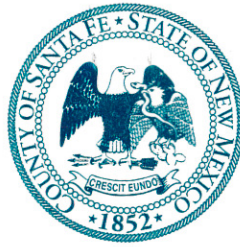


Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** January 10, 2012

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager *JEL*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *Sc*  
Wayne Dalton, Building and Development Services Supervisor *W Dalton*

**FILE REF.:** BCC CASE # MIS 09-5071 Opera Village Master Plan Extension

### ISSUE:

Santa Fe Opera, Applicant, Paul Horpedahl, Agent, request a two-year time extension of the Amended Master Plan approval for the Santa Fe Opera Village. The property is located at 17053 US Highway 84/285, within Sections 25 & 26, Township 18 North, Range 9 East (District 2).

### SUMMARY:

On January 12, 2010, the Board of County Commissioners (BCC) granted a request made by the Santa Fe Opera for a two year time extension of an existing Master Plan (Exhibit "H").

On June 2, 2004, the Extraterritorial Zoning Authority (EZA) granted a Master Plan Amendment to the previously approved "Inn at the Opera" to allow rehearsal and recital facilities, meeting spaces, conference facilities and amenities, storage for the Opera, and housing for the Opera performers, staff, directors, benefactors, conference participants and guests consisting of a total of 135,600 square feet on 44.10 acres to be developed in five phases (EZA minutes Exhibit "C").

The Master Plan Amendment allowed the project to directly serve the needs and interests of the Opera rather than being open to the public as allowed in the previous approval. The site and building layout are the same as the prior approval (Exhibit "D"). The project will be developed in five phases as follows:

Phase I-Overflow parking area to accommodate 139 parking spaces as well as picnic Areas.

Phase II-A rehearsal and recital hall, storage building, spa and fitness building with a Pool, wastewater treatment plant and 26 new parking spaces.

Phase III-Opera Village Center (plaza, conference area, rehearsal and recital areas, small theater, restaurant facilities, reception space, bar, lounge, storage space, pool with related facilities, and 134 parking spaces.

Phase IV-50 apartment style units, 64 co-housing units for the Opera staff and conference Participants.

Phase V-20 Casita style housing units for Opera performers, directors, benefactors, conference participants and guests.

The Opera property was governed by the Extraterritorial Zoning Authority (EZA) under the Extraterritorial Zoning Ordinance (EZO). Ordinance No. 2009-01 dissolved the EZO and the EZA and the Opera property is now governed by the Board of County Commissioners (BCC) under the Land Development Code (Exhibit "E"). The Applicant is requesting a two year time extension and renewal of the Master Plan under the Land Development Code.

Article V, Section 5.2.1b (Master Plan Procedure) states: "A master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval" (Exhibit "I").

Article V, Section 5.2.7b (Expiration of Master Plan) states: "Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer" (Exhibit "G").

**REQUIRED ACTION:**

The BCC should review the attached material and testimony presented to form findings of fact in support of a decision of approval, denial, approval with conditions or modifications or to table for further analysis of this request.

**RECOMMENDATION:**

Staff has reviewed this application and has found the following facts presented to **support** this submittal: the Master Plan was approved and zoning was established by the Extraterritorial Zoning Authority prior to the enactment of Ordinance 2009-01; the property lies outside the presumptive city limits and is governed by the Santa Fe County Land Development Code; the approved Master Plan meets the criteria set forth in the Land Development Code.

Staff's review of the Applicant's request has established findings that this Application is in compliance with Ordinance No. 2009-01 and meets the criteria set forth in Article V, Section 5.2.1b (Master Plan Procedure), Article V, Section 5.2.4 (Master Plan Approval) and Article V, Section 5.2.7b (Expiration of Master Plan) of the Land Development Code. Staff recommends **approval** of a two year time extension for the Amended Master Plan for the Santa Fe Opera Village subject to the following conditions:

1. The Applicant shall comply with the conditions of the approved Master Plan.
2. The Applicant shall comply with all requirements of the County Land Development Code.
3. The Applicant shall comply with any applicable ordinance(s) adopted by the county prior to the submittal of preliminary and final development plan.

**ATTACHMENTS:**

- Exhibit "A" – Letter of request
- Exhibit "B" – Vicinity Map
- Exhibit "C" – June 2, 2004, EZA minutes
- Exhibit "D"- Approved master plan
- Exhibit "E" – Ordinance No. 2009-01
- Exhibit "F" – Article V, Section 5.2.4 (Master Plan Approval)
- Exhibit "G" – Article V, Section 5.2.7b (Expiration of Master Plan)
- Exhibit "H" – BCC Final Order
- Exhibit "I" - Article V, Section 5.2.1b (Master Plan Procedure)



THE SANTA FE OPERA

November 20, 2011

M. Jose Larranaga  
Commercial Development Case Manager  
Santa Fe County Planning and Development Division  
102 Grant Avenue  
Santa Fe, New Mexico, 87504-0276

Dear Mr. Larranaga,

On behalf of The Santa Fe Opera, this letter will serve as a request to the Board of County Commissioners for an extension of the Time Limit and renewal of The Santa Fe Opera Village Amended Master Plan (EZ Case #Z 04-4050) approved on June 2, 2004 and granted a two year extension by the BCC (Case #09-5070) on January 12, 2010.

The Opera is requesting an extension of the Time Limit for the Amended Master Plan due to the current economic climate and to allow time for further review the development plan to ensure that it appropriately integrates the uses of the 44 acres with the mission and the long range plans of The Santa Fe Opera.

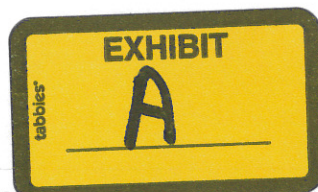
The approved Amended Master Plan submittal includes: vicinity map, existing conditions and soils, slope analysis, terrain management plan, utilities plan, landscaping plan, as well as conceptual building elevations, phasing plan and a survey plat.

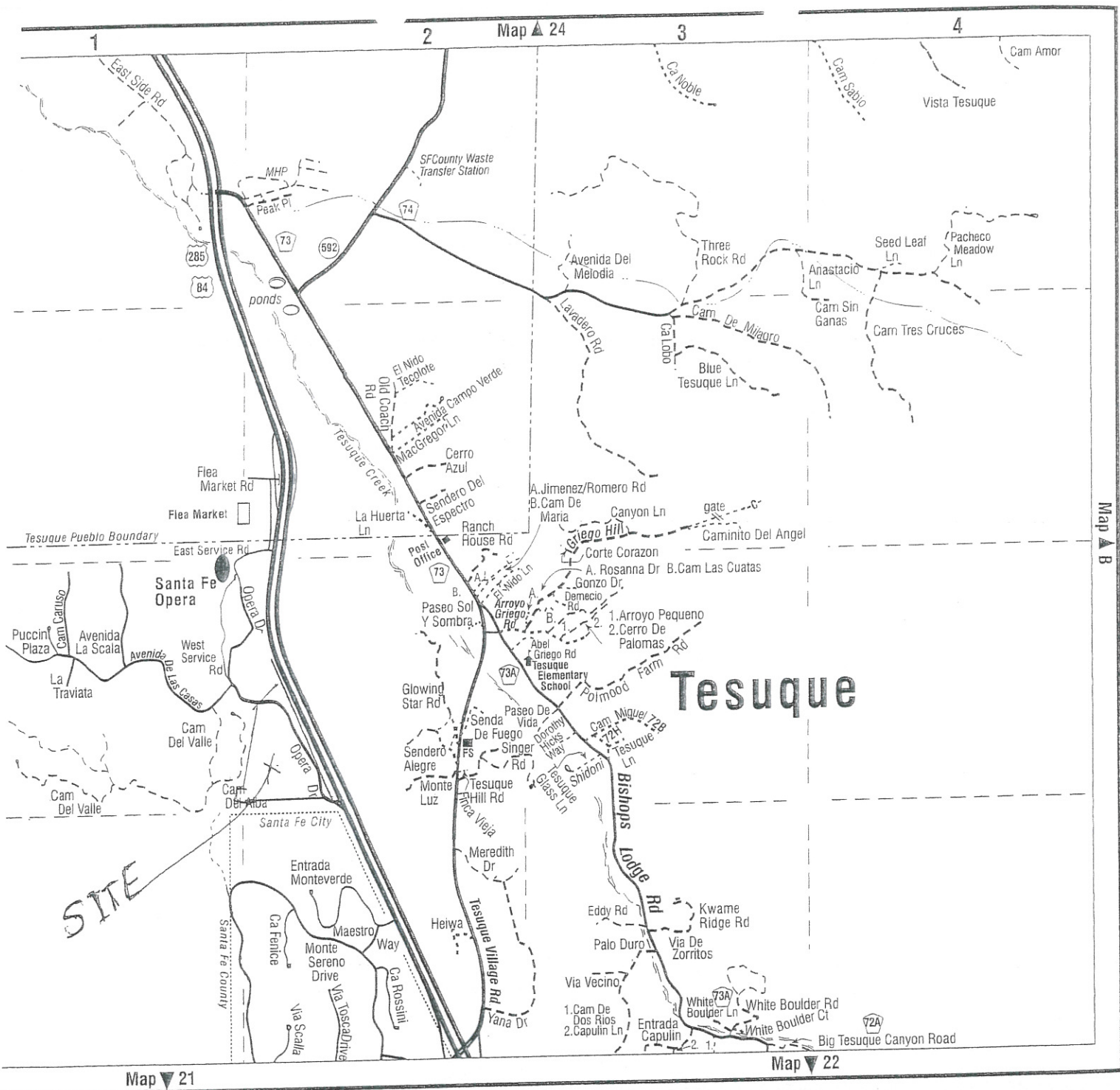
Therefore, the Opera requests an extension of the Amended Master Plan for The Santa Fe Opera Village for an additional two years from the current expiration date of January 12, 2012 pursuant to Section 3.5(D, 7b) of the Santa Fe Extraterritorial Zoning Ordinance, 1997-4 and to be presented to the Board of County Commissioners for approval at the next available meeting.

In Addition to this letter of request, attached please find the Development Permit Application, the Warranty Deed for the property, a full set of the recorded Master Plan and the full application fee in the amount of \$400.00.

