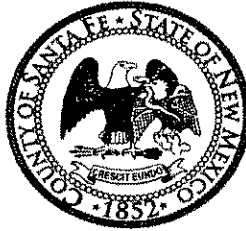


Danny Mayfield
Commissioner, District 1

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: September 13, 2011

TO: Board of County Commissioners

FROM: Wayne Dalton, Building and Development Services Supervisor *WD*

VIA: Jack Kolkmeier, Land Use Administrator *JK*
Shelley Cobau, Building and Development Services Manager *SC*

FILE REF: CDRC CASE # V 11-5200 Jesus Garcia Solis Variance

ISSUE:

Jesus Garcia Solis, Applicant, requests a variance of Ordinance No. 2002-9 (La Cienega/La Cieneguilla Traditional Community Zoning District), Section 6.4.2 to allow a second dwelling unit on 2.53 acres. The property is located in the Vallecita de Gracia Subdivision, off Los Pinos Rd. (County Road 54) at 1 Corte Gracia, within Sections 22, 27, & 28, Township 16 North, Range 8 East, (Commission District 3).

SUMMARY

On August 18, 2011, the CDRC met and acted on this case. The decision of the CDRC was to recommend denial of the Applicant's request for a variance by a unanimous 4-0 vote (Refer to Meeting Minutes Attached as Exhibit "A").

The Applicant requests a variance of Ordinance No. 2002-9 (La Cienega/La Cieneguilla Traditional Community Zoning District), Section 6.4.2 to allow a second dwelling unit on 2.53 acres. There is currently a residence and conventional septic system on the property. The property is served by a shared well system which serves five additional lots. The property is located in the Traditional Historic Community, within the Basin Zone. Ordinance No. 2002-9 requires the minimum lot size in this area as 10 acres per dwelling unit. With proof of 100-year water supply through a geohydrologic reconnaissance report, and adoption of water use covenants the maximum density may be increased to one dwelling unit per 2.5 acres.

The Vallecita de Gracia Subdivision was granted Preliminary and Final Plat and Development Plan approval by the Board of County Commissioners on March 10, 2005. The approval consisted of an 11 lot subdivision. On July 13, 2010, the Board of County Commissioners

approved a request for Preliminary and Final Plat and a Development Plan Amendment to create 3 additional lots in addition to the previously platted 11 lots for a total of 14 lots on 42 acres.

At the time of approval in 2005, a geohydrologic report was submitted for a 16 lot subdivision which demonstrated adequate water availability for the development. At the time of Plat recordation, water restrictive covenants were also recorded restricting water use to 0.25 acre foot per year per lot which is only adequate water for one residence per lot. On the Plat of Survey recorded in the County Clerk's Office on April 2, 2007, under Santa Fe County Notes and Conditions # 13 states: "guest houses are prohibited, therefore only one dwelling unit is allowed per lot".

The Applicant states in 2008, he and his brother purchased the property with the intent that they could both construct a home or place a mobile home on the property. The Applicant states that shortly after purchasing the property his brother then placed a mobile home on the property. The Applicant states he decided to wait on purchasing his home due to the lack of money. The Applicant has already purchased a mobile home and has also paid half the cost of installing the septic system. The Applicant also states this is a lot of money to lose and was looking forward to finally residing on his portion of property after so many years. The Applicant currently works out of town to be able to pay rent where he is living and also to pay mortgage on his portion of property that is vacant.

Article II Section 3 (Variances) of the County Code states: "Where in the case of proposed development, it can be shown that strict compliance with the requirements of the code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the purposes of the Code, the applicant may submit a written request for a variance." This Section goes on to state "In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified."

REQUIRED ACTION:

The BCC should review the attached material and consider the recommendation of staff; take action to approve, deny, approve 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 **to deny** this submittal: Ordinance No. 2002-9 requires the minimum lot size in this area as 10 acres per dwelling unit; the Applicants lot size is only 2.53 acres; water restrictive covenants were recorded within the Vallecita de Gracia Subdivision restricting water use to 0.25 acre foot per year per lot which is only adequate water for one residence per lot; the hardship described by the Applicant is not the type of variance hardship required by the Code; the Applicant has not justified a hardship

which is required by the Code; strict compliance with the requirements of the Code would not result in extraordinary hardship to the Applicant; to allow further reduction of the Code density requirements would nullify the purpose of the Code therefore staff recommends **denial** of the Applicant's request.

If the decision of the BCC is to approve the Applicant's request, staff recommends the following conditions be imposed;

1. Water use shall be restricted to 0.25 acre feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office.
2. The Applicant must obtain a development permit from the Building and Development Services Department for the second dwelling.
3. The Applicant must install an automatic fire suppression system meeting all Fire Marshal requirements.
4. The placement of additional dwelling units on the property is prohibited.
5. Compliance with minimum standards for Terrain Management as per the Land Development Code and compliance with Ordinance 2003-6 Water Harvesting.
6. The Applicant shall connect to the County Water System when it becomes available within 200 feet of the property line.
7. The existing driveway will serve the proposed residence.

ATTACHMENTS:

- Exhibit "A"- CDRC Meeting Minutes
- Exhibit "B"- Letter of request
- Exhibit "C"- Ordinance # 2002-9 (La Cienega Traditional Community Zoning District)
- Exhibit "D"- Article II, Section 3 (Variances)
- Exhibit "E"- Photos of Site
- Exhibit "F"- Site Plan
- Exhibit "G"- Plat of Survey
- Exhibit "H"- Aerial of Site and Surrounding Area
- Exhibit "I" - Vicinity Map

Duly sworn, John Robertson indicated he understood why code was established. He moved to the property in 1985 and would now like his ex-wife to be able to live on the property to take care of him. He has a well and good drainage. He only has one tree and very few plants requiring water. Having grown up in New Mexico he understands the need to conserve water. He said his daughter is 17 years old.

Chair DeAnda asked if Mr. Robertson had considered any other options, such as improving his current house. Mr. Robertson said a room has been added on to his mobile home and a new roof, however, he is retired and does not have the money for extensive renovations. His ex-wife owns the mobile home which is a double-wide. It is approximately seven or eight years old.

There was no one from the public wishing to speak.

Chair DeAnda asked about the possibility of placing a second dwelling on the property on a temporary basis. Mr. Dalton said that has been done in the past for five-year periods with the possibility of extensions if the hardship still exists. Chair DeAnda said she was unsure whether the variance criteria had been met.

Stating the neighbors had expressed their support, Member Gonzales move to approve CDRC Case #V11-5180 with staff conditions.

Chair DeAnda offered a friendly amendment that it be temporary for a period of five years.

Member Anaya seconded the motion and the friendly amendment.

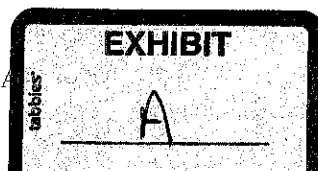
The motion carried by unanimous 4-0 voice vote.

Mr. Dalton noted that the case is scheduled to be heard by the Board of County Commissioners on September 13th.

C. CDRC CASE # V 11-5200 Jesus Garcia-Solis Variance. Jesus Garcia-Solis, Applicant, Requests a Variance of Ordinance # 2002-9, (La Cienega/La Cieneguilla Traditional Community Zoning District), Section 6.4.2 to Allow a Second Dwelling Unit on 2.53 Acres. The Property is Located in the Vallecita de Gracia Subdivision, off Los Pinos Road (County Road 54) at 1 Corte Gracia, within Sections 22, 27, & 28, Township 16 North, Range 8 East, (Commission District 3) Wayne Dalton, Case Manager

Mr. Dalton gave the following staff report:

“The Applicant requests to allow a second dwelling unit on 2.53 acres. There is currently a residence and conventional septic system on the property. The property is served by a shared well system which serves five additional lots. The property is located in the Traditional Historic Community, within the Basin Zone. Ordinance #2002-9 requires the minimum lot size in this area as 10 acres per dwelling unit. With



proof of 100-year water supply through a geohydrologic reconnaissance report, and adoption of water use covenants the maximum density may be increased to one dwelling unit per 2.5 acres.

“The Vallecita de Gracia Subdivision was granted preliminary and final plat and development plan approval by the Board of County Commissioners on March 10, 2005. The approval consisted of an 11-lot subdivision. On July 13, 2010, the Board of County Commissioners approved a request for preliminary and final plat and a development plan amendment to create three additional lots in addition to the previously platted 11 lots for a total of 14 lots on 42 acres.

“At the time of approval in 2005, a geohydrologic report was submitted for a 16 lot subdivision which demonstrated adequate water availability for the development. At the time of plat recordation, water restrictive covenants were also recorded restricting water use to 0.25 acre-foot per year per lot which is only adequate water for one residence per lot. On the Plat of Survey recorded in the County Clerk’s Office on April 2, 2007, under Santa Fe County Notes and Conditions # 13 states: guest houses are prohibited, therefore only one dwelling unit is allowed per lot.

“The Applicant states in 2008, he and his brother purchased the property with the intent that they could both construct a home or place a mobile home on the property. The Applicant states that shortly after purchasing the property his brother then placed a mobile home on the property. The Applicant states he decided to wait on purchasing his home due to the lack of money. The Applicant has already purchased a mobile home and has also paid half the cost of installing the septic system. The Applicant also states this is a lot of money to lose and was looking forward to finally residing on his portion of property after so many years. The Applicant currently works out of town to be able to pay rent where he is living and also to pay mortgage on his portion of property that is vacant.”

Mr. Dalton gave the recommendation as follows: Staff has reviewed this application and has found the following facts to deny this submittal: Ordinance #2002-9 requires the minimum lot size in this area as 10 acres per dwelling unit; the Applicants lot size is only 2.53 acres; water restrictive covenants were recorded within the Vallecita de Gracia Subdivision restricting water use to 0.25 acre foot per year per lot which is only adequate water for one residence per lot; the hardship described by the Applicant is not the type of variance hardship required by the Code; the Applicant has not justified a hardship which is required by the Code; strict compliance with the requirements of the Code would not result in extraordinary hardship to the Applicant; to allow further reduction of the Code density requirements would nullify the purpose of the Code therefore staff recommends denial of the Applicant’s request. If the decision of the CDRC is to recommend approval, staff recommends the following conditions be imposed;

1. Water use shall be restricted to 0.25 acre feet per year per lot home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted

- to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office. [Modified at staff report]
2. The Applicant must obtain a development permit from the Building and Development Services Department for the second dwelling.
 3. The Applicant must install an automatic fire suppression system meeting all Fire Marshal requirements.
 4. The placement of additional dwelling units on the property is prohibited.
 5. Compliance with minimum standards for Terrain Management as per the Land Development Code and compliance with Ordinance 2003-6 Water Harvesting.
 6. The Applicant shall connect to the County Water System when it becomes available within 200 feet of the property line.
 7. The existing driveway will serve the proposed residence.

Speaking of the plat note #13 Member Gonzales asked if the prohibition of guesthouses includes second homes. Mr. Dalton said it did. Member Gonzales asked how far away the County water line was. Mr. Dalton said they are in the service area but he didn't know how far away the line was. Member Gonzales said he thought they were about a mile away. However, Ms. Cobau said the La Cienega Ordinance prohibits second dwellings even with community water. Member Gonzales explained that any extension to the line would have to be done by a private developer.

Ms. Cobau explained that the County does not enforce homeowner covenants, but the prohibition on second dwellings is a plat note which the County does enforce.

