

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

ORDINANCE NO. 2010-13

AN ORDINANCE AMENDING ARTICLE III, SECTION 7, COMMUNITY
SERVICE FACILITIES OF THE SANTA FE COUNTY LAND DEVELOPMENT
CODE, ORDINANCE 1996-10 FOR THE PURPOSE OF CLARIFYING
STANDARDS AND SUBMITTAL REQUIREMENTS

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY THAT ARTICLE III, SECTION 7 OF THE SANTA FE
COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-10, IS AMENDED
BY REPLACING THE EXISTING PROVISION WITH THE FOLLOWING:

SECTION 7 – COMMUNITY SERVICE FACILITIES

Community service facilities are facilities which provide service to a local community organization. These may include governmental services such as police and fire stations, elementary and secondary day care centers, schools and community centers, and churches.

7.1 Standards

Community service facilities are allowed anywhere in the County, provided all requirements of the Code are met, if it is determined that:

7.1.1 The proposed facilities are necessary in order that community services may be provided for in the County;

7.1.2 The use is compatible with existing development in the area and is compatible with development permitted under the Code; and

7.1.3 A master plan and preliminary and final development plan for the proposed development are approved.

7.2 Submittals and Review

The submittals and reviews for community service facilities shall be those provided for in Article III, Section 4.4 and Article V, Section 5.2 (Master Plan Procedure) and Section 7 (Development Plan Requirements).



NBE 38

SEC CLERK RECORDED 10/28/2010

PASSED, APPROVED, and ADOPTED this 12th day of October, 2010, by the Board of County Commissioners of Santa Fe County.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

By: [Signature]
Harry B. Mentoya, Chair

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



Approved As To Form:

[Signature]
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC ORDINANCE
PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 20TH Day Of October, 2010 at 10:55:33 AM And Was Duly Recorded as Instrument # 1614420 Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 10/20/2010

4.4 Design Standards and Review Criteria

In addition to the other requirements of the Code, the following standards and criteria will be applied in the review process:

4.4.1 Submittals

- a. To zone or re-zone any parcel for a commercial or industrial non-residential district a master plan shall be submitted. Submittals and procedures for master plans are set forth in Article V, Section 5.2.
- b. A development plan shall be submitted for individual uses to be permitted within the district, as follows:

- 1) Vicinity Map: A vicinity map drawn at a scale of not more than one inch equals two thousand feet (1"=2000') showing contours at twenty foot (20') intervals showing the relationship of the lot, tract or parcel to its general surroundings, and the location of all existing drainage channels, water courses and water bodies within one mile of the development site.

- 2) Existing Site Data: A description of existing conditions on or adjacent to the lot, tract or parcel, including proof that the parcel is a legal lot of record. Maps shall be at a scale of one inch (1") to one hundred feet (100') or larger and shall include the following:

- (a) Boundary lines, bearings and distances: The error or closure shall be of a third order survey, and no discrepancy between computed and measured distances shall exceed one (1) part in one thousand two hundred eighty (1,280) parts.
- (b) Easements: Location, width and purposes.
- (c) Streets on and immediately adjacent to the tract, name and right-of-way width.
- (d) Utilities on and immediately adjacent to the tract.
- (e) Owners of record or unplatted land and existing subdivision plats by name and recordation, shall be shown for property within one thousand feet (1,000') of that tract.
- (f) Title and certificates: Present tract designations according to official records in the County Clerk's Office, title under which the proposed development is to be recorded with name and address of owner, notation stating acreage, scale, true and magnetic north arrow, U.S.G.S. datum and benchmarks, if any, certification of the engineer or land surveyor licensed in accordance with the laws of the State of New Mexico who prepared the plat.