Sincerely,

Paul Horpedahl  
Production Director  
The Santa Fe Opera

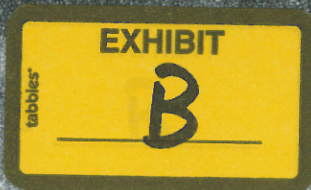


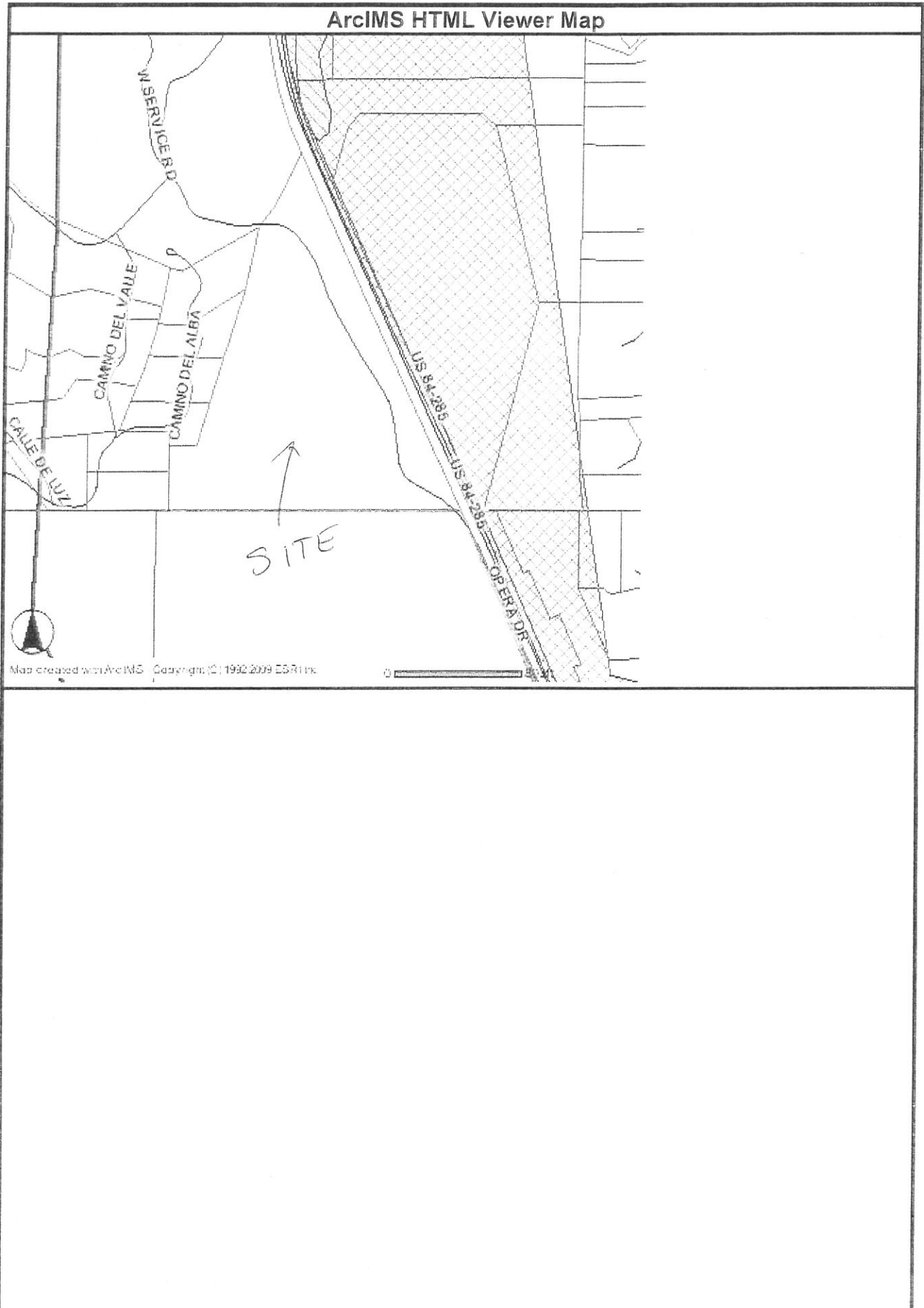


Map ▲ B

# Tesuque

SITE





EZ CASE # Z 04-4050 The Opera Village: The Opera Association of New Mexico,  
applicant, The Flance Company, agent, request a master plan amendment to the  
previously approved "Inn at the Opera" to allow rehearsal and recital facilities,  
meeting spaces, conference facilities and amenities, and storage for the Opera and  
housing for the Opera performers, staff, directors, benefactors, conference  
participants and guests consisting of a total of 135,600 square feet on 44.10 acres  
to be developed in five phases. The request also includes a variance of the EZO to  
allow disturbance of 30 percent slopes for proposed road construction and parking  
areas. The property is located west of U.S. Highway 84-285 (Santa Fe Opera),  
within Section 25, Township 18 North, Range 9 East

Chair Duran read the case caption and Ms. Lucero provided her staff report as follows:

"On April 8, 2004, the EZC met and granted approval on this case. In 1991, the EZC  
and EZA granted master plan approval to permit a hotel/resort as a large scale mixed  
use development consisting of 134 units on 44 acres. On April 25, 1995, the EZA  
granted preliminary development plan approval and a variance of terrain management  
regulations for disturbance of slopes over 30 percent for improving existing roads.

"The applicants are presently requesting a master plan amendment to allow the project  
to directly serve the needs and interests of the Opera rather than being open to the  
public as allowed in the previous approval. The site and building layout are  
substantially the same as the prior approvals. The project will be developed in five  
phases.

"A variance is being requested to allow disturbance of 30 percent slopes for proposed  
road construction and parking areas. The applicant states that due to the natural slope  
conditions of the property, it is necessary to disturb some areas of 30 percent slopes for  
construction of roadways and parking areas, in order to provide a looped road system  
that would allow access to the project by emergency vehicles. The looped road system  
would also make a connection between the two entrances into the site. The proposed  
road layout also minimizes the number of crossings over the significant drainage way  
located on the property. [Applicant's response to variance criteria on file with County  
Land Use]

"In regards to the parking the applicant's response is that in order to provide  
consolidated parking areas a minor section of parking is encroaching on slopes greater  
than 30 percent. The applicant has addressed the variance review criteria of the EZO.  
The maximum lot coverage allowed in this area is 20 percent. The proposed lot  
coverage is approximately 14 percent.

"A paved access road is proposed which will intersect off of the existing paved road  
that provides access to the Opera and Casas de San Juan Subdivision. The access road  
will loop through the property and connect back to the existing opera road for the  
purpose of a secondary emergency access. The existing Opera road will ultimately

SFC CLERK RECORDED 08/10/2004



become an extension of the west frontage road, which will be constructed as part of the planned improvements to Highway 84-285.

"The traffic generation from this development will be minimal due to the fact that the intent is to serve only Opera guests and will not be open to the public. A community water system with water rights as approved by the State Engineer will be utilized. A water availability and quality report has been submitted which demonstrates a sufficient water supply for a 100-year period to support the projected water use of 18.23 acre feet, which includes a return flow credit plan and water conservation measures.

"The proposed project will be served by a gravity flow wastewater collection system that will ultimately discharge their flows into a tertiary wastewater treatment plant. The State Environment Department has approved a discharge plan that allows 20,000 gallons per day of treated wastewater for this project"

Ms. Lucero indicated that the application was reviewed for water, fire protection, terrain management, landscaping, roadways, signage, lighting and archeology.

The applicant is requesting a variance of disturbance of 30 percent slopes. Staff feels that the variance can be supported because the main reason for the variance is to allow a looped road system that would be beneficial to the health, safety and welfare of Opera participants. Ms. Lucero said the proposal is consistent with the previously approved master plan and preliminary development plan for a large scale mixed use development.

Staff recommendation and the approval of the EZC was to recommend approval subject to the following conditions:

1. All redlines comments must be addressed.
2. Master plan with appropriate signatures must be recorded with the County Clerk.
3. A detailed landscaping, signage, and lighting plan shall be submitted with development plan submittal.
4. The archeological easement shall be defined with bearings and distances and recorded with the County Clerk as an easement or record and the easement shall be protected with a fence during road construction to prevent disturbance.
5. Compliance with regulations for a public water supply system as required by the State Environment Department.
6. Address locations of solid waste containers with screening.
7. The development shall connect to regional water and sewer when it becomes available. This shall be noted on the master plan.
8. The applicant shall delineate drainage easements for significant drainage courses with the development plan submittal. A minimum 25' building setback from the natural edge shall be maintained.
9. A new water quality report shall be submitted with the Development Plan application.
10. Maintain a minimum 100-foot open space setback from frontage road right of way.
11. Compliance with applicable review comments from the following:
  - a) State Engineer
  - b) State Environment Department

SFC CLERK RECORDED 08/10/2004



- d) Soil & Water District
- e) State Highway Department
- e) County Hydrologist
- f) Development Review Director
- g) County Fire Marshal (Site Plans & Building Plans)
- h) County Public Works
- i) State Historic Preservation Division
- j) Technical Review Division

City Conditions:

1. Obtain and implement redline comments from the City's Subdivision engineer prior to filing the amended Master plan.
2. At development plan submittal the applicant meet with the City traffic engineer.

Ms. Lucero said the application contains a residential component to serve Opera participants and guests and will not be opened to the public. She said there were a total of 134 units, some of which were dormitory-style.

Responding to the Chair, Ms. Lucero said the applicant has secured water rights to accomplish phases 1 through 3. Completion of the other phases will require additional water rights. She noted the request was for master plan and development plan approval is required for each phase.

Duly sworn, Colleen Gavin, Flance Company, introduced the project team. She said the request is for the amendment to the previously approved master plan. The amendment converts the plan to address the direct needs of the Opera. She said they were in agreement with all imposed conditions.

Duly sworn, Michael Winter, 121 W. Berger, said he fully supports the applicant's use of the facility. He asked whether the prior approvals for the hotel and time-share facility would be eliminated from the original plan.

Duly sworn, Charlie Dormy, former Governor of Tesuque Pueblo, said he was representing current Governor Romero and stating he was speaking neither in support of nor against the project. He was speaking to promote consultation as neighbors with the Opera and the County. He stated that the County neglected its obligation under the MOA signed in 2001 wherein tribal governments are included in consultation.

Mr. Dormy said archeology does not address the Pueblo's concern regarding the preservation of traditional and religious uses of historic sites. He said there are some sites that cannot be accessed because of development.

Speaking for the Tribal Council, Mr. Dormy requested inclusion in the consultation regarding this development.

Responding to the Chair's question regarding notification, Mr. Abeyta stated that the applicant is required to notify property owners within 100 feet of the property.

SFC CLERK RECORDED 08/10/2004

Duly sworn, Tesuque Pueblo Director of Cultural Preservation and former Lt. Governor Mark Mitchell, stated that they were in attendance to make the Authority aware of their desire to be part of the development process around the reservation. He said cultural preservation is the protection of the sites originally used by their ancestors and still used today to practice their religion in the basin.

He requested that the Opera consult with the Pueblo regarding their development plans.

Chair Duran asked whether the Pueblo participated in the originally master plan for a hotel resort. Mr. Mitchell said he did not recall any notices to the Tribal government. Mr. Abeyta said the notices were verified by the applicant. The Chair said he understood the Pueblo's land adjoins the Opera.

Under oath, Steve Flance indicated that this is a separate 44-acre tract that lies to the south of the Opera property. The property was acquired by the Opera in 2001 and does not abut the Pueblo and probably notice was not given to the Pueblo. Mr. Flance said the project was discussed extensively with the Tribal Council during the settlement discussion over the Aamodt water suit. He said there was an agreement in principle awaiting signature between the Opera and the Tesuque Pueblo that addresses water and this particular project.

An archeological review was conducted and what is before the Authority is an amendment to the master plan. He said the amended project is more sensitive and they would continue to consult with the Pueblo as the project evolves.

Councilor Pfeffer asked Mr. Flance if he would accept a formal condition to consult with the Pueblo in regards to access to cultural sites. Mr. Flance said "we would be happy to continue...and that certainly has been our intent."

Mr. Dormy said the Pueblo is troubled that the MOU with the County is not being met. He said it was particularly troublesome in regards to the archeology on the subject site. He noted that in December 2003, Michelle Ensey with HPD expressed concerns to the County about the Summit project. The Pueblo wanted to obtain permission from the Summit to gain access to cultural sites. He asked that the County, HPD and the Pueblo develop a checklist for properties that require special access for the Pueblo.

Chair Duran directed Land Use Administrator Abeyta to develop a checklist and expanded notice. He suggested the EZ mirror the County Code rewrite.

