Property is zoned C1-PUD and the mixed-use development across the street with Escondido is zoned Mixed-Use.

Criterion 1(iii): Applicant Response:

The City General Plan identifies this property and other properties between Agua Fria and the Santa Fe River as “Transitional Mixed Use”. The predominate land use for this area is a mix of commercial and single family and rental housing. The R-1 zoning assignment is not consistent with the underlying zoning therefore it is necessary to rezone the property to maintain consistency with the overall area.

Staff Response (iii.):

The applicant’s response to criterion 1 (iii) does addresses how the General Plan encourages mixed-use developments while implying the existing zoning district, R-1 limits through density and uses. However, in staff’s review of the C-2 rezoning request to R-1 is inconsistent with the Transitional Mixed-Use Future Land Use Map (“FLUM”) designation as articulated in the General Plan. A C-2 rezoning request, if approved, could allow uses to be developed onsite that divert from the residential, agricultural, and neighborhood-oriented themes within the West Santa Fe River Overlay district and General Plan’s Mixed-Use Theme. For example, C-2 districts allow cannabis retail, automotive repair, and non-proprietary commercial uses that would otherwise not exist in new neighborhoods. Therefore, staff recommends a rezone from R-1 to C-1, community commercial, a zoning district that promotes high density development based on height restrictions, encourage a variety neighborhood-oriented uses such as market, childcare, and laundromat, and restricting uses that can be considered a nuisance in residential areas.

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| <p>Criterion 2 (14-3.5(C)(b)): all the rezoning requirements of Chapter 14 have been met;</p> | <p>Criterion Met: YES*</p> |
| <p>Applicant Response:</p> <p><i>Currently the existing zoning is R-1, Single Family Residential, one dwelling per acre, which creates a non-conforming status for this property. Rezoning of the property to C-2 uses would bring this property into conformance with the historic land use patterns and uses that have taken place on this property.</i></p> | |
| <p>Staff Response:</p> <p>Staff finds that the rezoning requirements of Chapter 14 have been met: specifically, §14-3.1 “Applicable General Provisions” (the authority to file; form of the application; fees paid; pre-application conference and ENN requirements, sign posting and public notice) and the provisions, procedures, and additional requirements of §14-3.5 “Rezoning.” Staff finds that the applicant has met this criterion and recommends rezoning to C-1 or MU.</p> | |
| <p>Criterion 3 (14-3.5(C)(1)(c)): the rezoning is consistent with the applicable policies of the general plan, including the future land use map;</p> | <p>Criterion Met: YES*</p> |
| <p>Applicant’s Response:</p> <p><i>Rezoning to C-2 (General Commercial) is consistent with the policies of the General Plan as it aims to recognize the development of infill properties where city infrastructure is Available. Furthermore, rezoning of the property is consistent with the Transitional Mixed-Use designation in that it offers the property the ability to develop with a mix of residential and commercial uses. The rezoning is also consistent with Chapter 3-1 of the Land Use Themes as provided below:</i></p> <ul style="list-style-type: none"> • Quality of Life: <i>The proposed General Plan Amendment has the potential to enhance the quality of life at the time the property is redeveloped from the existing non-conforming mobile home park that was established prior to the 1981 adoption of the Santa Fe County Code.</i> • Economic Diversity: <i>The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial uses. This is consistent with the General Plan’s economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.</i> • Mixed Use: <i>Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.19%. The proposed general plan amendment from Low Density Residential to Community Commercial zoning will allow for a mix of commercial and or high-density residential uses which is consistent with the mix of uses established in this area after the City/County annexation occurred in 2009. The proposed</i> | |

General Plan Amendment allows flexibility to re-develop the property consistent with the area by providing the ability to establish a range of permitted uses without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation flexibility supports the City's economic development goals.

• **Transportation and Mobility:** The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.

• **Infrastructure and Public Services:** The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies.

Staff Response:

The applicant's findings in criterion 3 encourage a rezoning from R-1 to C-2 that is inconsistent with the Mixed Use/ Transitional Land Use Classification 3.5 established by amendment via Resolution 2001-82 (Attachment A):

"Mixed-Use/Transitional

This designation is Intended to allow for a mixing of compatible land uses within two development scenarios. The first scenario, or "Mixed-Use" land use designation, allows for mixing of uses within the same development site which would include, in all cases, residential and limited non-residential uses where there is strong emphasis on site design that is sensitive to compatibility of building scales and massing, land use intensities and pedestrian orientation. The mixed-use scenario may include such uses as residential, including single-family, and multi-family residential where the scale and intensity are deemed appropriate and compatible with the other proposed uses, office, civic and religious uses, live/work units, educational uses and appropriately-scaled retail/services that are intended to primarily serve the residential uses as an added local amenity. Light industrial uses may also be considered in a live-work development scenario provided there is adequate buffering and protection to surrounding residential. The mixed-use development should be designed in a planned, landscaped setting and the land uses should be selected and arranged to create a vibrant, yet comfortable, interactive place. Both restrictive and permissive language may be used in a zoning ordinance to create a viable mix of uses so that the most profitable use does not dominate.

The second scenario, or the "Transitional" land use designation also promoted mixing of compatible land uses but is intended to occur within several abutting tracts of land where commercial and residential uses are adjoining. The intent of the designation is to create a unified land use pattern between varying land use intensities. This would be accomplished through the introduction of uses of intermediate scale and intensity that would allow for a transition from the commercial to residential through reduction, or "step-back", in land use intensity, building scale and massing, additional buffering and a re-orientation of the uses and structures to promote interaction and connectivity through pedestrian orientation and "walkability." The applicant's application submittal (Attachment C) does not include a formal Master Plan or Development Plan request to allow staff and the City's Departmental Review Team ("DRT") the opportunity to apply the Land Development Code and provide recommendations for conditions or technical corrections to the Planning Commission. Therefore, staff recommends rezoning the Property from R-1 to C-1 or MU to be consistent with the Future Land Use

Map land use classification of Transitional Mixed-use and the West Santa Fe River Corridor Plan.