Member Gonzales asked if the plat note was explained to the applicant. Mr. Dalton said he believed the applicant was told they were allowed to have a dwelling unit on the property. It is possible staff did not know there was an existing house.

Member Gonzales asked if the lot could be split, and Mr. Dalton said because it is part of an existing subdivision it cannot be split due to provisions in the La Cienega Ordinance.

Member Anaya asked for clarification on the sprinkler requirement. Mr. Dalton said that is in place regardless of the square footage of the home or whether it is a mobile home or not. There is a 30,000-gallon tank in the subdivision.

Chair DeAnda pointed out there are already six lots on the shared well and that this would be adding an additional dwelling to that system. She asked if the first home had a permit and Mr. Dalton said it did.

Duly sworn, Darlene Martinez Garcia, speaking for the applicant, stated when the property was purchased they were told they could put two homes on the property. Mr. Garcia-Solis delayed building for financial reasons. During the application process they were never told he would not be able to build a second home.

There was no one from the audience wishing to speak.

Member Gonzales asked if there had been any letters in support or in opposition. Mr. Dalton said he received an email with concern about a land division. Mr. Dalton explained that this was not a request for a land division and he did not hear from that person again. He did not believe there was a homeowners association in the area.

Noting that the case would go before the BCC, and that any declarations about how many dwellings there could be on the property were made by private parties, Chair DeAnda moved to deny the request for a variance. Member Gonzales seconded, and the motion to deny carried unanimously.

Mr. Dalton noted that the case is scheduled to be heard by the Board of County Commissioners on September 13th.

D. CDRC CASE # V 11-5220 Roland & Lois Betts Variance. Roland & Lois Betts, Applicants, Sommer & Associates, (Karl Sommer), Agent, Request a Variance of Article III, Section 2.3.6 (Height Restrictions for Dwellings or Residential Accessory Structures) to Allow an Accessory Structure to Exceed Twenty-Four (24') Feet in Height. The Property is Located within the La Tierra Nueva Subdivision, at 18 Headquarters Trail, within Section 1, Township 17 North, Range 8 East, (Commission District 2) Wayne Dalton, Case Manager

Mr. Dalton gave the staff report as follows:

“The Applicants request a variance of Article III, Section 2.3.6 of the Land Development Code to allow a detached accessory structure to exceed twenty-four feet in height. The proposed two-story structure is approximately 1,523 square feet in size and will consist of a garage, which is 539 square feet and exercise room which is 984 square feet with a total height of twenty-seven feet on the south facing elevation.

“The property consists of 11.7 acres and currently has an existing residence. The proposed structure will be an accessory to the main residence as required by Ordinance No. 1997-4. Article 2.3.6a states for the purpose of this section, height means the vertical distance from any point, and the word ‘any’ being the key word there, on the upper surface of a building or structure to the natural grade or finished cut grade, whichever is lower, directly below that point.

“Staff has conducted a review of the Applicants’ proposed plan and has also obtained an opinion from the Legal Department pertaining to the south elevation of the structure. Staff and the Legal Department concur that the proposed structure exceeds the height limitation as outlined within the Land Development Code. Staff measured the vertical distance between the highest point (upper

June 15, 2011

To Whom It May Concern:

In 2008 my brother and I purchased a piece of land on lot 1 Corte Gracia in the Vallecita De Gracia Subdivision, at the time of the purchase we were told we both could build a home or put a mobile home on our property. My brother then bought a mobile home right after the purchase of the property. I decided to wait a while because I didn't have the money to build a home at the time. In April 2011, I decided I would look into putting a mobile home on my part of the property. At this time I am working in Texas, so my brother Cervando Garcia went to the county to ask about putting a mobile home on my part of the property. A young man checked in the computer and told him it was fine. He and his wife Doreen Garcia started with the paper work and applications for permits. She went to the county on May 19, 2011 to return the building application and other paperwork for the building permit and to pay the fees.

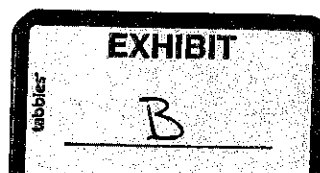
Everything was done Cervando and Doreen returned to the county, to the land use office about 15 days prior to applying for the building permit. They were told that the permit was denied. A young man by the name of Caleb had told them that it was denied because you can not have two houses on 2.5 acres of land in that area. Cervando and Doreen asked to speak to a supervisor, they spoke to a man by the name of Wayne Dalton. He told them the same thing Caleb did. My brother was upset and told Wayne Dalton that that, was the reason he asked about putting a mobile home on the property before continuing with the application and the fees. I had already purchased a mobile home and paid half to install the septic tank. Wayne said he was sorry and told Cervando and Doreen I can write a letter of intent and this is why I am writing this letter. I am working out of Santa Fe to be able to pay rent where I am living with my girlfriend and my daughter. I also have to pay my loan for my property that is empty. This is the reason we think it is a good time to buy a mobile home so we will not have soo many bills. It is very hard in this economy right now. I repeat myself again. We already bought our mobile home and paid half of the installation of the septic tank, this is a lot of money to loose and we were very happy to finally live on our property after so many years. So I am asking u please help us.

Thank you.

If you have any questions you can contact Doreen Garcia at (505)316-3164 she is the one that is helping me because I am working out of Santa Fe.

Sincerely,

Jesus H Garcia Solis



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SANTA FE COUNTY

Ordinance No. 2002 - 9

2155704

AN ORDINANCE AMENDING ARTICLE XIV, TRADITIONAL AND CONTEMPORARY COMMUNITY ZONING DISTRICTS, OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-10, TO ADD A NEW SECTION 6, LA CIENEGA AND LA CIENEGUILLA TRADITIONAL COMMUNITY PLANNING AREA AND LA CIENEGA TRADITIONAL COMMUNITY ZONING DISTRICT

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT THE SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-10, ARTICLE XIV, TRADITIONAL AND CONTEMPORARY COMMUNITY ZONING DISTRICTS, IS AMENDED TO ADD A NEW SECTION 6 AS FOLLOWS:

SECTION 6 - LA CIENEGA AND LA CIENEGUILLA TRADITIONAL COMMUNITY PLANNING AREA AND LA CIENEGA TRADITIONAL COMMUNITY ZONING DISTRICT

6.1 Applicability of Ordinances and the Land Development Code

All regulations, policies and conditions established via the Santa Fe County Land Development Code (herein referred to as the "Code") shall be applicable to all property within the La Cienega and La Cieneguilla Traditional Community Planning Area and the La Cienega Traditional Community Zoning District except those specifically modified by this Ordinance.

6.2 Location of Planning Area and Traditional Community Zoning District Boundaries

The La Cienega and La Cieneguilla Traditional Community Planning Area and Traditional Community Zoning District consists of all property designated by County Resolution 2001-117, as amended. The following maps depicting these areas are hereby adopted and incorporated into this section.

- a.) La Cienega and La Cieneguilla Traditional Community Planning Area Map
 - i. Written description of La Cienega and La Cieneguilla Traditional Community Planning Area Boundary
- b.) La Cienega Traditional Community Zoning District Map (Recorded in Santa Fe County Plat Book 490, pages 46-47)

6.3 Intent of La Cienega and La Cieneguilla Community Plan:

The standards and regulations set forth for this Planning Area are intended to implement the purposes, intent, planned land use goals and strategies of the La Cienega and La Cieneguilla Community Plan, adopted and approved by the Board of County Commissioners on August 14th, 2001 via Resolution 2001-117, as amended, pursuant to the Community Planning Process set forth in Article XIII of the Code (Ordinance 1998-5, as amended). This Ordinance shall apply to all development occurring after the adoption of this Ordinance and development not legally in existence at the time of adoption of this Ordinance and development that does not have final

EXHIBIT

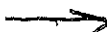
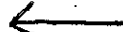
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1 plan approval where such approval is required, at the time of adoption of this Ordinance, shall
2 comply with this ordinance. This Ordinance and standards may be amended from time to time.

3
4 **6.4 Zoning Density:**

5 **6.4.1 Traditional Community Zoning District:**

6 Maximum density is three quarters of an acre per one dwelling unit (.75 acre). Density
7 adjustments must follow requirements as outlined in Article III, Section 10 and Article
8 VII, Section 6 of the Code, as amended, along with all requirements outlined in this
9 ordinance. The maximum density shall not be increased even when community water and
0 sewer systems are provided except where density transfer is used to protect sensitive
1 lands or preserve community assets as described in Section 6.6 and gross density is
2 maintained. Note: the Traditional Community Zoning District is located within the
3 Traditional Historic Community boundary but the .75 acre zoning density applies only in
4 the Traditional Community Zoning District. See attached map b.), *La Cienega*
5 *Traditional Community Zoning District.*

6  **6.4.2 Basin Zone:** 

7 Maximum density in the Basin Zone shall be ten acres per one dwelling unit (10 acres).
8 With proof of 100 year water supply through a geohydrologic reconnaissance report, and
9 adoption of water use covenants (See Attachment 1), the maximum density may be
0 increased to one dwelling unit per 2.5 acres. Density adjustments above one dwelling unit
1 per 10 acres must follow requirements as outlined in Article III, Section 10 and Article
2 VII, Section 6 of the Code, as amended, along with all requirements outlined in this
3 ordinance. The maximum density shall not be increased even when community water and
4 sewer systems are provided except where density transfer is used to protect sensitive
5 lands or preserve community assets as described in Section 6.6 and gross density is
6 maintained.

7 **6.4.3 Basin Fringe Zone:**

8 Maximum density in the Basin Fringe Zone shall be fifty acres per one dwelling unit (50
9 acres). With proof of 100 year water supply through a geohydrologic reconnaissance
0 report, and application of water use covenants (See Attachment 1), the maximum density
1 may be increased to one dwelling unit per 12.5 acres. If an adequate 100 year supply of
2 water, and no impairment to neighboring wells, is proven by an on-site geohydrological
3 well test, land may be further divided to a maximum of 2.5 acres per dwelling unit.
4 Density adjustments above one dwelling unit per 50 acres must follow requirements as
5 outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended,
6 along with all requirements outlined in this ordinance. The maximum density shall not be
7 increased even when community water and sewer systems are provided except where
8 density transfer is used to protect sensitive lands or preserve community assets as
9 described in Section 6.6 and gross density is maintained.

10 **6.4.4 Homestead Zone:**

11 Maximum density in the Homestead Zone shall be one hundred and sixty acres per one
12 dwelling unit (160 acres). With proof of 100 year water supply through a geohydrologic
13 reconnaissance report, and application of water use covenants (See Attachment 1), the
14 maximum density may be increased to one dwelling unit per 40 acres. If an adequate 100
15 year supply of water, and no impairment to neighboring wells, is proven by an on-site
16 geohydrological well test, land may be further divided to a minimum of 2.5 acres per

1 dwelling unit. Density adjustments above one dwelling unit per 160 acres must follow
 2 requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code
 3 as amended, along with all requirements outlined in this ordinance. The maximum
 4 density shall not be increased when community water and sewer systems are provided
 5 except where density transfer is used to protect sensitive lands or preserve community
 6 assets as described in Section 6.6 and gross density is maintained.

7 **6.4.5 Density Requirements on Lots with Multiple Zoning Designations:**

8 If a single land parcel and/or subdivision lies within two separate hydrologic or zoning
 9 districts, the density of dwelling units per acre shall reflect the exact proportion of each
 10 district in which the parcels lies.