- 3) Site Plan

- (a) The site plan consisting of a map and other drawings or documents drawn to a scale of one inch (1") to one hundred feet (100'), or larger, shall show the following:

- (1) proposed arrangement of buildings;
- (2) proposed off-street parking and loading facilities;
- (3) proposed access to the site and internal vehicular circulation;
- (4) existing and proposed landscaping;
- (5) proposed location and type of fences, walls, and signs;
- (6) drainage and grading plan indicating existing and proposed contours; soils and flood plain areas;
- (7) a lighting plan;



- (8) proposed architectural treatment;
 - (9) The Buildable Area and the No Build Area(s) on each lot shall be clearly indicated by shading, pattern or comparable graphic method (see Article VII, Section 3.4.1 for Buildable Area Performance Standards.)
- (b) The site plan shall respond to Section 4.4.3 Site Planning Standards for driveway access, building placement, parking lot location and terrain management.
- 4) Development Plan Report
The development plan report shall include all submittals pursuant to this Article III, Section 4 of the Code.
- 5) Traffic Generation Report
- a) The amount of traffic generated by the development shall not at any time impede traffic flow, or cause public roads to operate at over capacity.
 - b) If a fair and substantial showing is made that the development will increase the burden on inadequate public roads, utilities or other services, the use may be denied, or the developer may be required to undertake the full cost of improvements to the public road or other services in order to meet the test of adequacy.
 - c) A traffic report shall be prepared, signed and sealed by a registered New Mexico professional engineer, or other qualified professional as determined by the Code Administrator. Report contents shall be based upon existing traffic conditions in relation to existing road capacity and level-of-service (LOS); a projection of traffic to be generated by the development; and recommendations for mitigating any negative effects to existing road capacity which may occur as a result of new development. Where applicable, the International Traffic Engineers (ITE) Trip Generation Report 1987, 4th Ed. shall be used as a reference in calculating traffic projections. Copies of the ITE Trip Generation Report are available in the Land Use Administrators Office.

~~History. 1980 Comp. 1980-6. Section 4.4.1 Submittals was amended by County Ordinance 1990-11, to clarify and make additions to the submittals required of the applicant for non-residential use zoning.~~

~~4.4.2 Environmental Performance Standards~~

~~The proposed development shall utilize standard techniques available in order to minimize noise, vibration, smoke and other particulate matter, odorous matter, toxic or noxious matter; radiation hazards; fire and explosive hazards, or electromagnetic interference. The Code Administrator may refer an application to the New Mexico Environment Department for comment concerning the performance standards. If it is determined that the development will create any dangerous, injurious, noxious or otherwise objectionable condition, noise or vibration; smoke, dust, odor, or other form of air pollution, electrical or other disturbance, glare or heat, in a manner which causes a significant adverse impact to the adjacent areas, a plan shall be submitted which states how such conditions will be mitigated.~~

~~History. 1980 Comp. 1980-6. Section 4.4.2 was amended by County Ordinance 1990-11. This Section was previously 4.4.3.~~

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 or 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.



The locations of all Federal, State, or County Roads within one thousand (1000) feet of the parcel shall be shown. In addition, location of future highways and arterials as designated on the appropriate master plan for roads in the County (see 3-19-9 N.M.S.A. 1978) shall be shown.

- b. Existing Site Data. A description of existing conditions on or adjacent to the site. Maps shall be at a scale of one (1) inch to one hundred (100) feet or other appropriate scale as determined by the Code Administrator and shall include the following:
- 1) Boundary lines: bearings and distances. The error of closure shall be of a third order survey, and no discrepancy between computed and measured distances shall exceed one (1) part in 1,280 parts;
 - 2) Easements: Location, width and purpose;
 - 3) Streets or Roads on and immediately adjacent to the tract, name and right-of-way width;
 - 4) Utilities on and immediately adjacent to the tract;
 - 5) Owners of record of unplatted land and existing subdivision plats by name and recordation, together with owners of record for affected lots shall be shown for property within one-hundred (100) feet of that tract not including public rights-of-ways.
 - 6) Title and certificates: Present tract designations according to official records in the County Clerk's Office, title under which the proposed development is to be recorded with name and address of owner, notation stating acreage, scale, true and magnetic north arrow, U.S.G.S. datum and benchmarks, if any, certification of the engineer or land surveyor licensed in accordance with the laws of the State of New Mexico who prepared the plat.
 - 7) Proof of legal access from a county or state road as required by the Code.
- c. Conceptual environmental plan shall include, when appropriate:
- 1) Graphic representation of existing topography, natural features, slopes, and floodplains.
 - 2) Soils maps and reports (SCS)
 - 3) Recreational and/or open space plan, or landscape concepts.
 - 4) Liquid waste disposal plan, and
 - 5) Water Supply plan.
- d. Master plan map(s) showing the proposed development in sketch form, including:
- 1) Proposed major vehicular and pedestrian circulation system.
 - 2) Designation and description of proposed land uses, including information about residential uses by type, area and density, and information about office, general commercial and industrial uses by area and intensity of development. Mixed uses shall not be prohibited.
 - 3) Logical and natural boundaries defining development limitations, and
 - 4) Any proposed sites for schools or other community facilities.
- e. A phasing schedule shall be included in the master plan giving a general description of each phase of the development.
- f. A schematic utilities plan showing location, locational cross sections, and approximate line sizes. It is recognized that there may be changes in the final utilities plan due to the requirements of utility companies or final engineering plans and specifications.