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| <p>Criterion 4 (14-3.5(C)(d)): the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city;</p> | <p>Criterion Met: YES*</p> |
| <p>Applicant Response: <i>There are four (4) adjoining legal lots of record with a combined total of 5.96 acres which will be consolidated upon approval of the rezoning request. The proposed C-2 use for the land is consistent with city policies as it continues to recognize development of infill property and is consistent with the current land use patterns that have developed for a mix of uses from commercial to medium to high density residential.</i></p> | |
| <p>Staff Response: <i>The 5.96-acre Property, made up of 4 contiguous parcels in which three of the four have existing/ occupied dwellings onsite. Combined, all of the parcels provide the amount of land that can be consistent with urban land uses and growth consistent with the General Plan. However, One out of the four parcels meet the 2-acre minimum requirement to be rezoned by itself. Therefore, it is critical that future development of the Property be of the 5.96 are Property and not individual parcels. The applicant’s submittal does not include a formal Master Plan or Development Plan request to provide a condition of approval to require a consolidation of parcels at the time of development. A rezoning request to C-2 would be inconsistent with the Future Land Use Map, West Santa Fe River Corridor Plan, and potentially allow dimensional standards that are inconsistent with the surrounding area. Whereas staff recommendation to C-1 which has a density of 21 dwelling units per acre or Mixed Use which limit density by massing and architectural design that not only meet the growth demands in the area but be characteristically consistent with transitional intent of the General Plan.</i></p> <p><i>General Plan Figure 4-4, Urban Sub-Areas, designates the subject site and surrounding area as an “Infill Area.” The Growth Management Chapter of the General Plan , such as Section 4.1, specifically calls for prioritization of infill development in Santa Fe to maximize the efficient use of public infrastructure, while meeting the demand for urban land or development and directing new growth towards the historic core of the city rather than on the undeveloped fringes. The proposed rezoning is aligned with these strategic directives and is responsive to community needs for housing in this area of the City.</i></p> | |
| <p>Criterion 5 (14-3.5(C)(1)(e)): the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.</p> | <p>Criterion Met: YES*</p> |

Applicant Response:

Public utilities are available on Agua Fria, including water, gas and electric lines, cable, and telephone lines. The City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection. Siler Road has been completed from Agua Fria to West Alameda providing alternative routes to Agua Fria. In fact, the traffic volumes on Agua Fria have declined with the extension of Siler to West Alameda. Santa Fe River Greenway pedestrian and bicycle trail has recently been completed and is located north of the subject parcels. The closest Fire Station to this site is located on Cerrillos Road near Third Street within a five-minute service radius to this property.

Staff Response:

Staff from the relevant City departments, including water, wastewater and traffic engineering have reviewed the rezoning request and have determined that infrastructure is generally sufficient for the types of uses allowed in C-1 and MU zoning and that more specific needs can be determined at the time of Development Plan submittal.

Criterion 6 (14-3.5(C)(2)):

Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

- (a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;
- (b) affect an area of less than two acres, unless adjusting boundaries between districts; or
- (c) benefit one or a few landowners at the expense of the surrounding landowners or general public.

Criterion Met:
N/A

Applicant's Response: N/A

Staff Response: As the findings state that the proposed C-2 rezoning is not consistent with the General Plan. However, staff's recommendation to rezone to C-1 is consistent with the General Plan therefore, this criterion is not applicable in this case.

V. CONCLUSION:

The Land Use Department, together with the development review team, have analyzed the project. The Applicant's findings and request for a General Plan Future Land Use Map from Transitional Mixed-Use to General Commercial and Rezone from R-1 to C-2 are inconsistent with the guiding policies, land classifications, and Future Land Use Map of the General Plan and the vision for this Property as articulated in the West Santa Fe River Corridor Plan. The zoning districts that promote the highest and best use while being consistent with the General Plan is C-1 (office and related commercial) or Mixed-Use.

VI. ATTACHMENTS

ATTACHMENT A:

1. 12-20-24 Initial Staff Report Memo
2. Development Review Team compiled comments
3. Annexation Map Phase 2 Area 1
4. Ordinance 2013-36
5. Mixed Use & Transitional Definition Res. 2001-82
- 6.) West Santa Fe River Corridor Plan 12-14-17

ATTACHMENT B: Maps and Photos

1. Future Land Use Map
2. Existing Zoning Map
3. Street View
4. Utility Map
5. Vicinity Map
6. West Santa Fe River Corridor

ATTACHMENT C: Applicant Materials

1. General Plan Amendment Application
2. Rezoning Application
3. Request Letter
4. GPA & Rezoning Development Report (11_12_2024)
5. Applicant Response to Initial DRT Letter
6. GPA & Rezoning Development Report REVISED (7_31_25)
7. GPA & Rezoning Development Report REVISED (8_8_25)

VII. APPROVED AS TO FORM BY THE PLANNING AND LAND USE DEPARTMENT:

| Title | Name | Initials |
|-------------------------------|----------------------|----------|
| Department Director | Heather Lamboy, AICP | HLL |
| Assistant Department Director | Maggie Moore | MM |
| Planning Division Manager | Dan Esquibel | |
| Planner Senior | Joel Cruz-Haber | JCH |