11 **6.4.6 Documentation of Wastewater System Compliance for Zoning and Land Division**
 12 **Applications:**

13 When property in the Planning Area is divided, subject to a family transfer or re-zoned
 14 the landowner must furnish complete and accurate documentation to the County which
 15 demonstrates that all facilities on-site are in compliance with all applicable New Mexico
 16 Environment Department regulations and that all necessary permits have been obtained
 17 for any and all septic and waste disposal facilities on the property. This section shall not
 18 be interpreted so as to exempt existing development from all applicable requirements.

19
 20 **6.5 Density Transfers to Protect Community Assets:**

21 Density transfer(s) should be used to protect community assets including but not limited to
 22 wetlands, open spaces, springs, watercourses, riparian areas, agricultural lands, acequias,
 23 traditional community centers, archeological sites, historical and cultural sites and multi-
 24 generational family housing compounds. When density transfers result in higher site densities,
 25 such development shall be clustered and sited in a manner to fit the topography, and existing rural
 26 character of La Cienega and La Cieneguilla, instead of in an urban grid pattern.

27
 28 **6.6 Open Space Land Protection through Density Transfers or other types of Easements:**

29 Open spaces set aside for density transfer or other easements for the protection of community
 30 assets, as described above, should interconnect to similar sites or potential sites on adjacent
 31 properties whenever possible. Easements shall clearly delineate the open space areas and no build
 32 areas as well as document any permitted uses in such areas.

33
 34 **6.7 Acequia Protection**

35 **6.7.1 Acequia Setback Requirements:**

36 No new structures or permanent fences or walls that will impair or obstruct normal
 37 operations of an acequia shall be permitted within six (6) feet of community acequia
 38 associations registered with the Office of the State Engineer. This will not apply to
 39 private acequia associations.

40 **6.7.2 Acequia Association Review of New Development:**

41 Prior to issuance of development permits for activities that may interfere with acequia
 42 operations including fences, walls, grading, drainage and septic systems, applications for
 43 development within twenty-five feet (25') of an acequia must be reviewed by the affected
 44 acequia association. Such review will include a recommendation of approval or denial
 45 and/or any suggested conditions for approval and will be non-binding. Applicants shall

submit a copy of the site plan, building elevations and survey plat to the County. The County will require the applicant to mail submittals, via certified mail, to the appropriate acequia association for review. The review period will be no longer than 14 days and if no response is received from the acequia association by that time, the application shall be processed under normal procedures.

6.8 Ridgetop Protection

Building on slopes greater than 15% and ridgetops will be subject to the existing Code requirements such as setbacks, screening and buildable areas. Ridgetops in the La Cienega and La Cieneguilla Community Planning Area will be defined as follows: 1) A ridge or ridgetop shall be defined as a long, narrow land form with slope less than fifteen percent (15%) that includes the prominently visible portion of a hill or mountain that sits above an area having an average slope greater than twenty percent (20%) on one or more sides. Code standards to be applied include but are not limited to Article III, Section 2.3.8 - *Architectural Appearance Standards* and Article III, Section 2.3.10 b) - *Preservation and Revegetation of Native Vegetation* and Article III, Section 2.3.10 c) - *Buffering and Revegetation for Ridgetops with Development Sites with a Natural Slope of 15% or greater*.

6.9 Residential Uses:

Residential uses shall be permitted in the entire Planning Area.

6.9.1 Residential Lot Coverage:

For residential uses, the total roofed area of principal and accessory structures shall be no more than twenty percent (20%) of the total lot area.

6.9.2 Residential Lot Coverage Calculations on Parcels with Perpetual Easements:

Whenever density transfer is used to create open space which is protected in perpetuity by easement or other legal means, lot coverage shall be calculated based on the total acreage of the project rather than for each individual development lot and shall be apportioned to the density transfer lots by means of building envelopes on the approved final plat.

6.9.3 Residential Water Use Restrictions:

- a.) All new residential land division and subdivisions using ground water from a domestic well shall limit water consumption to .25 acre feet of water (approximately 81,450 gallons) per year per dwelling unit for domestic consumption. This will include all indoor and outdoor household water use. This water consumption requirement applies only to residential domestic water uses and does not apply to agricultural water rights or private water rights.
- b.) Applicants for new residential development using water from a domestic well may request additional water consumption for domestic purposes of up to .50 acre feet of water per year, not to exceed a total maximum of .75 acre feet of water per year per dwelling unit. The request for additional water consumption must include a water budget and proof of 100 year water supply as per Article VII Section 6 of the Code, as amended. The request for additional water consumption shall be required only once and is not an annual requirement.

1 6.9.4 Residential Connection to Water Systems:

- 2 a.) All new lots created as part of residential land divisions and subdivisions shall be
 3 required to connect to the Santa Fe County Water System when said system is extended
 4 to within 200 feet of the property line of a lot, unless that lot has previously connected to
 5 a community water system, provided that adequate capacity exists in the system and that
 6 water taps are available. This requirement will be applied with the following conditions:
- 7 i. If the water system is already in place and capable of providing service or if the
 8 County can provide an estimated time of completion of six (6) months or less,
 9 connection to the system will be required immediately upon the time of service
 10 capability within the system. The requirement for connection shall be duly noted on
 11 the survey plat, and the property owner shall agree to bonding or financial guarantee
 12 to ensure connection within six (6) months, prior to final approval.
- 13 ii. If the County cannot provide an estimated time for waterline completion and capacity
 14 for service of six (6) months or less, the new land division will be granted a 5 year
 15 grace period from the time the water line is actually installed and taps are available
 16 before the agreement to connect to the system will be effective. The requirement for
 17 connection shall be duly noted on the survey plat prior to final approval.
- 18 iii. If connection to a county or community water system is not possible at the time of
 19 land division for new residential development of two or more lots of 2.5 acres or less,
 20 all lots will be required to use shared wells where new lots are adjoining, providing
 21 adequate water is available for both lots. The requirement to connect to the county or
 22 community water system will still be in effect and the property owners will be
 23 granted a 5 year grace period from the time the water line is actually installed and has
 24 adequate capacity, before the connection to the system will be required. The
 25 requirement for connection shall be duly noted on the survey plat prior to final
 26 approval.

27
 28 6.10 Commercial Uses:

29 6.10.1 Areas for Commercial Development and Requirements

30 Property that is zoned commercial at the time of adoption of this Ordinance shall be
 31 permitted to continue as commercial areas along with planned commercial development
 32 in areas as outlined in the Highway Corridor Plan. Such commercial development shall
 33 be required to meet all requirements of the Code. No new commercial zoning shall be
 34 allowed except as outlined in Section 6.11, Home Occupations, of this Ordinance.

35 6.10.2 Prohibited Commercial Development:

36 New developments that pose a risk of contaminating surface and groundwater systems
 37 shall not be permitted within the Planning Area. Non-permitted uses will include but not
 38 be limited to: gas stations, asphalt batch plants and asphalt production plants, large-scale
 39 mining, any warehouse which stores or transfers chemicals, large-scale agricultural
 40 operations which stockpile manure or have manure lagoons (e.g.: dairies, horse parks or
 41 stables, chicken farms), waste oil recycling, septic tank pumping waste disposal, grease
 42 trap waste disposal, large-scale chili processing plants, cheese processing plants, gasoline
 43 storage facilities or transfer stations, auto repair facilities, car washes, sludge disposal
 44 fields, mortuaries, municipal and/or hazardous landfill, and slaughter houses.

1 6.10.3 Commercial Connection to Water Systems and Water Use Restrictions:

2 All new commercial development shall be required to connect to the Santa Fe County
3 Water System when said system is extended to within 200 feet of the property line, unless
4 the development has previously connected to a community water system, provided that
5 adequate capacity exists in the system and that water taps are available. Refer to section
6 6.10.2 of this ordinance for description of permissible commercial uses and Section 6.11
7 for description of Home Occupations.

8 a.) If connection to the County water system is not possible, the development must limit
9 water consumption to .35 acre feet (approximately 114,030 gallons) of water per year
10 per acre of the tract. This water consumption requirement applies only to use of water
11 for commercial purposes from domestic wells as defined by the state and does not
12 apply to any other water rights (irrigation or private).

13 i. If the water system is already in place and capable of providing service or if the
14 County can provide an estimated time of completion of six (6) months or less,
15 connection to the system will be required immediately upon the time of service
16 capability within the system. The requirement for connection shall be duly noted
17 on the survey plat and the property owner shall agree to bonding or financial
18 guarantee to ensure connection within six (6) months prior to final approval.

19 ii. If the County cannot provide an estimated time for waterline completion and
20 capacity for service of six (6) months or less, the new land division will be
21 granted a 5 year grace period from the time the water line is actually installed and
22 taps are available before connection to the system will be required. The
23 requirement for connection shall be duly noted on the survey plat prior to final
24 approval.

5 6.10.4 Commercial Water Resources Plan:

6 All new commercial establishments or expansions of existing commercial developments
7 shall submit a water resources plan at the time of application. The water resources plan
8 must demonstrate secured access to a 100 year supply of water as well as secured water
9 rights, as required by state law and/or the Code to meet all current and projected demands
0 for the business operation.

1 6.10.5 Non-residential Lot Coverage:

2 For non-residential uses, the total roofed area of principal structures and accessory
3 structures, roadways, driveways, walkways and parking facilities shall be no more than
4 sixty percent (60%) the total lot area.

5 6.10.6 Non-residential Lot Coverage Calculations on Parcels with Perpetual Easements:

6 Whenever density transfer is used to create open space which is protected in perpetuity
7 by easement or other legal means, lot coverage shall be calculated based on the total
8 acreage of the project rather than for each individual development lot and shall be
9 apportioned to the density transfer lots by means of building envelopes on the approved
0 final plat.

1 6.11 Home Occupations

2 Mixed use development consisting of development that house both residential and non-residential
3 uses on the same property and/or in the same structures shall be permitted as part of a home
4 occupation. Home occupations are appropriate throughout the Planning Area. Any existing, legal
5

1 non-conforming home businesses and small commercial operations in the Planning Area at the
2 time of the adoption of this ordinance shall be permitted.

3
4 **6.11.1 New Home Occupation Businesses:**

5 New home occupations shall meet the standards of Article III, Section 3 of the Code, as
6 amended, with the following changes:

- 7 a.) No more than four (4) persons, other than individuals residing on the premises, shall
8 be regularly engaged in work at the site of the home occupation.
- 9 b.) All parking for the residence and home occupation, including all parking for the
10 resident(s), employees and patrons, must be off the roadway and shoulders of the
11 road and meet all code requirements.
- 12 c.) Home occupation businesses may not occupy more than fifty percent (50%) of the
13 total square footage of the legally permitted residence. The area of a legally permitted
14 accessory structure used for the home occupation may not be larger than fifty percent
15 (50%) of the total square footage of the residence. A home occupation may be
16 located in either the residence or an accessory structure.
- 17 d.) Small-scale retail establishments, such as arts and crafts stores, restaurants or
18 galleries may be permitted as part of a home occupation. Small scale shall be defined
19 by the number of vehicle visits per day with no more than thirty (30) vehicle visits
20 per day and no more than ten (10) vehicle visits per hour. Refer to section 6.9.4 of
21 this ordinance for description of commercial water use restrictions.
- 22 e.) Applications for Home Occupations shall be administratively reviewed.