Mr. Dormy encouraged the County to comply with the Native American Graves and Repatriation Act which requires developers to notify tribes of any significant archeological site findings.

Commissioner Anaya thanked the representatives from the Pueblo for attending. He asked whether the MOU with Tesuque worked both ways: does the tribe notify the County when they want to develop their land. Mr. Abeyta said he needed to review the MOU before providing an answer.

There were no other speaker or questions on this case.

Stating she was confident the applicant would work with Tesuque Pueblo, Councilor Lopez moved to grant the variance, approve the amended master plan with all the staff-imposed conditions, and direct the applicant to notify the tribe at each phase of development. Her motion was seconded by Councilor Pfeffer and passed by unanimous voice vote.

PETITIONS FROM THE FLOOR

None were presented.

COMMUNICATIONS FROM THE AUTHORITY

Chair Duran apologized to Councilor Pfeffer.

Councilor Lopez asked staff to prepare a request for publication of title and general summary for an ordinance to extend water harvesting into the EZ.

COMMUNICATION FROM THE ATTORNEY

None was presented.

MATTERS FROM LAND USE STAFF

None were presented.

ADJOURNMENT

This meeting was declared adjourned at 8:10 p.m.

Approved by:

Paul Duran, Chair  
Extraterritorial Zoning Authority

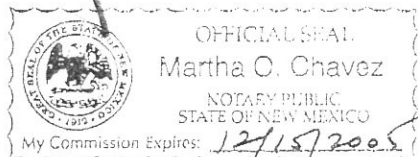
Respectfully submitted:

Karen Farrell, Wordswork

NOTARIZED THIS 5th DAY OF August, 2004.

NOTARY PUBLIC

My commission expires: 12/15/2005

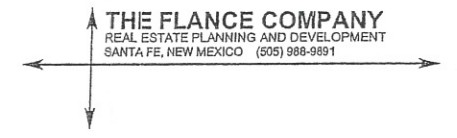


AMENDED MASTER PLAN  
**SANTA FE OPERA VILLAGE**  
SANTA FE, NEW MEXICO  
FORMALLY KNOWN AS INN AT THE OPERA  
SOUTHEAST QUARTER OF SECTION 24, AND THE SOUTHWEST QUARTER OF SECTION  
25, TOWNSHIP 13 NORTH, RANGE 9 EAST, SANTA FE COUNTY, NEW MEXICO

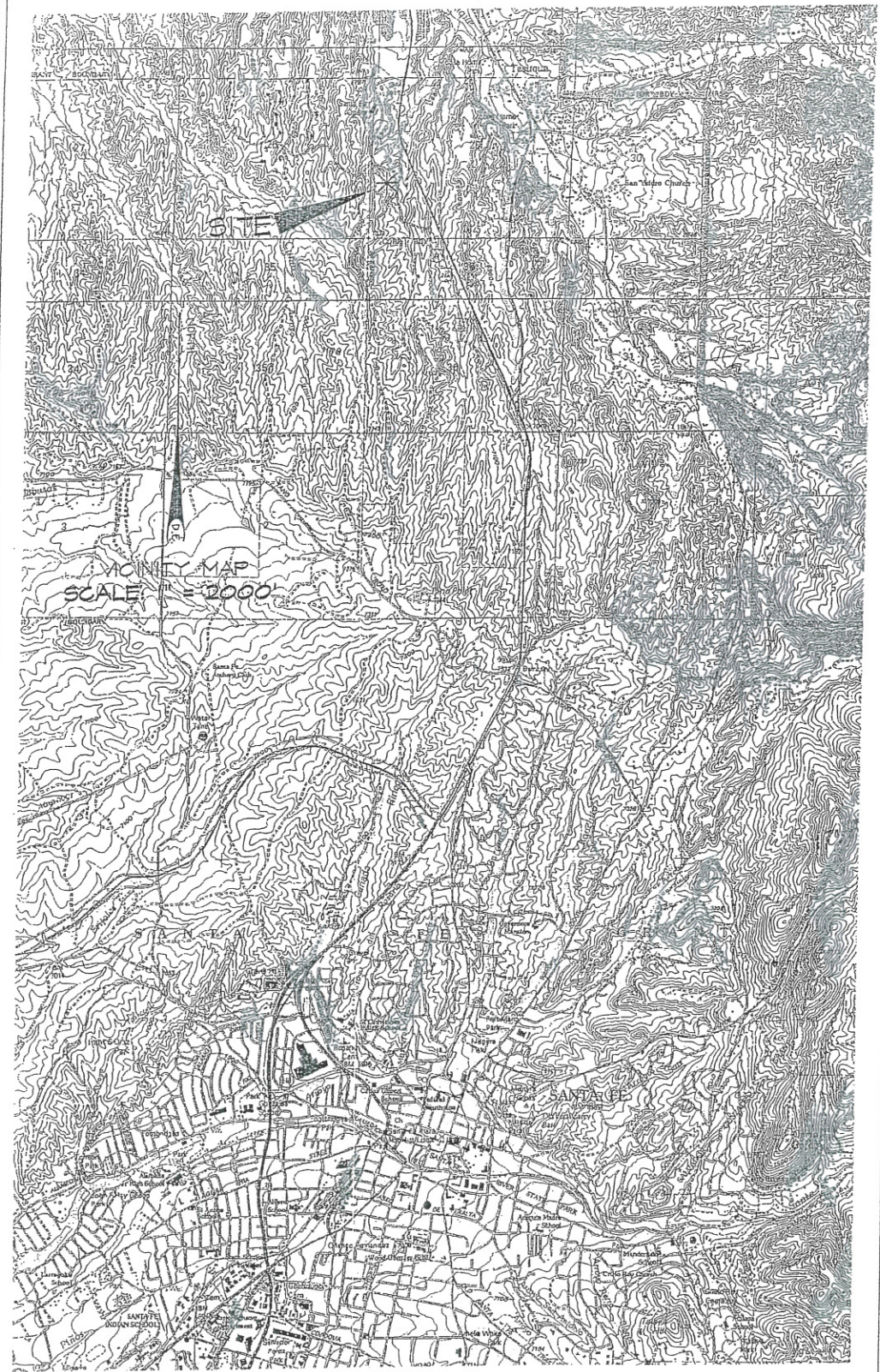
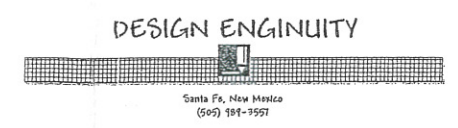
OWNER:



PLANNER:



ENGINEERING:



**SHEET INDEX**

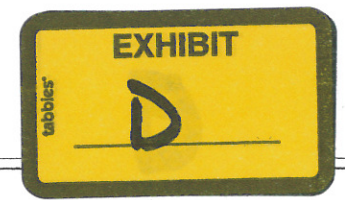
1. Cover Sheet and Vicinity Map
2. Amended Master Plan
3. Existing Conditions and Soils
4. Slope Analysis
5. Conceptual Terrain Management Plan
6. Conceptual Utilities Plan
7. Conceptual Landscaping Plan
8. Conceptual Building Elevations
9. Phasing Plan
10. Survey Plat

*Orallynn S*  
Orallynn Guerrerortiz PE# 12688 5-27-05 Date

January 2, 2004  
REVISIONS

DATE	BY	DATE	BY
3/18/04	DE		
7/16/04	D.E.		
2/08/05	D.E.		

SANTA FE OPERA VILLAGE - SANTA FE, NEW MEXICO



### SANTA FE OPERA VILLAGE AMENDED MASTER PLAN

LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 26, AND THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 1 EAST, SANTA FE COUNTY, NEW MEXICO

**SITE DATA**

TOTAL ACREAGE	44 AC +/-
LOT COVERAGE (STRUCTURES)	14% SF.
TOTAL PARKING SPACES	287 SF.
<b>BUILDING SIZES:</b>	
CENTRAL COMPLEX	38,350 SF.
STORAGE BUILDING	2,400 SF.
REHEARSAL HALL	7,000 SF.
SPA BUILDING	10,000 SF.
HOUSING	19,850 SF.
TOTAL	155,600 SF.

ALL PARKING AND ROADWAYS TO BE PAVED.  
ONSITE LIQUID WASTE SYSTEM AND ON-SITE WELLS TO BE USED.

#### PHASING SCHEDULE

- PHASE I YEAR 2008**  
OPERA OVERFLOW PARKING
- PHASE II YEAR 2013**  
SPA/FITNESS FACILITY, POOL, REHEARSAL HALL AND STORAGE BUILDINGS.
- PHASE III YEAR 2016**  
OPERA VILLAGE CENTER INCLUDES RECEPTION, LOUNGE, RESTAURANT/BAR, VISITOR'S CENTER/MUSEUM, CONFERENCE ROOMS, SMALL REHEARSAL ROOMS SMALL THEATER, STORAGE, POOL AND OFFICES.
- PHASE IV YEAR 2023**  
APARTMENT AND CO-HOUSING UNITS.  
50-1 BEDROOM DORM STYLE ROOMS (525 SF) WITH NO KITCHENS.  
16-4 BEDROOM CO-HOUSING UNITS (2,100 SF) WITH SHARED KITCHENS.
- PHASE V YEAR 2028**  
CASITA HOUSING  
20-1000 SF 2 BEDROOM UNITS WITH KITCHENS

**AFFIDAVIT**  
KNOW ALL PERSONS BY THESE PRESENT THAT THE UNDERSIGNED OWNERS HAVE CAUSED THIS MASTER PLAN TO BE PREPARED. ALL THAT APPEARS ON THIS PLAN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS. THIS DEVELOPMENT LIES WITHIN THE PLANNING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.

*Paul R. Hoffman* Chairman, Bd. of Directors 3/3/2005  
DATE  
The foregoing was sworn, acknowledged and subscribed before me by *Paul R. Hoffman*  
this 3rd day of *March* 2005  
Notary Public *Paul R. Hoffman*  
My Commission Expires on *6-30-07*



#### APPROVALS

COUNTY DEVELOPMENT PERMIT NUMBER

APPROVED BY THE SANTA FE EXTRATERRITORIAL ZONING AUTHORITY AT THEIR MEETING OF

*June 2, 2004*  
*Paul R. Hoffman* EZA CHAIRMAN 5-26-2005 DATE

APPROVED BY THE SANTA FE EXTRATERRITORIAL ZONING COMMISSION AT THEIR MEETING OF

*April 9, 2004*  
*Nancy Long* EZA CHAIRMAN 3-10-05 DATE  
*Vicki Sisco* COUNTY LAND USE ADMINISTRATOR 5/27/05 DATE

*Bob Long* COUNTY FIRE MARSHAL 5-10-05 DATE

*Robert Murray* PUBLIC WORKS DIRECTOR 3-10-05 DATE

*P. Wing* CITY PLANNER 3-14-05 DATE

NOTE:  
THIS DEVELOPMENT SHALL CONNECT TO A REGIONAL WATER AND SEWER SYSTEM WHEN IT BECOMES AVAILABLE.