- 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.

SECTION 6 - FEES AND LEVIES**6.1 Standard Fees**

Any person desiring to subdivide land in the County shall pay the current administrative fees set by the County. A fee schedule, which may be periodically amended, is available from the Code Administrator.

6.2 Additional Fees for Unusual Circumstances

Where additional review by the County is required above and beyond normal review requirements due to complex, unforeseen, or unique circumstances relating to the proposed plan or plat, such as complex hydrological considerations, then the County may charge an additional review fee to defray the cost of such review. Review fees shall be only for professional services rendered to the County in the case that the County does not have qualified personnel to assist in reviewing such reports, plans and plats. When an additional fee is deemed necessary, the fee shall be arrived at between the County and the subdivider.

SECTION 7 - DEVELOPMENT PLAN REQUIREMENTS**7.1 Preliminary Development Plans****7.1.1 Pre-application conference**

- a. Prior to the application for approval of a preliminary development plan for any phase or for an entire project, the subdivider may confer with the Code Administrator regarding the plan submittal and requirements of the Code according to Section 5.1 of this Article.
- b. At this time 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.

7.1.2 Information to be submitted

- a. Evidence of legal lot of record;
- b. Contour intervals of two feet or such other appropriate scale as determined by the Code Administrator;
- c. Arrangements, location and size of buildings, where applicable;
- d. Off-street parking and loading or dumping facilities, where applicable;
- e. Internal vehicular and pedestrian circulation, and ingress and egress;
- f. A drainage, grading, and erosion control plan including existing and proposed contours for roads and utilities; a preliminary/conceptual grading plan around buildings, when applicable;
- g. A landscaping plan providing a schedule specifying conceptual methods, to include type, size, and location of vegetative and non-vegetative landscape material, and a preliminary description of the irrigation system to be used;
- h. Walls, fences and earth berms; their approximate locations and identifying types of fences and walls, if applicable;
- i. Size, location, orientation, lighting and type of signage, where applicable;
- j. Conceptual plan for outdoor lighting, including type, size, location of fixtures, if applicable;
- k. Easements, rights-of-way and street design;
- l. Access to telephone, gas, and electric utility service;
- m. Utility plan for water and sanitary sewer;
- n. Residential densities/gross acres;



- o. Intensity of non-residential development, including lot coverages, gross floor area ratios or gross square feet of building area;
- p. A vicinity map showing the boundaries of the project, owners of record within one hundred feet of the tract including public rights-of-way and existing conditions and development, including adjacent streets and utilities, for at least two hundred feet from the project boundaries;
- q. If appropriate, the phases and approximate dates of development of the phases;
- r. The plan shall be drawn at a scale of one hundred feet (100') to the inch or such other appropriate scale as determined by the Code Administrator;
- s. Proposed community facilities and/or sites and recreational areas, if any, and proposed ownership of such;
- t. A schedule of on-site and off-site public improvements with the time of construction related to the phasing schedule;
- u. Information as required by state agencies;
- v. The preliminary subdivision plat may be submitted concurrently with the preliminary development plan, but is not required. Submittal of a schematic or sketch subdivision plat showing proposed lot layout, approximate dimensions and lot areas together with topography and natural features; and
- w. A written traffic report prepared by a licensed traffic engineer or other qualified expert as determined by the Code Administrator.
- x. 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.
- y. Water Supply Plan - Water System. As required by Article VII, Section 6 of the Code and Table 5.1, of Section 9.3 of this Article V.
- z. Solid Waste Disposal Plan. As required by Article VII, Section 7 of the Code.
- aa. Liquid Waste (Disposal) Plan. As required by Article VII, Section 2 of the Code.
- bb. Timing and Phasing of Development. Projections for 5 to 10 years.
- cc. Copies of deed restrictions and protective covenants must be submitted.