23
24 **6.12 Agricultural Sales and Roadside Stands:**

25 Agricultural sales and roadside stands are important ways of supporting local agricultural
26 traditions and economies and shall be allowed in the Planning Area with a permit. Applications
27 for agricultural sales and roadside stand permits will be provided by the Land Use Department
28 and shall be administratively approved by the Land Use Administrator.

29
30 **6.13 Other Development:**

31 Other development as defined by the County Code shall be permitted with the exception that all
32 large outdoor recreation and landscaping areas such as ball fields or other large grass areas must
33 use treated effluent rather than potable water for landscaping and turf. Any effluent used must be
34 treated to meet all state and county regulations for water quality and for use with public facilities.

35
36 **6.14 Family Transfers**

37 **6.14.1 Support for Family Transfers**

38 Because families are one of the great community resources of the La Cienega and La
39 Cieneguilla Community Planning Area, lots created by inheritance or family transfer are
40 allowed and shall meet the requirements of Article II, Section 4 of the Code, as amended.

1 6.14.2 Family Transfer Densities:

2 The maximum densities achieved by family transfer shall not be adjusted below those
3 outlined in the Article II, Section 4 of the Code, as amended.

4 6.14.3 Five Year Holding Between Family Transfer Applications:

5 Any applicant for a family transfer or small lot family transfer must demonstrate a
6 minimum of five (5) years direct ownership of the lot(s) since the last land division(s) or
7 sale or transfer of the property.

8 6.14.4 Exemption for Five Year Holding Between Family Transfer Applications:

9 An exemption to the five-year holding period may be applied for and must clearly state
0 how the additional family transfer lot division is needed in order to avoid an unnecessary
1 hardship, that the request is a minimal easing of the Ordinance requirements, making
2 possible the reasonable use of the land and that it will have no adverse impact to
3 neighboring properties, the community or the environment. Such requests for exemption
4 must be approved by the La Cienega and La Cieneguilla Development Review
5 Committee.

6 6.14.5 Review of Family Transfer Applications:

7 All family transfer applications shall be administratively reviewed by the Land Use
8 Administrator. A summary of all applications shall be forwarded by fax or email to the
9 La Cienega and La Cieneguilla Development Review Committee (LCDRC) for review.
0 LCDRC members shall have five (5) working days to review applications; no response
1 from any LCDRC members shall constitute concurrence of the administrative decision.
2 Applications may be reviewed by the LCDRC if a quorum of LCDRC members request,
3 in writing, that the application be reviewed by the LCDRC. Such requests must clearly
4 state how the application does not meet Code requirements for the family transfer under
5 Article III, Section 2.4.2. Such cases shall be placed on the agenda of the LCDRC's next
6 available meeting date. If a quorum of the LCDRC does not request review of the case,
7 the Land Use Administrator will authorize the transfer application. Family transfer
8 applications shall demonstrate that the parcel to be divided/transferred is suitable for
9 subdivision, and follow County Land Development Code noticing requirements, and
0 persons who write a letter of inquiry or comment regarding a Family Transfer application
1 will be sent a letter stating the administrative decision no later than one day following the
2 decision.

3 6.14.6 Notice of Family Transfer Applications:

4 All applications for family transfer must follow County Code requirements and notice of
5 the application shall be posted at Community notice boards identified by the Land Use
6 Department.

7 6.15 Water Use and Metering:

8 6.15.1 Commercial and Residential Water Meters:

9 All new wells and buildings using groundwater drawn from wells located within the
0 Planning Area as a partial or total water supply must install a water meter on their wells.
1 All new development using shared wells or community water systems must install a
2 water meter on every dwelling unit or primary structure/intake that uses the well water.
3
4
5

1 6.15.2 Water Meter Recording and Auditing:

2 All development in the Planning Area that is required to install a water meter shall
3 monitor and record water meter readings on a monthly basis and submit an annual report
4 of monthly readings to the County Hydrologist. As part of the application process for
5 new development, applicants shall agree to allow for permission to read meters at
6 mutually agreed upon dates and times.

7 6.15.3 Swimming Pools:

8 Any new pool must meet water conservation guidelines as outlined in this ordinance,
9 water availability requirements and include a covering when not in use to minimize
10 evaporation. Note: County Ordinance 1996-10, Article VII, prohibits the construction of
11 new swimming pools on lots created after 1996.

12 6.15.4 Water Use for Restoration, Enhancement and/or New Construction of Riparian Areas or
13 Wetlands:

14 The restoration and enhancement of riparian areas and wetlands in the Planning Area is
15 recognized as a potentially valuable resource management practice, so long as such
16 projects are designed and implemented to maximize benefits to ecosystem and water
17 resources while avoiding harm to the health, safety and welfare of residents, including
18 but not limited to loss of private property and public infrastructure. Therefore, all projects
19 which propose restoration, enhancement and/or new construction of riparian areas or
20 wetlands must demonstrate that the project will have a beneficial or neutral impact on
21 existing water resources and meet the following conditions:

- 22 1. Notice of the project will be provided to the Community Planning Committee (see
23 Section 6.28.1 of this Ordinance), with opportunity for community input to the
24 project design. Such community input may be accomplished in community meetings,
25 on-site workshops and/or other venues. Landowners whose property adjoins the
26 proposed project shall be notified by certified mail.
- 27 2. Applicants shall submit a hydrologic report for review by the County Hydrologist
28 that analyzes the effects of the project in terms of evapotranspiration, infiltration and
29 recharge. Projects may also be subject to monitoring programs that examine the
30 hydrologic impacts of the project. Monitoring programs shall be designed on a case-
31 by-case basis between the project applicant and the County Hydrologist. If the
32 monitoring data show a trend indicating net consumption of water resources by the
33 riparian/wetland project or other negative impacts, the permit shall be reevaluated
34 through the original permitting process described above and the project may be
35 terminated if identified problems cannot be adequately addressed.
- 36 3. Projects on perennial streams or water sources shall demonstrate adequate water
37 rights and/or source(s) of water to meet consumptive needs of the riparian area or
38 wetlands, and that the project will not negatively impact prior beneficial uses or
39 traditional uses of water resources. No project shall be permitted that would
40 negatively impact prior beneficial uses or traditional uses of water resources.
- 41 4. Projects on ephemeral streams, water sources or arroyos shall provide estimates,
42 based on the best available data, of how occasional flows will be managed to raise
43 the water table and/or generate surface water resources to support the consumptive
44 needs of the wetland or riparian area.
- 45 5. All such projects shall comply with all Code requirements including, without
46 limitation, terrain management and floodway regulations, as well as all applicable

laws and regulations including but not limited to those enacted by the State Engineer's Office, the Army Corps of Engineers, the Federal Emergency Management Administration, and the Natural Resources Conservation Service.

6.16 Septic Tanks:

All new septic tanks installed in the Planning Area shall meet or exceed existing New Mexico Environment Department (NMED) and County standards and be equipped with an above ground access port.

6.17 Roads:

6.17.1 All construction, widening and/or upgrading of roads into the Planning Area by public entities shall be planned and designed through consultation with the La Cienega and La Cieneguilla Community Plan Committee (see Section 6.29.2 of this Ordinance) and shall include design standards that meet all legal requirements and should maintain the rural character of the Planning Area.

6.17.2 Developments shall design narrow roads and driveways that follow the natural terrain without creating large cut and fill areas; roads shall be designed with more natural edges, using shoulders, ditches and grassy swales rather than curb and gutter. Roads and driveways must meet all Code requirements.

6.18 Parking Lots:

All new parking lots must implement water runoff control measures to mitigate erosion and pollution.

6.19 Overhead Utility Lines

All new and replacement utility lines and fixtures within the Planning Area must be installed underground or if the Land Use Administrator determines that this is not feasible due to terrain or physical conditions, lines and fixtures shall be installed in such a manner so as to mitigate the aesthetic impact on the rural character of the community and surrounding natural environment. Installation of all utilities shall meet all other requirements in this Code.

6.20 Community Facilities

All proposed public community facilities that include improvements, such as a community center, public park or other public facilities shall, be designed through consultation with the La Cienega and La Cieneguilla Community Plan Committee (see Section 6.28.1 of this Ordinance) and shall include low water use design and maintenance.

6.21 Cell Towers and Antennas

Communication towers and antennas shall meet all Code requirements,

6.22 Noise and Lighting

All Code noise and lighting standards shall apply in the Planning Area. All outdoor lights shall be shielded pursuant to the standards of Article III, Section 4.4.4 of the Code, as amended.

1
2 **6.23 Landscaping:**

3 Native vegetation shall be preserved, when possible, on development sites and local native plants
4 shall be used for landscape buffers and screening. All trees and shrubs used for required
5 landscaping buffers and screening must meet the following standards: trees shall have a caliper of
6 one and one-half inch (1.5") or greater and shall be six feet (6') in height or taller. Shrubs shall be
7 in five (5) gallon pots or greater.

8 **6.23.1 Water Conservation Requirements for Landscaping**

9 To the extent that it is practicable and not to exceed 1% of total construction costs, all
10 new development shall incorporate water conservation and management practices that are
11 compliant with state and Code regulations. Water collected by such systems shall be used
12 for landscaping irrigation and/or other domestic uses in order to replace use of potable
13 water supplies.

14 **6.23.2 Water Use for Landscaping:**

15 Xeriscaping and/or native plants will be encouraged for landscaping on all new
16 landscaping. The area of landscaping to be irrigated will be based on County Hydrologist
17 approved water budget estimates of rainwater collection and storage capacity per the
18 individual development and may be supplemented by use of water collection systems
19 including but not limited to, reuse of gray water, storm water recharge and rainwater
20 collection systems such as, cisterns, gravel beds or other storage systems that are
21 compliant with state and county regulations. This will not apply to agricultural uses of
22 water.

23
24 **6.24 Commercial and Residential Water Impact Summary Reports for Master Plans:**

25 As part of applications for commercial development and residential subdivision master plans,
26 landowners must provide documentation supporting water availability and the impact on
27 neighboring wells and make them available for public review at a centrally located spot in the
28 community, such as the Community Center.

29
30 **6.25 Development Review:**

31 **6.25.1 Protection of Community Assets:**

32 The protection and maintenance of community assets including, but not limited to
33 wetlands, open spaces, springs, watercourses, riparian areas, agricultural lands, acequias,
34 traditional community centers, established pedestrian and equestrian trails, archeological
35 sites, historical and cultural sites and multi-generational family housing compounds
36 should be interpreted as intrinsic community values that shall be considered as part of
37 discretionary review process, when applicable, for land use and development
38 applications.

39
40 **6.25.2 Review of Applications Requesting Increased Zoning Density:**

41 When examining requests for increases in zoning density, all applicable review bodies
42 shall consider the proposed development's impact on factors such as but not limited to
43 traffic, schools, water, liquid waste, and infrastructure as part of the development review
44 process. It is appropriate requests for increases in zoning density to be denied in the
45 Planning Area if the reviewing body determines that there is a reasonable expectation,

1 based on the evidence presented, that the development would negatively impact the
2 community and/or surrounding neighbors.

3 **6.25.3 Review of Non-Residential Development Applications:**

4 Applications for new non-residential development shall submit a statement of potential
5 major impacts, including but not limited to traffic, water and environmental impacts, to
6 the community, both positive and negative, as part of the master plan proposal.