SCALE 1"=100'  
100' 0 100'  
5' CONTOUR INTERVAL

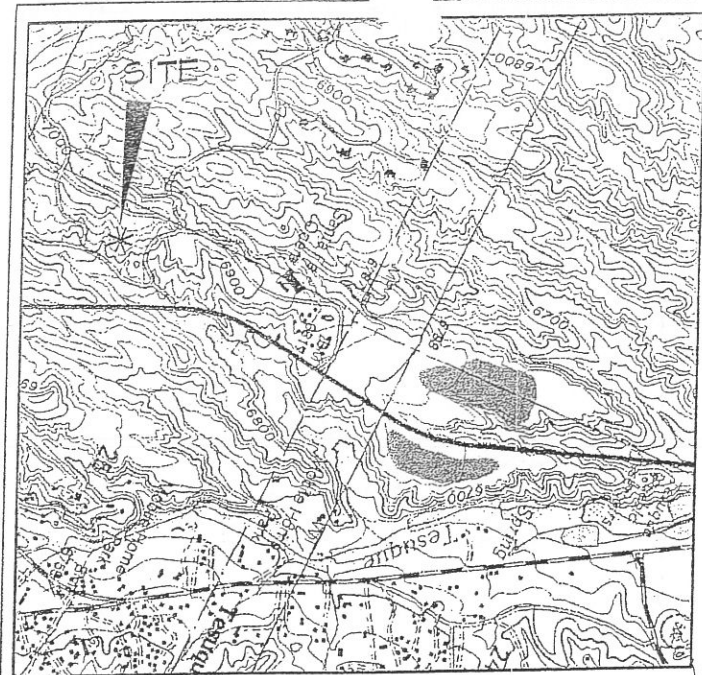
**THE FLANCE COMPANY**  
REAL ESTATE PLANNING AND DEVELOPMENT  
SANTA FE, NEW MEXICO (505) 988-9891

**DESIGN ENGINEER**

Santa Fe, New Mexico  
(505) 991-9551

**SANTA FE OPERA VILLAGE  
AMENDED MASTER PLAN**

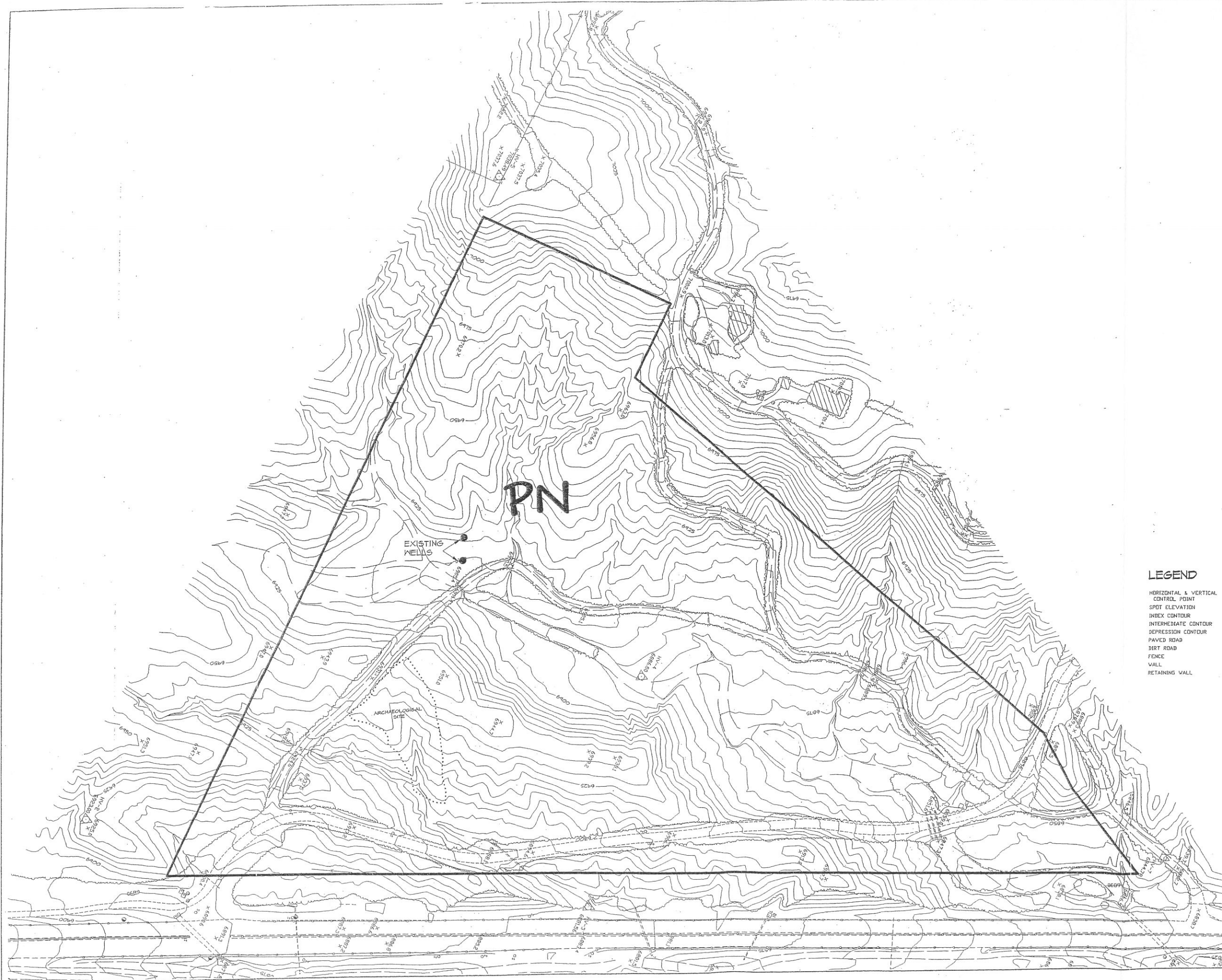
SCALE 1"=100'	DATE 02/08/05
DRAWN BY / APPROVED BY	SHEET NO. 2



VICINITY MAP - NOT TO SCALE



INS-# 1381767  
STATE OF NEW MEXICO  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN THE OFFICE OF THE COUNTY CLERK OF SANTA FE COUNTY, NEW MEXICO, ON THIS 27th DAY OF MARCH 2005 AT 10:00 O'CLOCK P.M. AND WAS FIRST RECORDED IN BOOK 331 PAGE 1011 OF THE RECORDS OF SANTA FE COUNTY.  
Witness my Hand and Seal of Office  
Valerie Espinoza  
County Clerk Santa Fe County, N.M.



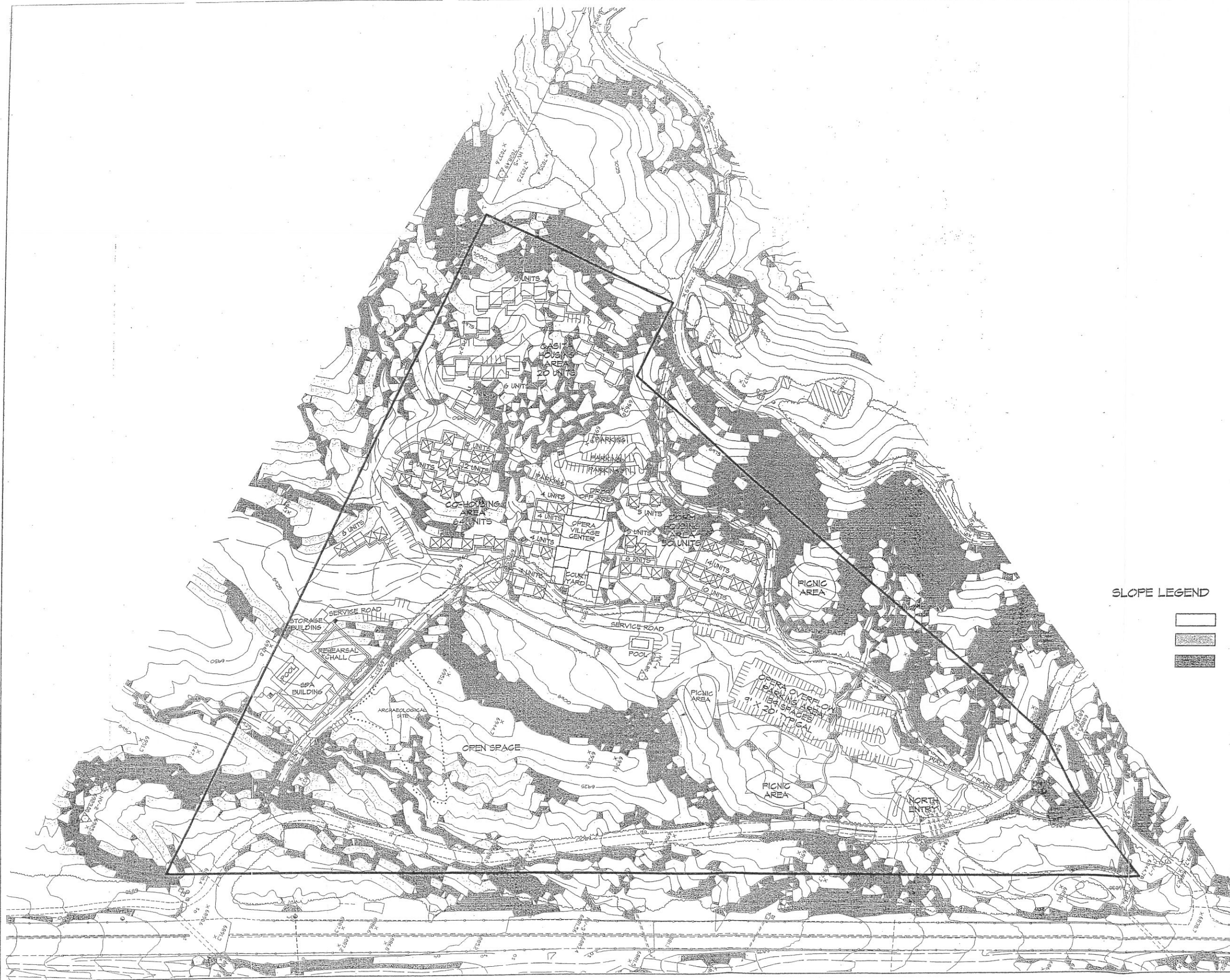
**LEGEND**

- |                                     |  |                         |  |
|-------------------------------------|--|-------------------------|--|
| HORIZONTAL & VERTICAL CONTROL POINT |  | GUARRAIL                |  |
| SPOT ELEVATION                      |  | CULVERT                 |  |
| INDEX CONTOUR                       |  | DRAIN                   |  |
| INTERMEDIATE CONTOUR                |  | BUILDING                |  |
| DEPRESSION CONTOUR                  |  | DROP INLET              |  |
| PAVED ROAD                          |  | ELECTRIC BOX            |  |
| DIRT ROAD                           |  | LIGHT POLE              |  |
| FENCE                               |  | COMMUNICATIONS PEDESTAL |  |
| WALL                                |  | POWER POLE              |  |
| RETAINING WALL                      |  | POST/SIGN               |  |



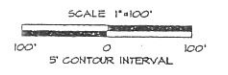
SCALE 1"=100'  
 100' 0 100'  
 5' CONTOUR INTERVAL

<b>DESIGN ENGINEUTY</b>		
 Santa Fe, New Mexico (505) 994-9551		
<b>SANTA FE OPERA VILLAGE</b>		
<b>EXISTING CONDITIONS AND SOILS</b>		
SCALE 1"=100'	DWG NO.	DATE 02/08/05
DRAWN BY / APPROVED BY		SHEET NO. 3



**SLOPE LEGEND**

- 0-20% SLOPE
- 20%-30% SLOPE
- 30% AND GREATER SLOPE





<b>DESIGN ENGINEERING</b>		
Santa Fe, New Mexico (505) 191-1951		
<b>SANTA FE OPERA VILLAGE</b>		
<b>SLOPE ANALYSIS</b>		
SCALE 1"=100'	EVP. NO.	DATE 03-12-04
DRAWN BY / APPROVED BY	SHEET NO. <b>4</b>	

GENERAL NOTES:

1. STORM WATER FLOWS WILL BE DIRECTED TO AREAS TO BE LANDSCAPED AND DETENTION PONDS. PONDS SHALL BE DESIGNED TO RETAIN, AT LEAST, ANY ADDITIONAL FLOWS CREATED BY PROJECT DEVELOPMENT.
2. NATURAL VEGETATION LOCATED OUTSIDE OF AREA TO BE DEVELOPED SHALL BE PROTECTED. AREAS DISTURBED SHALL BE REVEGETATED WITH NATIVE GRASSES AND VEGETATION PER THE LANDSCAPE PLANS.
3. ROAD GRADES SHALL NOT EXCEED 11% AND ALL ROADS WILL BE PAVED AND A MINIMUM OF 20' WIDE.