7.1.3 Review

- a. A preliminary development plan may be only a phase or portion of the area covered by an approved master plan, so long as the preliminary development plan substantially conforms to the approved master plan.
- b. A preliminary development plan shall be submitted prior to or concurrent with submission of a preliminary plat.
- c. The application for preliminary development plan approval shall be presented to the County Development Review Committee for review with a staff report. The staff report shall include a description of the proposed project, an evaluation of pertinent planning issues, and a statement on the compliance of the project with the County General Plan and Code. The report may include recommended conditions of approval. The report shall include all comments from appropriate State or Federal agencies, the County Fire Marshal, the County Hydrologist, and other appropriate County personnel. Particular attention shall be given in the staff report to public

agency comments which relate to potential limitations of lot size, intensity, or character of development.

7.1.4 Criteria for development plan phase approval

- a. Conformance to the approved master plan;
- b. The plan must meet the criteria of Section 5.2.4 of this Article V.

7.2 Final Development Plan

7.2.1 Submittals

A final development plan conforming to the approved preliminary plan and approved preliminary plat, if required, and containing the same required information shall be submitted. In addition, the final development plan shall show, when applicable, and with appropriate dimensions, the locations and size of buildings, heated floor area of buildings, and minimum building setbacks from lot lines or adjoining streets. Documents to be submitted at this time are: proof of ownership including necessary title documents, articles of incorporation and by-laws of owners' association; required disclosure statements; final engineering plans and time schedule for grading, drainage, and all improvements including roads, water system, sewers, solid waste, utilities; engineering estimates for bonding requirements; development agreements; and final subdivision plats, if required.

7.2.2 Review

The final development plan shall be submitted to the County Development Review Committee accompanied by a staff report. The County Development Review Committee shall review the plan and make a determination as to its compliance with the County General Plan and Code. The County Development Review Committee may recommend changes or additions to the plan as conditions of its approval. The final development plan as approved by the County Development Review Committee shall be filed with the County Clerk. The approved final development plan becomes the basis of development permits and for acceptance of public dedications. Any changes in the plan must be approved by the County Development Review Committee.

History. 1980 Comp. 1980-6. Section 7 of Article V was amended by County Ordinance 1987-1 adding language relating to master plans.

SECTION 8 - SUBDIVISION DESIGN STANDARDS

These standards shall be binding upon the subdivider unless modifications are justified by sound engineering principles. Such modifications from these standards may be approved by the Board after a review by the County Development Review Committee upon presentation of documented justification by a licensed professional engineer.

8.1 General Policy on Roads

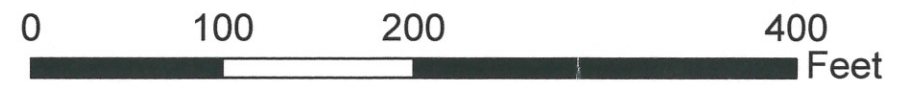
8.1.1 General

The arrangement, character, extent, width, grade and location of all roads shall be considered in relation to convenience and safety, and to the proposed uses of land to be served by such roads. Prior to grading or roadway cuts, all applicable permits shall be granted by the Code Administrator.



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.