7
8 **6.26 Public Notice**

9 **6.26.1 Public Notice Requirements:**

10 All development requiring notice under the County Code shall follow noticing
11 procedures therein with the following additional requirements:

- 12 a.) Notice signs shall be posted prominently on the property, building, or other structure
13 subject to the application and be accessible from a public roadway.
- 14 b.) Notice signs shall be posted in such a way as to give reasonable notice to persons
15 interested in the application.
- 16 c.) A laminated copy of the site plan showing existing and proposed development shall
17 be firmly attached to the poster.
- 18 d.) The notice sign shall be removed no later than seven (7) days after a final decision
19 has been made on the application.

20 **6.26.2 Summary of Water Availability Reports for All Land Divisions and Requests for**
21 **Increased Zoning Density Requests:**

22 All land division, subdivision and requests for increased zoning density applications in
23 the Planning Area shall be granted only if the applicant provides a site-specific
24 geohydrological report that demonstrates a 100 year water supply, as per Article VII,
25 Section 6 of the Code, as amended. These reports shall assess the impact of the new well
26 on neighboring wells, acequias, streams, ponds and springs. A summary of the
27 geohydrological reports must be mailed to all property owners adjacent to the property
28 proposed for division or for increased zoning density as a part of the public noticing
29 process to inform neighbors of potential water impacts to existing wells and surface
30 water.

31
32 **6.27 Community Pre-application Review of Non-residential Zoning and Large-scale**
33 **Subdivision Applications**

34 6.27.1 Applicants for any non-residential development and large scale subdivisions (24 units or
35 more) shall hold a pre-application meeting in the community to present the development
36 concept and gather public comments and concerns about the development.

37 6.27.2 The applicant shall publish notice of the time, place and purpose of the meeting in the
38 legal section of a newspaper of general circulation in the community 21 days before the
39 meeting and shall mail notice to Santa Fe County, Planning Area community
40 organizations, and to all property owners within one thousand (1000) feet (excluding
41 rights-of-way) of the subject property. Notice of the meeting shall be posted at
42 Community notice boards identified by the Land Use Department. The property shall be
43 posted as set forth in this Ordinance.

Community Center, CR 56 & CALLE DEBRA, ENTRADA LA CIEWEGA
LOS PINOS AND FRONTAGE ROAD.

1 6.27.3. The applicant shall record the meeting proceedings and submit a written summary of the
 2 meeting proceedings and a list of attendees to the County along with the application for
 3 development. The summary and list of attendees shall be posted at Community notice
 4 boards identified by the Land Use Department.

5
 6 **6.28 Community Plan Review and Revision**

7 **6.28.1 Formation of a Community Plan Committee to Implement and Monitor Plan.**

8 Upon adoption of this Ordinance, the County Planning Division will establish a
 9 permanent La Cienega and La Cieneguilla Community Plan Committee to conduct
 10 annual review of the Plan as well as to review proposals for amendments to the Plan and
 11 this Ordinance. Santa Fe County Planning Division staff will provide support and help to
 12 coordinate the committee formation process. This committee shall consist of three (3)
 13 representatives each from La Cieneguilla, Upper La Cienega and Lower La Cienega for a
 14 total number of nine (9) committee members. Representatives shall serve for two-year
 15 terms and the terms shall be staggered to ensure continuity of the planning process.
 16 Representatives shall be nominated by residents, property owners and business owners
 17 from each respective area. Nominees must be a resident, business owner or property
 18 owner in order to be eligible to serve as a representative on the committee. In the case
 19 that more than three nominations are received for each area, three names shall be
 20 randomly selected to serve on the committee. This committee shall follow the process
 21 established for community planning under Ordinance 1998-5, as amended, including
 22 consensual decision-making and open public meetings.

23 **6.28.2 Amendments to the Plan:**

24 All amendments to the Plan shall be developed and proposed through the La Cienega and
 25 La Cieneguilla Community Plan Committee as described in 6.28.1 *Formation of*
 26 *Community Plan Committee to Implement and Monitor Plan*. Amendments to the Plan
 27 may be proposed at any time.

28 **6.28.3 Area Specific Planning**

29 The creation of area specific sub-plans within the Planning Area shall be conducted by
 30 requesting an amendment to the Plan as per the process described in 6.28.2 *Amendments*
 31 *to the Plan*. Additionally, it is possible for a community to request a separate community
 32 plan that would alter the Planning Area boundary to create a new Planning Area. This
 33 would require approval from the Board of County Commissioners and that the requesting
 34 group follow all requirements of Ordinance 1998-5, as amended, and the Growth
 35 Management Plan, as amended.

36 **6.28.4 Community Review of the Plan:**

37 An annual community review of the La Cienega and La Cieneguilla Community Plan
 38 shall be conducted each year to assess community concerns and assist in monitoring
 39 community conditions as well as implementation of Plan elements. The annual review
 40 shall be coordinated by the Community Plan Committee and County Planning Division
 41 staff.

42 **6.28.5 Biennial Review of the Plan by the Board of County Commissioners:**

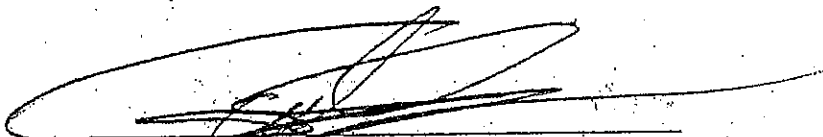
43 The La Cienega and La Cieneguilla Community Plan Committee (see 6.29.1 *Formation*
 44 *of Community Plan Committee to Implement and Monitor Plan*) shall present a biennial
 45 (once every two years) review of La Cienega and La Cieneguilla Community Plan to the
 46 Board of County Commissioners. Santa Fe County Planning Division staff shall assist in

the preparation of these reports. Such reviews will include an update on the Plan's implementation and, if necessary, request direction from the Board on planning issues and/or new planning initiatives.

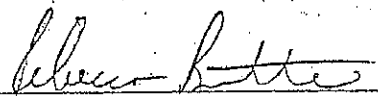
Severability

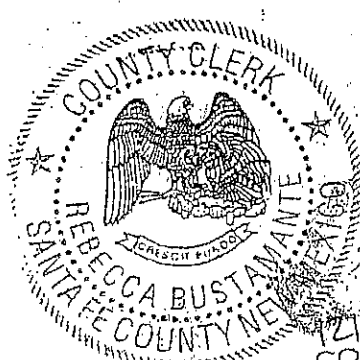
If any part of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and its application to other persons or circumstances shall not be affected thereby.

PASSED, ADOPTED AND APPROVED this 11th day of June, 2002, by the Santa Fe County Board of County Commissioners.


Paul Duran, Chairman

ATTEST:

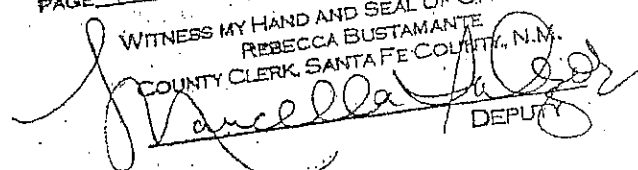

Rebecca Bustamante, County Clerk



APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


Steven Kopelman, County Attorney

2002 JUN 27
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 27 DAY OF June A.D.
20 02 AT 8:07 O'CLOCK PM
AND WAS DULY RECORDED IN BOOK 2155
PAGE 704-724 OF THE RECORDS OF
SANTA FE COUNTY

WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.

DEPUTY

CERTIFICATE OF FILING

I, Rebecca Bustamante, County Clerk, do hereby certify that the foregoing ordinance, designated as Ordinance, No. 2002 -9, was filed in my office on the 27 day of June, 2002, in book Number 2155 at Page 704-724.

SANTA FE COUNTY CLERK


REBECCA BUSTAMANTE



2.5 Zoning

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

2.6 Subdivisions

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

2.7 Other Requirements

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.

→ SECTION 3 - VARIANCES ←

3.1 Proposed Development

Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking or property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.

3.2 Variation or Modification

In no case shall any variation or modification be more than a minimum easing of the requirements.

3.3 Granting Variances and Modifications

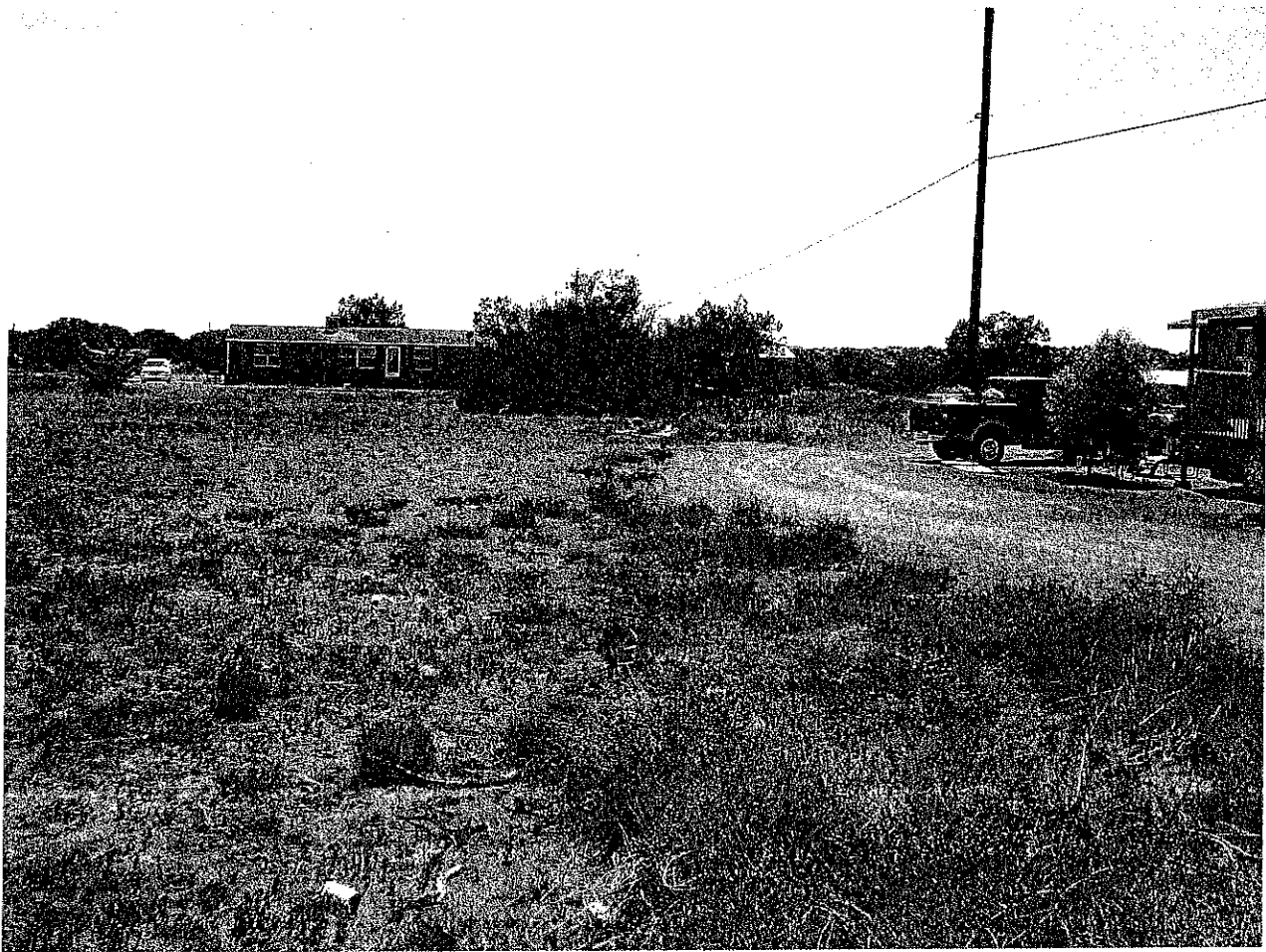
In granting variances, and modifications, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