LEGEND

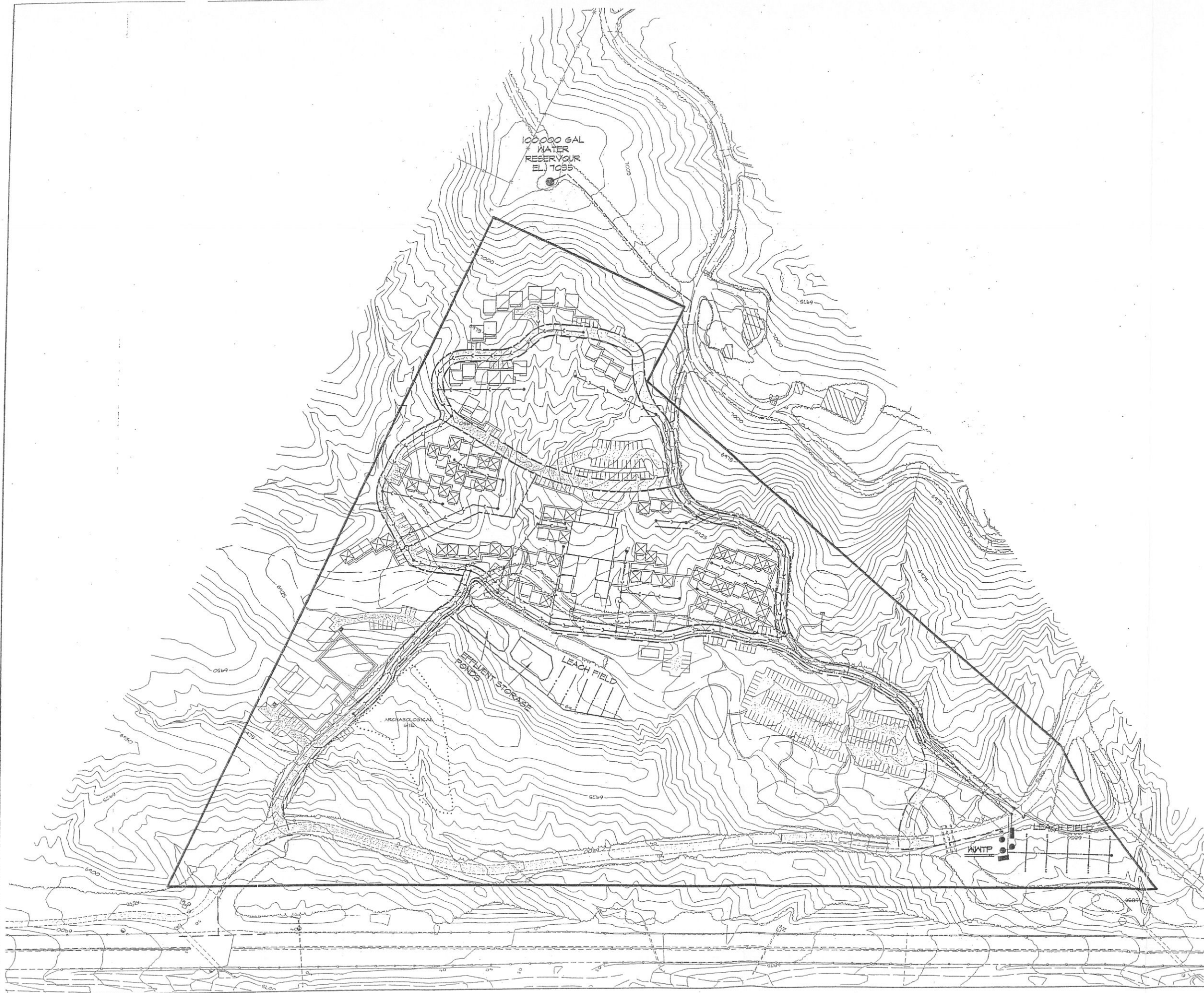
-  DETENTION POND
-  CULVERT



SCALE 1"=100'  
100' 0 100'  
5' CONTOUR INTERVAL

<b>DESIGN ENGINEERING</b>		
<small>Santa Fe, New Mexico (505) 994-1591</small>		
<b>SANTA FE OPERA VILLAGE</b>		
<b>CONCEPTUAL TERRAIN MGT. PLAN</b>		
SCALE 1"=100'	DWG NO.	DATE 02/08/05
DRAWN BY / APPROVED BY		SHEET NO. <b>5</b>



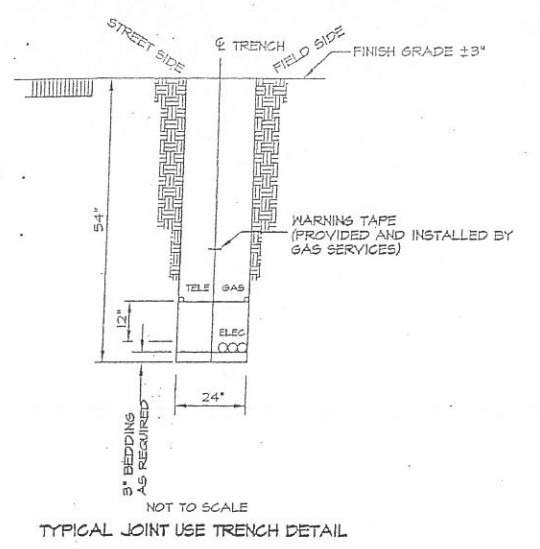


100,000 GAL  
WATER  
RESERVOIR  
EL. 7035

EFFLUENT STORAGE  
POND  
LEACH FIELD

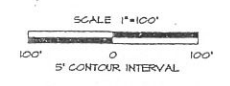
ARCHAEOLOGICAL  
SITE

AWTP



LEGEND

- 8" WATERLINE PVC C900 OR HDPE SDR11
- TREATED EFF. DIST. LINE
- NEW GRAVITY FLOW GAS
- PROPOSED COMMON DRY UTILITY TRENCH



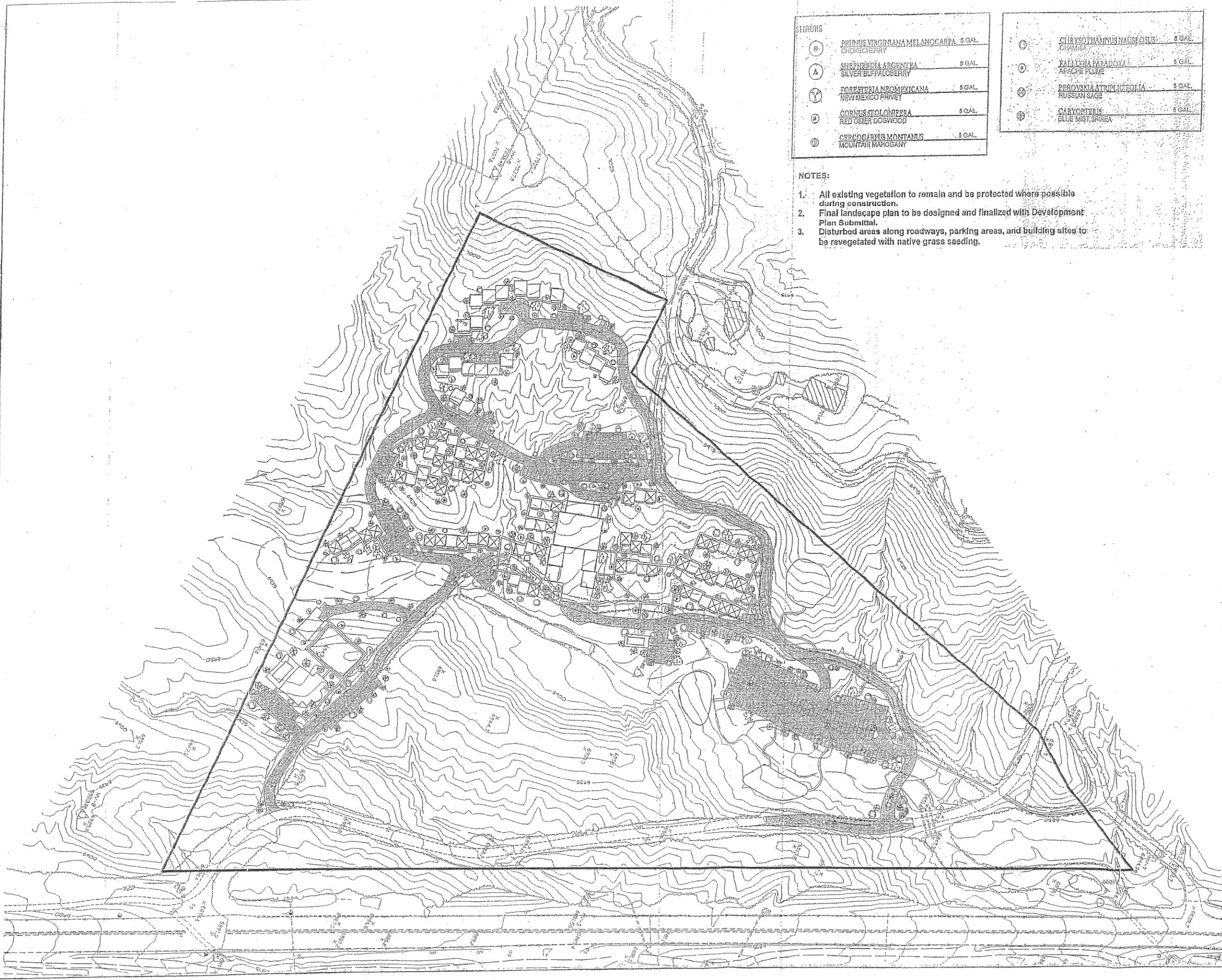
<b>DESIGN ENGINEUTY</b>		
Santa Fe, New Mexico (505) 981-9551		
<b>SANTA FE OPERA VILLAGE</b>		
<b>CONCEPTUAL UTILITIES PLAN</b>		
SCALE 1"=100'	DWG. NO.	DATE 02/08/05
DRAWN BY / APPROVED BY		SHEET NO. 6

SHRUBS	
⊙	PRUNUS VIRGINIANA MELANOCARPA 5 GAL CHOCHECHERRY
⊙	SHEPHERDIA ARGENTEA 5 GAL SILVER BUFFALO BERRY
⊙	FORESTBIA NOMEJICANA 5 GAL NEW MEXICO PRIVET
⊙	CORNUS STOLONIFERA 5 GAL RED OSIER DOGWOOD
⊙	CERCOCARPUS MONTANUS 5 GAL MOUNTAIN MAHOGANY

⊙	CHRYSOETHAMNUS NAUSEOSUS 4 GAL GUMMIBERRY
⊙	PAULOWNIA PARADOXA 5 GAL APACHE PLUME
⊙	PEROVSKIA ATRIPLEXIFOLIA 5 GAL RUSSIAN SAGE
⊙	CARYOPHTERIS 5 GAL BLUE MIST, SPIREA

PLANT LEGEND		
TREES	SIZE AT PLANTING	
	PINUS PONDEROSA PONGEROSE PINE	8-14'
	PINUS EDULIS FINCH PINE	8-12'
	ABIES CONCOLOR WHITE FIR	8-8'
	PICEA PUNGENS COLORADO BLUE SPRUCE	8-12'
	PINUS FLEXILIS LIMBER PINE	8-9'
	PSEUDOTSUGA MENZIESII DOUGLAS FIR	6'
	SALIX AMYGDALOIDES PEACH LEAF WILLOW	5 GAL
	CERCOCARPUS LEDIFOLIUS CURTLEAF MOUNTAIN MAHOGANY	8'
	ACER GLABRUM ROCKY MOUNTAIN MAPLE	4' CLUMP
	POPULUS TREMULOIDES QUAKING ASPEN	1' TILLAM
	QUERCUS GAMBELII GAMBLE OAK	20 GAL

- NOTES:**
- All existing vegetation to remain and be protected where possible during construction.
  - Final landscape plan to be designed and finalized with Development Plan Submittal.
  - Disturbed areas along roadways, parking areas, and building sites to be revegetated with native grass seeding.



