



The Flow Chart is drawn from the Santa Fe County Sustainable Land Development Code Draft 12/13/11. It is designed to illustrate potential processual flaws that might lead to unnecessary confusion in implementation. Color coding is as follows:

Green = County Process  
Blue = Land Use Applicant Process  
Orange = Procedure not covered in the draft  
Purple = Person or Organization with Standing

The first procedural flaw concerns the notion that TAC is either (1) a standing body that meets regularly) or (2) a body that is convened by the Administrator, when needed. Since TAC plays an important role in providing direction to the applicant in terms of what reports, assessments, and meeting reports will be required in order for the administrator to process an application, it is important to clarify TAC's role.

If TAC meets at the discretion of the Administrator, it could easily become a vehicle to delay an application's process.

A second procedural step, missing from the draft code, would require TAC to deliver a report that details any requirements that the meeting spells out. It would be this report that would follow the application and permit the administrator to determine if all "completeness" requirements have been met.

The second procedural flaw in this example is that review of the reports and Assessments does not clearly include Community Organizations in the review process (4.5.6.7) unless "CO"s are defined as a "public Agency" (4.5.6.7.7). If this is the case, then Public input is limited to the BCC quasi-judicial public meeting.

The report should also be a required addition to any "packet" supplied at the required pre-application Neighborhood meeting. This meeting would be the time for any person or group with standing to challenge the TAC's requirements and to petition the applicant for additional reports.

There is no requirement in the draft for the report produced by the applicant detailing the results of the Pre-Application Neighborhood Meeting to be sent to the persons or groups with standing. By making this a requirement, interested parties could judge the accuracy of statements made by the applicant and would then have the opportunity to provide their own report.

Should "mediation meetings occur, no requirement can be found in the draft code to report the results to the Administrator. Neither is there any requirement for notification of persons with standing. There is no process identified for persons with standing to

request arbitration. Refusal to agree to an arbitration meeting should play a part in later decisions regarding the issuance of a development order.