3.4 Height Variance in Airport Zones

All height variance requests for land located with approach, Transitional, Horizontal and Conical surfaces as described within Map #31 A, incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the

EXHIBIT

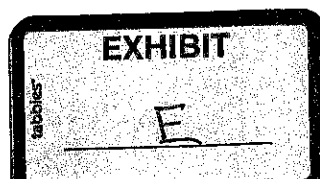
D



Jesus H. Garcia-Solis

#1 Corte Gracia

7/8/2011





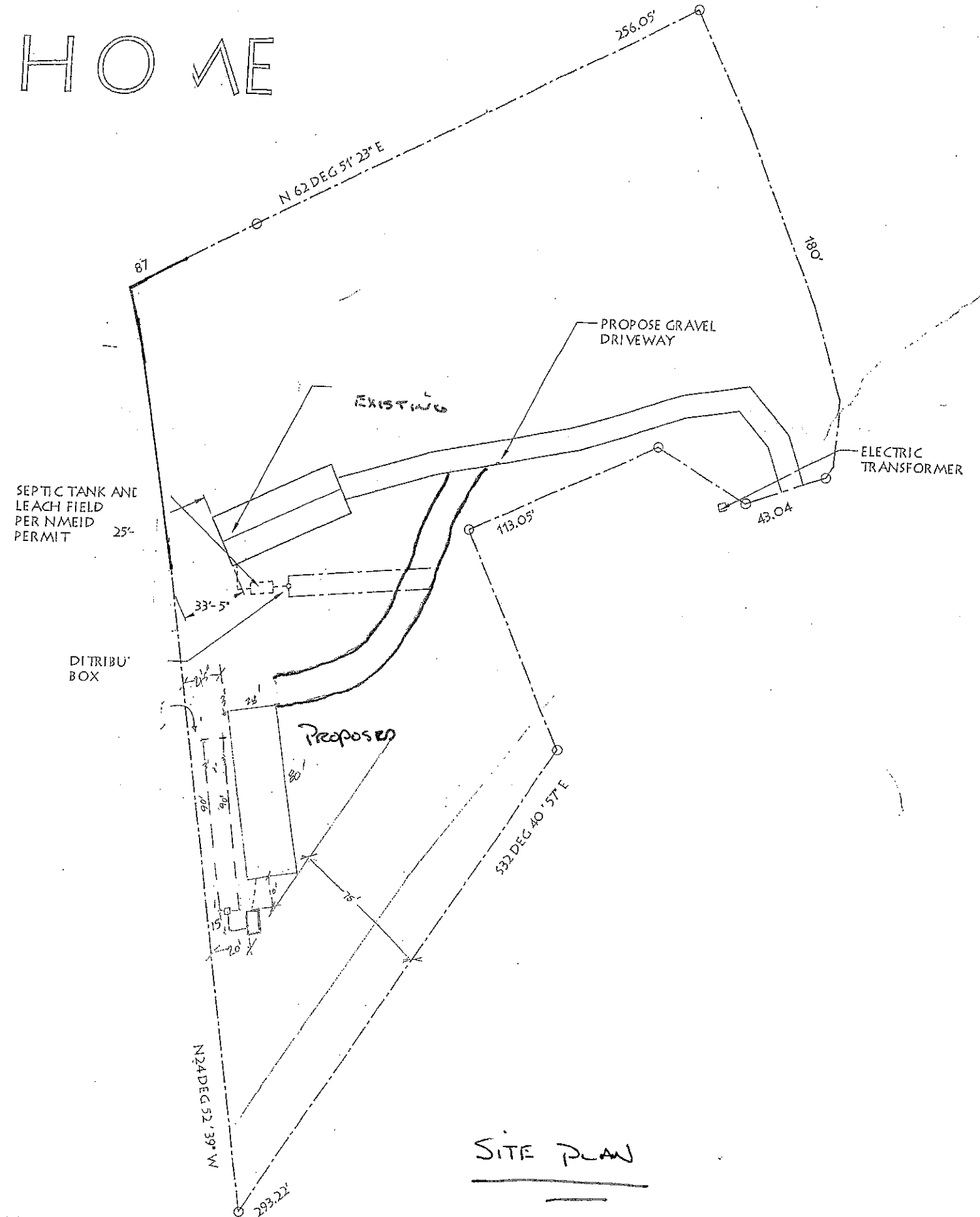
Jesus H. Garcia-Solis

#1 Corte Gracia

7/8/2011

JESUS H GARCIA HOME

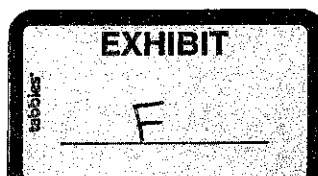
CORTE GRACIA
SANTA FE, NM



SITE PLAN

SITE PLAN

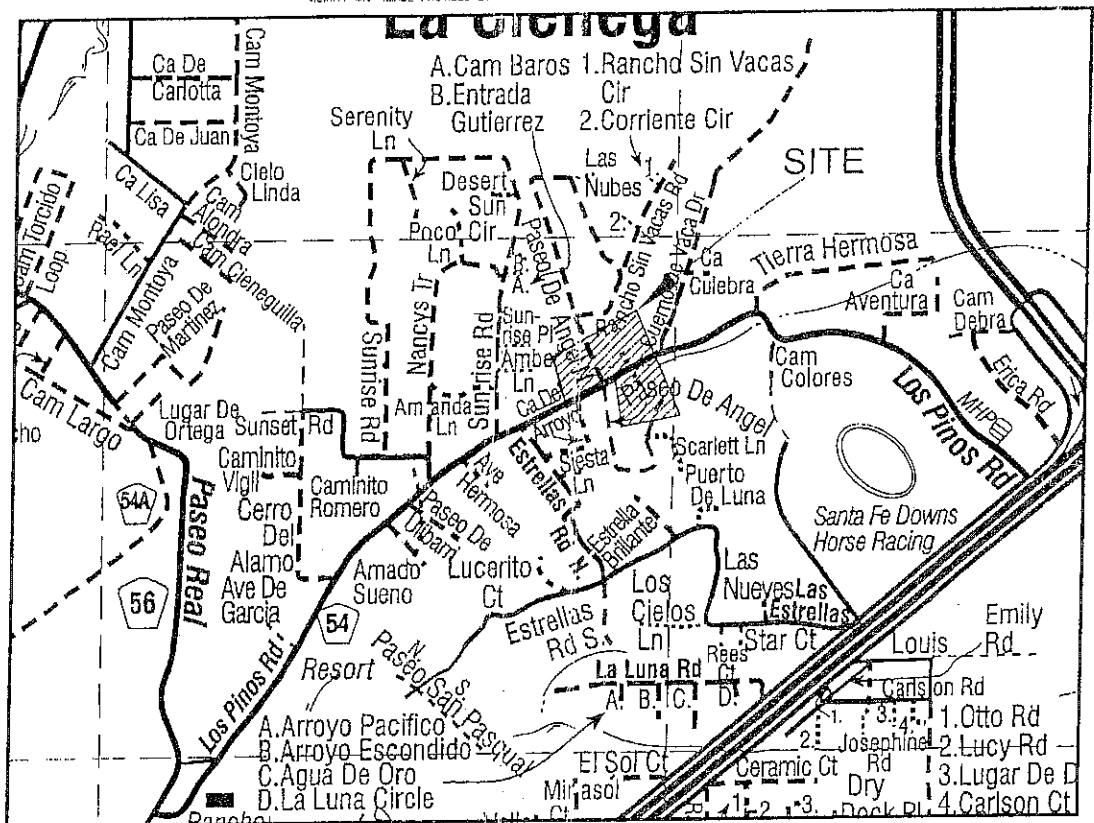
SCALE: 1" = 30'



WISDOM DESIGN/BUILD, LLC
#9 PASEO DEL PASADENO, SANTA FE, NM 87505
DRAWN BY
DATE: 4/2/08
DSIZE
PROJECT: JESUS H GARCIA HOME, CORTE GRACIA, SANTA FE, NM
SHEET TITLE: SITE PLAN
REVISIONS
SHEET NO. A1.1
92

SANTA FE COUNTY APPROVAL

SANTA FE COUNTY NOTES AND CONDITIONS:



VICINITY MAP

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS (3-10-05)
 SANTA FE COUNTY AT THEIR MEETING OF MARCH 10, 2005
 WICKI D. CHATROOP 12-13-05
 CHAIRMAN
 VALERIE CASPARIAN 4-2-07
 ATTEST

APPROVED BY: J. Kolbaczynski 2 Apr 2007
 LAND USE ADMINISTRATOR DATE

COUNTY DEVELOPMENT PERMIT NO. 04-5420

Maria Gabriel 12-13-06
 COUNTY RURAL ADDRESSING DIRECTOR DATE

7-25-06
 COUNTY FIRE MARSHAL DATE

James V. Lynn 12-2-05
 COUNTY PUBLIC WORKS DATE

1. MAINTENANCE OF PRIVATE ACCESS EASEMENTS AND COMMON RECREATIONAL OPEN SPACE TO BE RESPONSIBILITY OF VALLECITA DE GRACIA HOMEOWNERS ASSOC.
2. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAIN AS SHOWN ON F.I.R.M. PANEL #350069 2368 AND 2288, DATED 11/04/88 EXCEPT AS SHOWN.
3. PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
4. AREA CROSSHATCHED IS WITHIN 100 YR. FLOOD PLAIN AS DEFINED BY F.I.R.M. RATE MAP AS REFERENCED IN NOTE #5, AREA DOTTED IS WITHIN 500 YR. FLOOD PLAIN AS REFERENCED ABOVE. ALL STRUCTURES BUILT WITHIN THE FLOOD PLAINS SHALL BE CONSTRUCTED A MINIMUM OF ONE FOOT ABOVE THE MAXIMUM FLOOD ELEVATIONS AS SHOWN. THE ELEVATIONS DATUM SHOULD BE VERIFIED BY A LICENSED ENGINEER.
5. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF PRIVATE EASEMENT(S) OR ROAD(S). PRIOR TO THE CONSTRUCTION OF PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED.
6. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
7. THESE LOTS ARE SUBJECT TO ORDINANCE 2003-8 REQUIRING WATER HARVESTING.
8. ON SITE SANITARY SEWER SERVICE IS NOT AVAILABLE AND SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS, AND MUST BE PERMITTED AND APPROVED BY THE NEW MEXICO ENVIRONMENTAL DEPARTMENT.
9. TERRAIN MANAGEMENT REGULATIONS (ARTICLE VII, SECTION 3 OF THE COUNTY LAND DEVELOPMENT CODE) SHALL BE COMPLIED WITH AT THE TIME OF BUILDING PERMIT APPLICATION FOR EACH LOT.
10. WATER WELL WITHDRAWAL ON THESE LOTS RESTRICTED TO .25 ACRE FT. OF WATER PER YEAR BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK
 RECORDED IN BOOK 650 PAGE 034-037-038
 DOCUMENT NO. 1477143
11. THESE LOTS ARE SUBJECT TO VALLECITA DE GRACIA SUBDIVISION RESTRICTIONS AND COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK
 RECORDED IN BOOK 650 PAGE 034-037-038
 DOCUMENT NO. 1477144
12. DIRECT DRIVEWAY ACCESS TO COUNTY ROAD 54 IS PROHIBITED.
13. GUEST HOUSES ARE PROHIBITED.
14. DRAINAGE EASEMENTS SHALL REMAIN IN NATURAL CONDITION.
15. FOR DISCLOSURE STATEMENT REFER TO DOCUMENT
 RECORDED IN BOOK 650 PAGE 034-037-038
 DOCUMENT NO. 1477145
16. FOR LOTS ADJACENT TO ARROYO'S NO FILLING OF THE ARROYO IS PERMITTED.
17. NO DISTURBANCE AT ARCHAEOLOGICAL EASEMENT IS PERMITTED WITHOUT APPROVAL OF THE COUNTY LAND USE ADMINISTRATOR, AND/OR COUNTY ARCHAEOLOGIST.
18. DEVELOPMENT PERMITS FOR RESIDENTIAL UNITS WILL NOT BE ISSUED UNTIL THE ROAD, TERRAIN MANAGEMENT AND FIRE PROTECTION IMPROVEMENTS HAVE BEEN COMPLETED AS REQUIRED BY STAFF.
19. THESE LOTS ARE SUBJECT TO A FIRE IMPACT FEE AS REQUIRED BY SANTA FE COUNTY AT THE TIME A PERMIT IS REQUESTED FOR A RESIDENTIAL UNIT.
20. EACH LOT SHALL PROVIDE A STORM RUNOFF DETENTION POND EQUAL TO 1,100 CUBIC FEET OF WATER. ANY LOT DEVELOPMENT EXCEEDING AN IMPERVIOUS SURFACE OF 11,410 SQUARE FEET SHALL PROVIDE ADDITIONAL PONDING VOLUME TO SATISFY THE COUNTY TERRAIN MANAGEMENT REGULATIONS.