NORTH

SCALE 1"=100'

100' 0 100'

5' CONTOUR INTERVAL

<b>DESIGN ENGINEERING</b>		
Santa Fe, New Mexico (505) 491-1551		
<b>SANTA FE OPERA VILLAGE</b>		
<b>CONCEPTUAL LANDSCAPE PLAN</b>		
SCALE 1"=100'	DWG. NO. 03-15-04	DATE 03-15-04
DRAWN BY / APPROVED BY		SHEET NO. 7



SCHEMATIC ELEVATION OF OPERA VILLAGE CENTER AT ENTRY

1/8" = 1'-0"

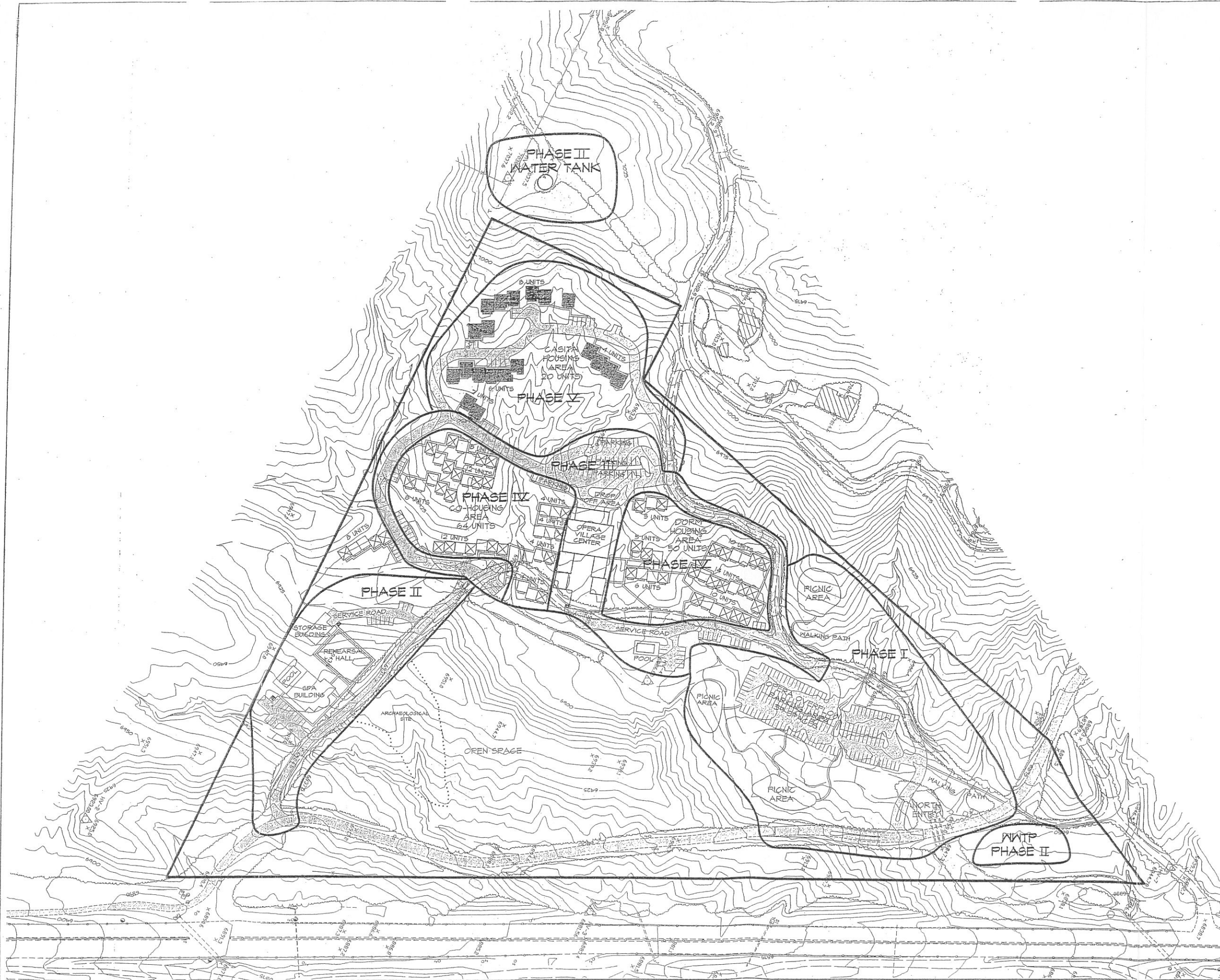


SCHEMATIC ELEVATION OF APARTMENT/CO-HOUSING UNITS

1/8" = 1'-0"

FINAL DESIGN OF THE BUILDING ELEVATIONS WILL OCCUR WITH DEVELOPMENT PLAN SUBMITTAL. ELEVATIONS ARE CONCEPTUAL, AND INTENDED TO CONVEY OVERALL DESIGN CONCEPT.

<b>THE FLANCE COMPANY</b> REAL ESTATE PLANNING AND DEVELOPMENT SANTA FE, NEW MEXICO (505) 988-9881		
SANTA FE OPERA VILLAGE CONCEPTUAL BUILDING ELEVATIONS		
SCALE	DWG NO.	DATE
		11-30-05
DRAWN BY / APPROVED BY		SHEET NO. 3



SCALE 1"=100'  
 100' 0 100'  
 5' CONTOUR INTERVAL

<b>DESIGN ENGINEUTY</b>		
Santa Fe, New Mexico (505) 954-7571		
<b>SANTA FE OPERA VILLAGE</b>		
<b>PHASING PLAN</b>		
SCALE 1"=100'	DWG NO.	DATE 02/08/05
DRAWN BY / APPROVED BY		SHEET NO. 9

THE SANTA FE EXTRATERRITORIAL LAND USE AUTHORITY

ORDINANCE NO. 2009-01

AN ORDINANCE ESTABLISHING SUBDIVISION, PLATTING, PLANNING AND ZONING RULES WITHIN THE PRESUMPTIVE CITY LIMITS AND WITHIN UNINCORPORATED AREAS OF THE COUNTY THAT ARE SUBJECT TO THE EXTRATERRITORIAL, SUBDIVISION, PLATTING, PLANNING AND ZONING JURISDICTION OF THE CITY OF SANTA FE; ESTABLISHING DEFINITIONS; PROVIDING FOR TRANSITIONAL PROVISIONS; REPEALING ORDINANCE NOS. 1997-4, 1997-3, 1999-1, 1999-5, 1999-6, 2000-01, 2000-03.

BE IT ORDAINED BY THE SANTA FE EXTRATERRITORIAL LAND USE AUTHORITY:

**Section One. Title.** This ordinance may be cited as the Santa Fe Extraterritorial Land Use Authority Subdivision, Platting, Planning and Zoning Ordinance (SPPaZo).

**Section Two. Authority.** This ordinance is enacted pursuant to NMSA 1978, Sections 3-19-5 (2003), 3-20-5 (1998), 3-21-3 (2001), 3-21-3.1 (1989), 3-21-3.2 (2003) and 3-21-4 (1999), the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008), Ordinance No. 2008-17 of the Board of County Commissioners of Santa Fe County, and Ordinance No. 2008-46 of the Governing Body of the City of Santa Fe.

**Section Three. Scope.** This ordinance applies within the extraterritorial platting and planning zone set forth in NMSA 1978, Section 3-19-5 (2003), and the extraterritorial zoning area set forth in NMSA 1978, Section 13-21-2 (2003).

**Section Four. Repeal.** Ordinance Nos. 1997-4 (except for section 9.8 Mountain Special Review District), 1997-3, 1999-1, 1999-5, 1999-6, 2000-01, 2000-03 of the Extraterritorial Zoning Authority shall be and hereby are repealed.

**Section Five. Planning Basis.** This ordinance implements the City of Santa Fe 1999 General Plan as amended through 2008. The following other planning documents to the extent they are not inconsistent shall also be considered: Regional Planning Authority Land Use Plan (2004), the Southwest Santa Fe County Community Area Plan (2005), the Santa Fe County Growth Management Plan (General Plan)(1999), the Santa Fe County Community College District Plan (2000), the Santa Fe Metro Area Highway Corridor Plan (2000), the Santa Fe Northwest Community Plan (1999), the Santa Fe Extraterritorial Zoning Authority Comprehensive Plan (1998), the Santa Fe Urban and Extraterritorial Future Roads Plan (1999), the Tres Arroyos del Poinente Plan (2006), and the Hyde Park Plan (1994).



**Section Six. Definitions.**

A. "ELUA" means the Santa Fe Extraterritorial Land Use Authority established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008) and City Ordinance No. 2008-46 and County Ordinance No. 2008-17.

B. "ELUC" means the Santa Fe Extraterritorial Land Use Commission established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008) and City Ordinance No. 2008-46 and County Ordinance No. 2008-17.

C. "EZA" means the Santa Fe Extraterritorial Zoning Authority established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (1991);

D. "EZC" means the Santa Fe Extraterritorial Zoning Commission established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (1991);

E. "Presumptive City Limits" means the city limits of the City of Santa Fe following the completion of the annexations provided for in the Settlement Agreement and Mutual Release of Claims (2008), by and between the City of Santa Fe, Santa Fe County, and Las Soleras (as shown on Map A, attached);

F. "Areas to be Annexed" means those areas outside of the current city limits of the City of Santa Fe that will be annexed pursuant to the Settlement Agreement and Mutual Release of Claims (2008), by and between the City of Santa Fe, Santa Fe County, and Las Soleras (as shown on Map A, attached).