LA CIENEGA WATERSHED CONDITIONS

1. CONNECTION TO COUNTY WATER UTILITY. THE LOT OWNERS, THEIR SUCCESSORS AND ASSIGNS SHALL AGREE TO CONNECT TO THE COUNTY WATER UTILITY WHEN SERVICE IS AVAILABLE WITHIN TWO HUNDRED FEET (200') OF THE PROPERTY LINE OF THE LAND BEING DIVIDED, WHICH TWO HUNDRED FEET (200') SHALL BE MEASURED ALONG PLATTED EASEMENTS TO THE NEAREST PROPERTY LINE. THE LANDOWNERS, THEIR SUCCESSORS AND ASSIGNS AGREE NOT TO OPPOSE THE CREATION OF AN IMPROVEMENT DISTRICT PURSUANT TO ARTICLES 4-55A-1, ET SEQ. NMSA 1978, AS THOSE SECTIONS MAY BE APPROPRIATE. ALTERNATIVELY, THIS CONDITION DOES NOT PRECLUDE ANY LOT OWNER FROM CONNECTING TO THE COUNTY WATER UTILITY UTILIZING OTHER MEANS OF FINANCING THAN THE IMPROVEMENT DISTRICT METHOD. THE LINE EXTENSION WITHIN SAID TWO HUNDRED FEET (200') SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE RULES AND REGULATIONS AND TARIFFS OF THE SANTA FE COUNTY WATER UTILITY.
2. EACH DWELLING SHALL CONNECT TO THE SHARED WELL SYSTEM. NO INDIVIDUAL WELLS ARE PERMITTED.
3. DISCONNECTION FROM DOMESTIC WELLS. AT THE TIME THE CONNECTION IS MADE TO THE SANTA FE WATER UTILITY, LOT OWNERS, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AGREE TO DISCONNECT FROM ANY DOMESTIC WELLS CREATED UNDER NMSA 72-12-1(1978) AND TO DISCONTINUE USE OF SAID WELLS EXCEPT IN EMERGENCY CIRCUMSTANCES.
4. EASEMENTS. LOT OWNERS SHALL DEDICATE A TEN FOOT (10') WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES FOR THE INFRASTRUCTURE WATER DISTRIBUTION LINES FOR THE COUNTY WATER UTILITY SYSTEM.

SPECIAL NOTES AND BUILDING PERMIT CONDITIONS

1. BUILDINGS ON THESE LOTS AREA SUBJECT TO THE URBAN WILDLAND INTERFACE CODE
2. TRACT 1 IS RESTRICTED FROM ANY DEVELOPMENT UNTIL THE DRAINAGE CROSSING OF THE ARROYO HONDO TRIBUTARY IS CONSTRUCTED SATISFYING ARTICLE VII, SECTION 1.4.5 OF THE AMENDED SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-8. NO DEVELOPMENT PERMITS WILL BE ISSUED FOR THESE LOTS UNTIL THE ABOVE STANDARD IS SATISFIED
3. TRACT 2 IS RESTRICTED FROM ANY DEVELOPMENT UNTIL THE DRAINAGE CROSSING OF THE ARROYO DE LOS CHAMISOS IS CONSTRUCTED SATISFYING ARTICLE VII, SECTION 1.4.5 OF THE AMENDED SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-8. NO DEVELOPMENT PERMITS WILL BE ISSUED FOR THESE LOTS UNTIL THE ABOVE STANDARD IS SATISFIED
4. THE PASEO DE ANGEL R.O.W. SHOWN HEREON IS CONDITIONALLY DEDICATED TO THE COUNTY OF SANTA FE AS A PUBLIC ROAD. PRIOR TO THE ACCEPTANCE OF PASEO DE ANGEL BY THE COUNTY OF SANTA FE, THE ROAD MUST BE IMPROVED TO STANDARDS SET FORTH IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE OR AS ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS. UPON ACCEPTANCE OF OF THIS CONDITIONAL DEDICATION THROUGH RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS THE MAINTENANCE OF PASEO DE ANGEL SHALL BECOME THE RESPONSIBILITY OF THE COUNTY OF SANTA FE.
5. DEVELOPER TO INSTALL 30,000 GAL. STORAGE TANK WITH DRAFT FIRE HYDRANT THAT MEETS REQUIREMENTS UFC 1997

Special notes and Building Permit Conditions
 The installation of an automatic fire suppression system is required for all homes on all lots.

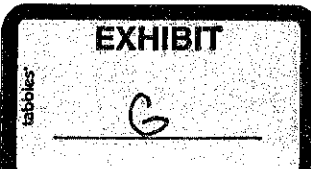
PLAT OF SURVEY
 OF
 VALLECITA DE GRACIA SUBDIVISION
 OF
 TRACT 3
 AS LAST RECORDED IN PLAT BOOK 242, PG.042, IN THE RECORDS OF THE SANTA FE COUNTY CLERK, LYING WITHIN SECTIONS 22, 27 AND 28, T16N, R8E, N4PM, SANTA FE COUNTY, NEW MEXICO.
 SHEET ONE
 OF TWO

RICK CHATROOP
 PROFESSIONAL LAND SURVEYOR
 NEW MEXICO REGISTRATION NO. 11011
 (505) 470-0037 110 WAGON TRAIL RD. CERRILLOS, NM 87010

INDEXING INFORMATION FOR THE COUNTY CLERK
 OWNER: J.K.SQUARED, INC.
 LOCATION: LYING WITHIN SECS. 22, 27 AND 28, T16N, R8E, N4PM, SANTA FE COUNTY, NM.

UTILITY
 WEST COMMUNICATIONS DATE 11-21-05
 P.N.M. ELECTRIC SERVICES DATE 11-17-05
 P.N.M. GAS SERVICES DATE 11-17-05

COUNTY OF SANTA FE, N.M.
 STATE OF NEW MEXICO
 I hereby certify that this instrument was filed for record on the 27th day of October, A.D. 2007, at 2:27 p.m. and was duly recorded in book 650 page 034-037-038 of the records of Santa Fe County.
 Witness my Hand and Seal of Office
 County Clerk, Santa Fe County, N.M.
 Deputy



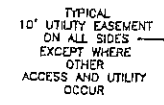
N/F VISTA DE SANDIA SUBDIVISION
GONZALES
BK.242, PG. 042

N/F PADILLA
BK.273, PG. 033

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HEREON ARE AN ACCURATE DELINEATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY DIRECTION ON APRIL 15 TH, 1994, AND ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEET THE STANDARDS FOR PROFESSIONAL LAND SURVEYORS PRACTICING IN NEW MEXICO.

Richard A. Chatroop
RICK A. CHATROOP
N.M.P.L.S.#11011



TYPICAL EASEMENT DETAIL

DEDICATION AND AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S), HAVE CAUSED TO BE DIVIDED THOSE LANDS SHOWN HEREON, THIS DIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES, OTHER EASEMENTS ARE GRANTED AS SHOWN. ACCESS EASEMENT GRANTED FOR PUBLIC USE. ROAD EASEMENTS ARE DEDICATED TO THE VALLECITA DE GRACIA HOMEOWNERS ASSOC.

THIS DIVISION CONTAINS 42.12 AC.±, AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.

J.K. Squared
J.K. SQUARED, INC., JIM BROWN, PRESIDENT
DATE: 11-19-05

STATE OF NEW MEXICO SS
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY J.K. SQUARED, INC., JIM BROWN, PRESIDENT

THIS 19th DAY OF NOV. 2005
MY COMMISSION EXPIRES: 5-28-07

LEGEND AND NOTES

- DENOTES POINT FOUND AS NOTED
- DENOTES POINT SET THIS SURVEY
- DENOTES POINT CALCULATED
- ⊙ DENOTES BRASS MONUMENT
- ⊕ DENOTES UTILITY POLE
- DENOTES EDGE OF EASEMENT
- - - DENOTES OVERHEAD LINES
- x-x-x DENOTES FENCE LINE

1. BASIS OF BEARING IS FROM "LAND DIVISION OF TRACT 2 FOR CHARLES W. WILLIAMS" BY JOHN R. MENDIUS N.M.P.L.S.#3722, AND BEING FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BK.242, PG.042, ON DEC. 22ND, 1992.
2. DATA IN () IS FROM PLAT OF NOTE #1.
3. THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.
4. DRIVEWAYS SHALL BE LOCATED AND COMBINED TO MINIMIZE IMPACT ON EXISTING GROUND AND VEGETATION
5. DRIVEWAY CULVERTS SHALL BE INSTALLED DURING LOT IMPROVEMENTS, BY LOT OWNERS.
6. THERE WILL BE NO FURTHER SUBDIVISION OF THESE LOTS.

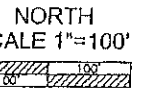
**PLAT OF SURVEY OF
VALLECITA DE GRACIA SUBDIVISION
OF
TRACT 3**

AS LAST RECORDED IN PLAT BOOK 242, PG.042, IN THE RECORDS OF THE SANTA FE COUNTY CLERK, LYING WITHIN SECTIONS 22, 27 AND 28 T16N, R8E, NMPM, SANTA FE COUNTY, NEW MEXICO.

**SHEET TWO
OF TWO**

**RICK CHATROOP
PROFESSIONAL LAND SURVEYOR**
NEW MEXICO REGISTRATION NO. 11011
(505) 470-0037 110 WAGON TRAIL RD. CERRILLOS, NM 87010

INDEXING INFORMATION FOR THE COUNTY CLERK
OWNER: J.K. SQUARED, INC.
LOCATION: LYING WITHIN SECS. 22, 27 AND 28, T16N, R8E, NMPM, SANTA FE COUNTY, NM.