**Section Seven. Zoning and Planning and Platting Within the Areas to be Annexed.**

A. Regulation of zoning, subdivision, planning and platting of property within the Areas to be Annexed shall be governed by the City of Santa Fe Land Development Code, Chapter 14. Zoning for properties within the Areas to be Annexed is hereby established by this Ordinance as set forth in the zoning map Map B attached hereto reflecting City zoning districts selected to match land uses adopted in the planning documents referred to in Section 5 and, where applicable, current zoning granted by the EZA. Pending adoption of escarpment overlay districts within Area 18 on Map A, EZA Ordinance No. 1997-4, Section 9.8 establishing rules for the Mountain Special Review District shall apply. The City of Santa Fe will be responsible for administering zoning districts, prescribing uses within districts, rezoning particular parcels, prescribing and enforcing design standards, prescribing procedures for making and processing applications, processing applications, establishing and administering standards for development plans, subdivision of land, and all matters necessary and proper to the foregoing.

B. The City may establish and collect fees for administering zoning, platting and planning and for capital improvements, included but not limited to development review fees, application fees, impact fees, fees for building permit applications, processing, review and inspections and other fees related to development for development within the Areas to Be Annexed.

**Section Eight. Zoning and Planning and Platting Outside the Presumptive City Limits.**

A. Regulation of zoning and planning and platting of property within the extraterritorial zoning and planning and platting authority outside the Presumptive City Limits shall be governed by the Santa Fe County Land Development Code (1996, as amended), including without limitation establishing zoning districts, prescribing uses within districts, establishing zoning of particular parcels, prescribing and enforcing design standards, prescribing procedures for making and processing applications, processing applications, establishing and administering standards for subdivision of land, establishing and providing code enforcement, processing applications for building permits, and all matters necessary and proper to the foregoing.

B. The County may establish and collect fees for administering zoning, platting and planning and capital improvements included but not limited to impact fees, development review fees, enforcement fees, application for development outside the Presumptive City Limits.

**Section Nine. Transitional Provisions.**

**A. Pending Applications.**

1. Each application pending before the ELUA/ELUC for development of property within the Areas to be Annexed shall be transferred to the City of Santa Fe for further processing.

2. Each application pending before the ELUA/ELUC for development of property outside the Presumptive City Limits shall be transferred to Santa Fe County for further processing.

**B. Zoning.**

1. Rezoning of properties within the Areas to be Annexed, as deemed desirable by the City or property owners may be accomplished subsequent to the effective date of this ordinance pursuant to Chapter 14, the City Land Development Code.

2. Properties outside the Presumptive City Limits shall be zoned as established by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to the enactment of this Ordinance. Rezoning of such properties, as

deemed necessary by the County may be accomplished subsequent to the effective date of this ordinance pursuant to the County Land Development Code.

**C. Permits and Approvals Without Vested Rights.** Permits and approvals granted by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to the effective date of this ordinance for which rights have not vested (approved master plans, special exceptions, recognition of nonconforming uses, development plans, subdivisions, exception plats, and lot line adjustments) shall be henceforth governed by the City Land Development Code within the Presumptive City Limits, and by the Santa Fe County Land Development Code outside the Presumptive City Limits.

**D. Permits and Approvals With Vested Rights.** Permits and approvals granted by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to enactment of this ordinance for which rights have vested (whether or not the permit or approval conforms to City Land Development Code) shall be recognized by the City and the County.

**E. Approved Master Plans.**

1. Properties within the Areas to be Annexed that have received final approval of a master plan from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission shall within five years of that approval file an application for approval of a development plan, preliminary development plan or subdivision plat in accordance with that Master Plan with the City of Santa Fe or the approval of the master plan shall expire unless an extension is obtained pursuant to the City Land Development Code.

2. Properties outside the Presumptive City Limits that have received final approval of a master plan from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission shall be permitted to file an application for approval of a preliminary development plan or plat from the County.

**F. Approved Preliminary Development Plans or Plats.**

1. Properties within the Areas to be Annexed that have received preliminary development plan or plat approval from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission but have not received final development plan or plat approval, shall within 24 months of said approval file an application for approval of a final development plan or subdivision plat in accordance with that preliminary plan or plat with the City of Santa Fe or the approval of the preliminary development plan or plat shall expire unless an extension is obtained pursuant to the City Land Development Code.

2. Properties outside the Presumptive City Limits that have received preliminary development plan or plat approval from the Extraterritorial Zoning



Authority or the Extraterritorial Zoning Commission but have not received final development plan or plat approval, may file an application for approval of a preliminary development plan or plat with the County. The application will be governed and processed according to the County Land Development Code.

**G. Approved but Unrecorded Final Development Plans and Plats.**

Properties that have received final development plan or plat approval from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission but have not recorded the plan or plat shall within 18 months of the approval complete the recordation process under the terms of the final approval or the approval will expire unless an extension is obtained pursuant to the City Land Development Code.

**H. Approved and Recorded Final Development Plans, Plats or Permits.**

Properties that have received final development plan or plat approval from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission and have recorded the plan or plat shall within 24 months of the approval apply for construction permits consistent with that plan or plat from the City of Santa Fe or the approval will expire unless an extension is obtained pursuant to the City Land Development Code..

**Section Ten. Enforcement.** Enforcement of Land Development Codes within the delegated authority set forth in this Ordinance shall be made by the entity responsible for enforcement of those Codes, e.g. within the Presumptive City Limits, the City Code shall govern as set forth in this Ordinance, and the City shall be responsible for enforcement of its Land Development Code pursuant to this delegated authority. Likewise, within the County and outside the Presumptive City Limits, the County Land Development Code shall govern as set forth in this Ordinance, and the County shall be responsible for enforcement of the terms of that Code.

**Section Eleven. Business and Itinerant Vendor Licenses.** The City shall issue business and itinerant vendor licenses within the Presumptive City Limits. The County shall issue business and itinerant vendor licenses outside the Presumptive City Limits. Licenses validly issued pursuant to the Extraterritorial Zoning Ordinance shall be valid until expiration.

**Section Twelve. Building and Development Permits.** Building and/or development permits sought within the Presumptive City Limits shall be obtained from the City. Building and/or development permits sought outside the Presumptive City Limits shall be obtained from the County or the Construction Industries Division. Building and development permits that pertain to property for which final approvals were approved through the Extraterritorial Zoning Ordinance shall be governed by the terms of the approval.

PASSED, APPROVED AND ADOPTED this 27<sup>th</sup> day of August, 2009.

THE EXTRATERRITORIAL LAND USE  
AUTHORITY OF SANTA FE COUNTY

By: [Signature]  
Harry Montoya, Chair

ATTEST: [Signature]  
Valerie Espinoza, Santa Fe County Clerk

[Signature]  
Yolanda Vigil, City Clerk

APPROVED AS TO FORM:  
[Signature]  
Stephen C. Ross, Santa Fe County Attorney

[Signature]  
Frank Katz, City Attorney



COUNTY OF SANTA FE ) ELUA ORDINANCE  
STATE OF NEW MEXICO ) ss PAGES: 9

I Hereby Certify That This Instrument Was Filed for  
Record On The 4TH Day Of September, 2009 at 02:14:03 PM  
And Was Duly Recorded as Instrument # 1576351  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Valerie Espinoza  
Deputy [Signature] County Clerk, Santa Fe, NM

- g. Master plan report which includes the following:
- 1) A general description of the project, existing development on the parcel, location, adjacent properties, acreage, lot coverage, access, traffic impacts, terrain management, soils, landscaping, outside lighting, parking, signage, water, liquid waste, solid waste, archaeological sites and fire protection measures;
  - 2) If appropriate, market analysis and economic impact report which address: demand, projected sales and build-out; identifies a trade area; estimates retail sales and potential, and identifies the scale and extent of local competition.
  - 3) Preliminary fiscal impact estimates of net local public costs, including capital outlay and operating expenses, and revenues attributable to the proposed project.
  - 4) Preliminary environmental assessment, which identifies the possible effects of proposed development on natural resources or natural features. This may be combined with Section 5.2.2.c of this Article.
  - 5) A written preliminary traffic report prepared by a licensed traffic engineer or other qualified expert acceptable to the Code Administrator.
  - 6) Description of concepts for restrictive covenants proposed for the development if applicable, outlining the areas and extent of restriction or regulation. Detailed covenants are not required at this time.
  - 7) Schools impact report. A written report which projects the effects the proposed project will have on public schools, and which includes:
    - the proposed number, size, and price of residential units within the project;
    - a description of the project's target market; and
    - where applicable, any special educational needs of the project's school-aged residents

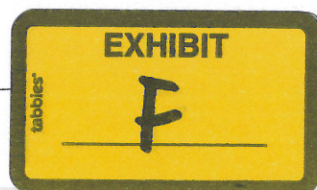
The report will also identify the schools that service the area of the proposed project and their boundaries, the transportation available to those schools, and a list of any pending or approved residential developments within those schools' boundaries. Copies of the schools impacts notice shall be submitted to the school district in which the project is located and to the Code Administrator.

#### 5.2.3 Master Plan Review

The master plan shall be submitted to the Code Administrator or his authorized representative with a written application for approval. The Code Administrator will review the plan and submit analysis, written comments and a recommendation to the County Development Review Committee and the Board. Master plans shall be reviewed by the County Development Review Committee which shall make determinations regarding compliance with the County General Plan or the Extraterritorial Plan and the Code and shall forward the plan to the Board with the Committee's recommendation. The Board may adopt, amend, supplement, or reject the County Development Review Committee recommendation.

#### 5.2.4 Master Plan Approval

- a. The approved master plan shall show the area of residential use and general density measured in dwelling units per acre of land, less dedicated or conveyed rights-of-way, and the area and intensity of commercial and industrial use measured in gross square feet of building area or maximum gross floor area ratio. These shall constitute the maximum permitted number of dwelling units and maximum permitted area and intensity of commercial or industrial use.
- b. The County Development Review Committee and Board shall consider the following criteria in making determinations and recommendations for approval or amendment of master plans:
  1. Conformance to County and Extraterritorial Plan;



2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed;
6. Conformance to applicable law and County ordinances in effect at the time of consideration, including required improvements and community facilities and design and/or construction standards.

#### 5.2.5 Filing of Approved Master Plan

The approved master plan with maps which has been approved by and received signatures of the County Development Review Committee Chairman and Board Chairman shall be filed of record at the County Clerk's Office.

#### 5.2.6 Amendments and Future Phase Approvals

- a. Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.
- b. The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board.
- c. Any changes approved by the Code Administrator pursuant to Section 5.2.6b of this Article shall be subject to the review and approval of County Development Review Committee and the Board at the time of development plan or plat approval.
- d. The phasing schedule may be modified by the Board at the request of the developer as economic circumstances require as long as there is no adverse impact to the overall master plan. (See Article V, Section 4.5)

#### 5.2.7 Expiration of Master Plan

- a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
- b. Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer.
- c. Progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.

History. 1980 Comp. 1980-6. Sections 4.4, 4.5, 5.1 and 5.2 were amended by County Ordinance 1987-1 to provide for the submittal of a master plan.

### 5.3 Preliminary Plat Procedure

#### 5.3.1 Introduction and Description

- 5.3.1a Preliminary plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions.

2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed;
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Harry B. Montoya  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Michael D. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Roman Abeyta  
County Manager

**BCC CASE # MIS 09-5070  
SANTA FE OPERA MASTER PLAN EXTENSION  
KRISTA CASTOR (THE FLANCE CO.), AGENT**

**ORDER**

**THIS MATTER** came before the Board of County Commissioners (hereinafter referred to as "the BCC") for hearing on January 12, 2010, on the Application of Santa Fe Opera, (hereinafter referred to as "the Applicant"), for an extension of an existing Master Plan. The BCC, having reviewed the Application and supplemental materials, Staff report and conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests a two-year time extension of an existing Master Plan.
2. The property is located at 17053 US Highway 84/285, within Sections 25 and 26, Township 18 North, Range 9 East.
3. The Opera property lies outside the presumptive city limits and zoning for the property was established by the Extraterritorial Zoning Authority (EZA) and the Extraterritorial Zoning Commission. With the enactment of Ordinance 2009-01 the property is now governed by the Santa Fe County Land Development Code ("Code").
4. The Master Plan for the Inn at the Opera project received final approval from the EZA, which was amended on June 2, 2004.
5. The criteria set forth in the Code for approval is equivalent to the Master Plan approved by the EZA.

SFC CLERK RECORDED 04/14/2010



6. The Application meets the criteria set forth in Article V, Section 5.2.4 (Master Plan Approval) and Article V, Section 5.2.7 (Expiration of Master Plan) of the Code.

7. No one from the public spoke on the Application.

8. The Commission recommends the following special conditions of approval;

- a. The Applicant shall comply with the conditions of the approved Master Plan.
- b. The Applicant shall comply with all requirements of the County Land Development Code.
- c. The Applicant shall comply with any applicable ordinance(s) adopted by the County prior to the submittal of preliminary and final development plan.

9. After conducting a public hearing on the request and having heard from the Applicant, the Board of County Commissioners hereby approve the request for an extension of an existing Master Plan subject to the Applicant's compliance with the special conditions as stated above.

**IT IS THEREFORE ORDERED** that the Application is approved, and the Applicant is allowed an extension of an existing Master Plan subject to the conditions set forth herein.

I certify that the Application was approved by the Board of County Commissioners on this 13 day of April, 2010.

SFC CLERK RECORDED 04/14/2010

The Board of County Commissioners of Santa Fe County

By: [Signature]  
BCC Chairperson

ATTEST: [Signature]  
Valerie Espinoza, County Clerk



Approved as to form:  
[Signature]  
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE ) BCC ORDER  
STATE OF NEW MEXICO ) ss PAGES: 6

I Hereby Certify That This Instrument Was Filed for  
Record On The 14TH Day Of April, 2010 at 01:17:01 PM  
And Was Duly Recorded as Instrument # 1596000  
Of The Records Of Santa Fe County

Deputy [Signature] Witness My Hand And Seal Of Office  
Valerie Espinoza  
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 04/14/2010



**XV. A. 8. BCC CASE # MIS 09-5070 Santa Fe Opera Master Plan Extension.  
Santa Fe Opera, Applicant, Krista Castor (the Flance Co.) Agent,  
Request a Two-Year Time Extension of the Amended Master Plan  
Approval for the Santa Fe Opera Village. The Property is Located at  
17053 US Highway 84/285, within Sections 25 & 26, Township 18  
North, Range 9 East (Commission District 2 1) Jose E. Larrañaga,  
Case Manager**

COMMISSIONER VIGIL: Mr. Chair, may I correct that? I believe that's District 1. I believe that's in your district.

CHAIRMAN MONTOYA: My district. Yes.

COMMISSIONER VIGIL: So just for clarification purposes, that's District 1.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN MONTOYA: Commissioner Stefanics

COMMISSIONER STEFANICS: I have another question. I thought we already approved this extension.

CHAIRMAN MONTOYA: No. Okay, Jose.

MR. LARRAÑAGA: Thank you, Mr. Chair. On June 2, 2004, the Extraterritorial Zoning Authority granted a master plan amendment to the previously approved Inn at the Opera to allow rehearsal and recital facilities, meeting spaces, conference facilities and amenities, storage for the opera and housing for the opera performers, staff, directors, benefactors, conference participants and guests consisting of a total 135,600 square feet on 44.10 acres to be developed in five phases.

The master plan amendment allowed the project to directly serve the needs and interests of the opera rather than being open to the public as allowed in the previous approval. The site and building layout are the same as the prior approval. The project will be developed in five phases as follows: Phase 1 – overflow parking to accommodate 139 parking spaces as well as picnic areas; Phase 2 – a rehearsal and recital hall, storage building, spa and fitness building with a pool, wastewater treatment plant and 26 new parking spaces; Phase 3 – the Opera Village Center; Phase 4 – 50 apartment-style units, 64 co-housing units for opera staff and conference participants; and Phase 5 – casita-style housing units for opera performers, directors, benefactors, conference participants and guests.

The opera property was governed by the Extraterritorial Zoning Authority under the Extraterritorial Zoning Ordinance. Ordinance No. 2009-01 dissolved the EZO and the EZA and the opera property is now governed by the Board of County Commissioners under the Land Development Code.

The applicant is requesting a two-year time extension, renewal of the master plan under the Land Development Code.

Recommendation: Staff has reviewed this application and has found the following facts to support the submittal: The opera property lies outside the presumptive city limits and

SFC CLERK RECORDED 04/14/2010  
SFC CLERK RECORDED 02/11/2010

zoning was established by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to the enactment of Ordinance 2009-01. The property lies within the Extraterritorial Zoning Authority outside the presumptive city limits and is governed by the Santa Fe County Land Development Code. The property lies outside the presumptive city limits and received final approval of a master plan from the Extraterritorial Zoning Authority. The criteria set forth in the Land Development Code for a master plan is equivalent to the master plan approved by the Extraterritorial Zoning Authority.

Staff has reviewed the applicant's request and has established findings that this application is in compliance with Ordinance 2009-01 and meets the criteria set forth in Article V, Section 5.2.4, and Article V, Section 5.2.7 of the Land Development Code. Staff recommends approval of a two-year time extension for the amended master plan for the Santa Fe Opera Village, subject to the following conditions. Mr. Chair, may I enter these conditions into the record?

[The conditions are as follows:]

1. The applicant shall comply with the conditions of the approved master plan.
2. The applicant shall comply with all requirements of the County Land Development Code.
3. The applicant shall comply with any applicant ordinance(s) adopted by the County prior to the submittal of preliminary and final development plan.

CHAIRMAN MONTTOYA: Okay. Any questions for staff? Is the two-year limit pretty much the maximum that we go on these types of extensions?

MR. LARRAÑAGA: Under the Land Development Code, yes.

CHAIRMAN MONTTOYA: That is the time?

MR. LARRAÑAGA: They can come in in two years; hopefully there will be some kind of development, that they come in for a preliminary development plan within those two years or they can come in for another time request for an extension.

CHAIRMAN MONTTOYA: Okay. So staff's recommending approval. The applicant, if you'd come forward, if there's anything you'd like to add.

[Duly sworn, Steve Flance testified as follows:]

STEVE FLANCE: My name is Steve Flance, the Flance Company. This is Krista Castor who is one of our chief project managers. I'd like to introduce Paul Hoffman, who's chairman of the board of the Santa Fe Opera and Paul Horpedahl who is the production director for the Santa Fe Opera. So the quality that you see out there is largely the responsibility of these two men.

We agree with the staff recommendations and the staff conditions, Mr. Chair. I'll stand for questions. I think that you've seen this project before.

CHAIRMAN MONTTOYA: Okay. Any questions for the applicant? Okay, seeing none, we will open this for public hearing. If there's anyone who would like to speak on behalf of or in opposition, please come forward. Okay, seeing none, what are the wishes of the Board?

SFC CLERK RECORDED 04/14/2010  
SFC CLERK RECORDED 02/11/2010

COMMISSIONER VIGIL: Move to approve.  
CHAIRMAN MONTOYA: Motion by Commissioner Vigil for approval.  
COMMISSIONER STEFANICS: Second.  
CHAIRMAN MONTOYA: Second by Commissioner Stefanics. Discussion?

The motion passed by unanimous [5-0] voice vote.

- XV. 9. **CDRC CASE # MP/PDP/DP 09-5180 Parker NM 599. Paul Parker, Applicant, James Siebert, Agent, Request a Master Plan Amendment to Allow a Reduction of the Building Setback From a Previously Approve a Master Plan and Preliminary and Final Development Plan Approval for an Office Building Consisting of 13,000 Square Feet and Warehouse Building Consisting of 8,000 Square Feet for a Total of 21,000 Square Feet on 5.8 Acres. The Property is Located North of New Mexico 599 at 62 Paseo de River, within Sections 2 & 11, Township 16 North, Range 8 East, (Commission District 2) Jose E. Larrañaga, Case Manager**

MR. LARRAÑAGA: Thank you, Mr. Chair. On October 15, 2009 the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of the applicant's request. On April 12, 2005 the applicant was granted master plan approval by the BCC for light industrial and office use on 5.8 acres. The master plan was approved in compliance with the provisions set forth in the Highway Corridor Plan which included a 340-foot building setback.

The applicant is requesting an amendment of the existing master plan to reduce the setback to 270 feet. The applicant agreed to comply with the building setback recommended by the Highway Corridor Plan with the expectation that the plan would be formalized as an ordinance. The applicant states that the proposed setback for the Parker NM 599 Amended Master Plan is based on the setback allowed for the County Public Works building.

The applicant is requesting preliminary and final development approval for light industrial and office use. The development will consist of a 13,000 square foot office building and an 8,000 square foot warehouse building on 5.8 acres.

The proposed site is within a Major Center Commercial District. The adjoining land uses are Associated Asphalt, Lafarge, the County Public Works Facility and various sand and gravel operations which are operated by Española Mercantile and R.L. Leeder. These uses are consistent with the requirements of a Major Center Commercial District defined in Article III, Section 4 of the Land Development Code.

SFC CLERK RECORDED04/14/2010  
SFC CLERK RECORDED02/11/2010

fulfill the proposals contained in the subdivider's disclosure statement and in determining whether or not the subdivider's provisions for a subdivision conform with County regulations.

#### 4.8 Common Promotional Plans

The Code Administrator will review proposed applications to determine whether there is a common promotional plan to subdivide a property. If it is determined that the land division does constitute a common promotional plan, the project shall comply with the procedures provided for in this Article V.

### SECTION 5 - PROCEDURES AND SUBMITTALS

#### 5.1 Pre-application Procedures

Prior to the filing of an application for approval of a preliminary plat, the subdivider shall confer with the Code Administrator to become acquainted with these subdivision regulations. At this pre-application conference, the subdivider shall be advised of the following:

1. Submittals required by the Code.
2. Type and/or class of the proposed subdivision.
3. Individuals and/or agencies that will be asked to review the required submittals.
4. Required improvements.
5. Conditions under which Master Plans and Development Plans are required as described in Sections 5.2 and 7.
6. A determination will be made as to the appropriate scale and format for plans and plats and as to the appropriateness of applicable submittal requirements.

#### 5.2 Master Plan Procedure

##### 5.2.1 Introduction and Description

- a. ~~Master plans are required in the following cases:~~
  - i. ~~All Type I, Type II, and Type IV subdivisions with more than one development phase of tract;~~
  - ii. ~~As required in Article III for developments other than subdivisions; and~~
  - iii. ~~Such other projects which may elect to apply for master plan approval.~~
- b. A master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval.
- c. The master plan submittal will consist of both plans and written reports which include the information required in 5.2.2 below. A typical submittal would include a vicinity map, a plan showing existing site data, a conceptual environmental plan with written documentation, a master plan map, a master plan report, a schematic utilities plan and the phasing schedule. Maps and reports may be combined or expanded upon at the discretion of the applicant to fit the particular development proposal as long as the relevant information is included.

##### 5.2.2 Master Plan Submittals

- a. Vicinity Map. A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) foot intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies located on the parcel and within three miles of the Parcel.