**KEY TO LETTERED AND NUMBERED NOTES
DEFINING EDGE OF FLOOD PLAIN, DRAINAGE EASEMENTS, ARCHAEOLOGICAL ESMT., AND OPENSACE**

(A) N 45°52'18" E 215.44	(L) N 34°29'24" E 158.94	(1) N 18°12'20" E 88.84	(9) N 15°23'11" E 85.05
(B) N 32°41'15" E 345.26	(M) N 21°30'25" E 289.13	(2) N 30°1'30" E 132.38	(10) N 05°03'42" E 83.12
(C) N 21°23'24" E 111.57	(N) N 17°25'19" E 90.47	(3) N 51°1'57" E 64.61	(11) N 10°09'44" E 59.33
(D) N 00°00'00" E 118.84	(O) N 17°50'25" E 157.34	(4) N 68°1'12" E 21.10	(12) N 25°19'41" E 65.79
(E) N 64°24'52" E 74.01	(P) N 58°05'32" E 61.43	(5) N 74°4'16" E 214.27	(13) N 54°45'14" E 45.43
(F) N 21°31'57" E 206.57	(Q) N 72°00'00" E 60.00	(6) N 68°1'05" E 92.08	(14) N 65°36'33" E 72.16
(G) N 09°04'12" E 114.90	(R) S 52°00'00" E 63.00	(7) N 50°1'32" E 66.65	(15) N 71°15'35" E 222.92
(H) N 51°12'12" E 142.71	(S) S 34°00'00" W 145.00	(8) N 46°1'31" E 173.23	(16) N 63°09'23" C 107.92
(I) N 37°15'29" E 236.21	(T) N 38°00'00" W 135.00		(17) N 66°07'59" E 71.46
(J) N 27°55'44" E 187.88	(U) N 51°43'28" W 96.70		(18) N 70°21'11" E 72.89
(K) N 28°46'19" E 136.95			

NOTE: CROSSHATCHED AREA INDICATES PROPOSED LOTS FOR PHASE 2 (Tract 1)

NOTE: CROSSHATCHED AREA INDICATES PROPOSED LOTS FOR PHASE 2 (Tract 2)

N/F BAROS
BK.736, PG. 561

N/F LOGGAINS
BK.902, PG. 267

N/F SEDLAC
BK.212, PG. 023

N/F SANCHEZ
BK.730, PG. 586

N/F LEMASTER
BK.231, PG. 018

N/F GURULE
BK.727, PG. 953

N/F KHALSA
BK.217, PG. 035

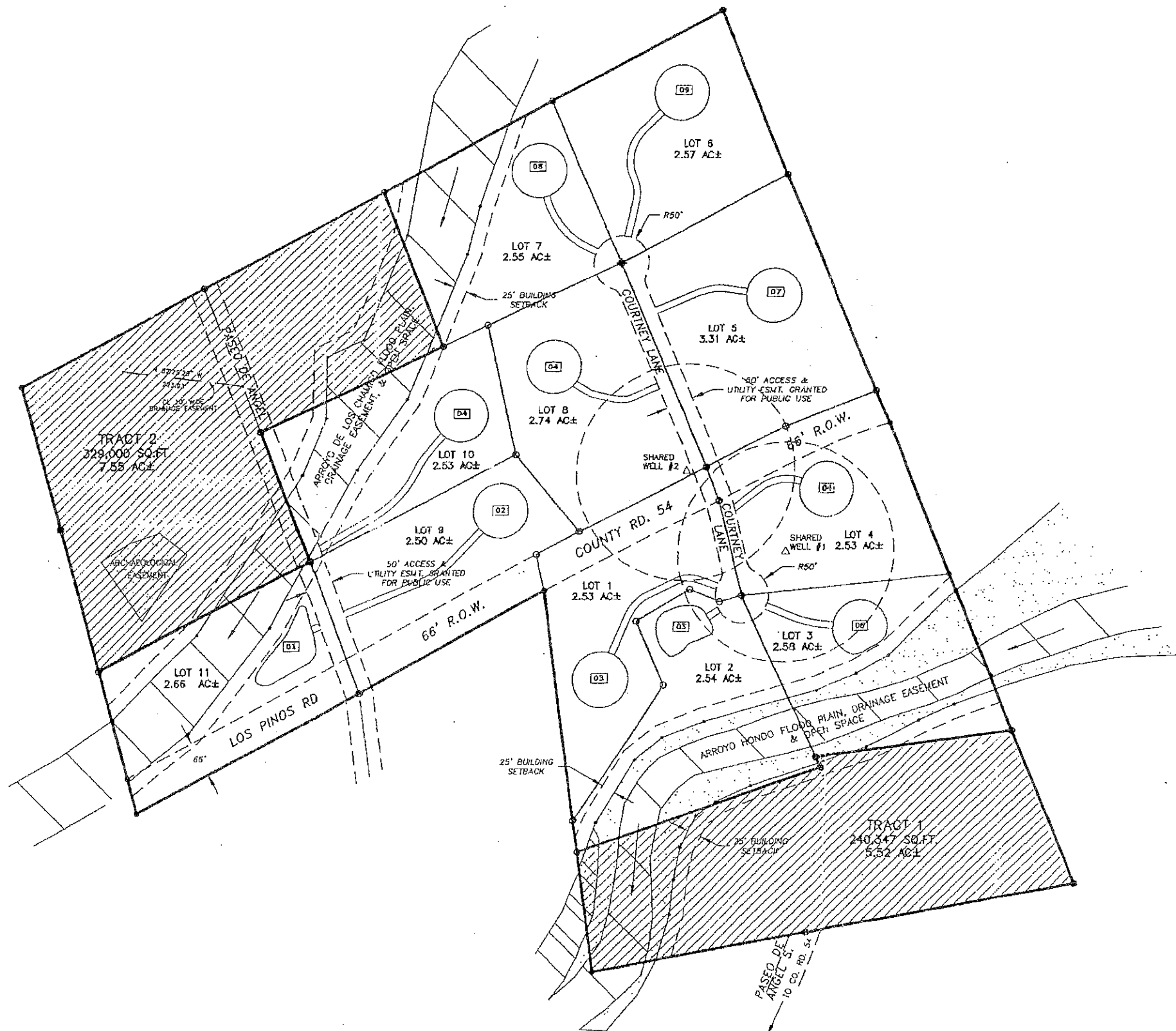
N/F POR SU GRACIA SUBDIVISION
VISTA DEL MUNDO
BK.242, PG. 042

N/F SCHUTZ
BK.316, PG. 001

N/F NEWTON
BK.819, PG. 048

N/F NEWTON
BK.819, PG. 048

N/F POR SU GRACIA SUBDIVISION
VISTA DEL MUNDO
BK.242, PG. 042



LOT AREA:
 TOTAL AREA: 29.06 AC±
 SMALLEST LOT: 2.50 AC±
 LARGEST LOT: 3.31 AC±

6590038

BUILDING SETBACKS:
 REAR YARD: 25'
 SIDE YARD: 10'
 FRONT YARD: 20'

LEGEND:
 DENOTES MINIMUM 7800 SQ. FT. BUILDING SITE SATISFYING TERRAIN MANAGEMENT REGULATIONS. OTHER BUILDING SITES MAY BE SELECTED BY THE LOT OWNER.
 12' DRIVEWAY LOCATION
 DENOTES STREET ADDRESS

NOTE:
 1. TRACT 1 IS RESTRICTED FROM ANY DEVELOPMENT UNTIL THE DRAINAGE CROSSING OF THE ARROYO HONDO TRIBUTARY IS CONSTRUCTED SATISFYING ARTICLE VII, SECTION 1.4.5 OF THE AMENDED SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1995-8. NO DEVELOPMENT PERMITS WILL BE ISSUED FOR THESE LOTS UNTIL THE ABOVE STANDARD IS SATISFIED.
 2. TRACT 2 IS RESTRICTED FROM ANY DEVELOPMENT UNTIL THE DRAINAGE CROSSING OF THE ARROYO DE LOS CHAMISOS IS CONSTRUCTED SATISFYING ARTICLE VII, SECTION 1.4.5 OF THE AMENDED SANTA FE LAND DEVELOPMENT CODE, ORDINANCE 1995-8. NO DEVELOPMENT PERMITS WILL BE ISSUED FOR THESE LOTS UNTIL THE ABOVE STANDARD IS SATISFIED.
 3. THE PASEO DE ANGEL R.O.W. SHOWN HEREON IS CONDITIONALLY DEDICATED TO THE COUNTY OF SANTA FE AS A PUBLIC ROAD. PRIOR TO THE ACCEPTANCE OF PASEO DE ANGEL BY THE COUNTY OF SANTA FE, THE ROAD MUST BE IMPROVED TO STANDARDS SET FORTH IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE OR AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS. UPON ACCEPTANCE OF THIS CONDITIONAL DEDICATION THROUGH RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS THE MAINTENANCE OF PASEO DE ANGEL SHALL BECOME THE RESPONSIBILITY OF THE COUNTY OF SANTA FE.
 4. NO DISTURBANCE OF ARCHEOLOGICAL SITE IS PERMITTED WITHOUT APPROVAL S.F. COUNTY LAND USE ADMINISTRATION.
 5. NO FILLING OF THE ARROYO DE LOS CHAMISOS OR ARROYO HONDO IS PERMITTED.
 6. DIRECT DRIVEWAY ACCESS FROM CR 54 IS NOT PERMITTED.
 7. FOR METES & BOUNDS ON LOTS REFER TO PLAT

WELLS:
 SHARED WELLS SERVE THE FOLLOWING LOT'S
 SHARED WELL NO. 1 LOTS 1 THRU 5 & 8
 SHARED WELL NO. 2 LOTS 6, 7 & 9 THRU 11
 SEPTIC TANKS & LEACH FIELDS ARE NOT PERMITTED WITHIN 200' OF THE SHARED WELL, AS SHOWN BY THE CIRCLE THIS PLAN
 LOTS ARE SUBJECT TO SANTA FE COUNTY ORDINANCE 2003-6, REQUIRING WATER HARVESTING.

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE, NEW MEXICO 87505 (505) 833-5500 FAX (505) 888-7313	VALLECITA de GRACIA SUBDIVISION		SCALE: 1"=100' DRAWN BY: CH/JT REVISION: 00/00/00 WORKED ONE: 00/00/00	DATE: OCT 2005 CHECKED BY: JWS SHEET: 9 OF 9	
	PRELIMINARY & FINAL DEVELOPMENT PLAN		FILE NAME: 10-03 00-00-00		

Map of Property in Santa Fe County



Legend

- driveways
- Parcels 11/15/2010
- Section Lines

2011 FEMA Data

Draft Fema Data 2011

- 0.2 PCT
- A
- AE
- AO; D; X

2008 FEMA Data

- 500 Year
- 100 Year

1:1,800

1 inch represents 150 feet



WARNING:
Two (2) foot contour data sets are
NOT SUITABLE FOR ENGINEERING WORK.
These data are appropriate for
PLANNING PURPOSES ONLY.

Orthophoto from 2008

Contour Interval 2 Feet

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
Users are solely responsible for
confirming data accuracy.



July 6, 2011

EXHIBIT
H