Map of Property in Santa

May 25, 2012

1 inch represents 100 feet

EXHIBIT
7





New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

February 17, 2012

Mr. Jose E. Larrañaga
Commercial Development Case Manager
P.O. Box 276
Santa Fe, NM 87504-0276

Re: CRDC Case #12-5000 Camino de Paz School & Farm

Dear Mr. Larrañaga:

Traffic staff reviewed the Development Report for the above referenced project in Santa Fe County, NM. It is apparent from the letter from Mr. Morey Walker that impacts for Phase I from the development will be minimal to the state roadway system. No further action is required for Phase I.

The developer will need submit an updated Site Traffic Analysis before other phases of the development are constructed. The analysis will need to analyze the intersection of NM 76 and Camino de Paz.

If you have any questions, please feel free to call me at 505-476-4238.

Sincerely,

Javier A. Martinez, P.E.
District 5 Assistant Traffic Engineer

xc: Ruben Garcia, P.E., District Traffic Engineer, District 5

Susana Martinez
Governor

Alvin C. Dominguez, P.E.
Cabinet Secretary

Commissioners

Pete Rahn
Chairman
District 3

Debra Hicks
Vice Chairman
District 2

Dr. Kenneth White
Secretary
District 1

Ronald Schmeits
Commissioner
District 4

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6



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STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

February 6, 2012

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Jose E. Larrañaga
Commercial Development Case Manager
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Reference: Camino de Paz School & Farm Development Plan

Dear Mr. Larrañaga:

On January 13, 2012, the Office of the State Engineer (OSE) received a request to provide comments for the Camino de Paz School & Farm Development Plan submittal.

The proposal provides an outline for the expansion of the existing Camino de Paz School & Farm. The school expansion will consist of building improvements, an increased student enrollment (45 students for Phase I and 45 for Phase II) and an increase in teaching staff (6 teachers for Phase I and 6 for Phase II). The development is located on a 2.7 acre parcel approximately 3 miles east of Espanola in Cuarteles, adjacent to the intersection of Camino de Paz and New Mexico State Road 76 in Section 7, Township 20 North, Range 9 East, NMPM. The proposed water will be supplied by Cuatro Villas Mutual Domestic Water Users Association.

This proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act.

When a development/subdivision proposal is received by the OSE, the developer's water demand analysis is reviewed (pursuant to the Code) to determine if it is technically correct and reasonable. The OSE also verifies that the appropriate conservation measures are reflected in the analysis. Further, data in the water demand analysis is compared with the data and statements included in the disclosure statement and in the restrictive covenants to make sure that they are consistent with each other.

The proposal contains a water demand analysis for each of the two Phases. Estimates are based on boarding school/institutional facility requirements and livestock water use. The total project

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water demand at build out is approximately 2.79 acre-feet per year. The water demand analysis provided is technically correct and reasonable.

A letter from Cuatro Villas Mutual Domestic Water Users Association (Cuatro Villas) is included in the proposal as required by Section 6.4.4(a) of the Code.

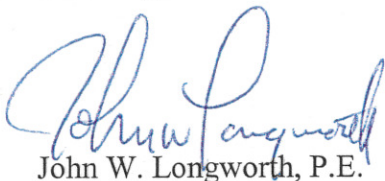
Section 47-6-11.F (1) of the New Mexico Subdivision Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. Therefore, the OSE reviews the water rights and the physical water availability.

Based on OSE records, Cuatro Villas over-diverted in 2008 and 2009. In 2010 and 2011, Cuatro Villas did not pump water from their wells in order to pay back part of the over-diversion amount. Cuatro Villas purchased approximately 16 acre-feet of water from the City of Espanola in 2010 and 2011 to supply water to their customers. According to Mukhtiar Singh Khalsa (President of Cuatro Villas), Cuatro Villas currently has an open bulk contract to purchase water from Espanola as needed.

Article VII, Section 6.1 of the Code allows the Santa Fe County Land Use staff to refer development plans to state agencies for review *"if, in the opinion of the County Hydrologist and the Code Administrator, such referrals will provide information necessary to the determination of whether or not a proposed development is in conformance with provisions of this Code"*. The OSE recognizes the proactive actions on behalf of the County to solicit the technical opinion of the OSE on this development plan. However, because the proposed development is not formally covered under the New Mexico Subdivision Act, the OSE declines to provide an opinion at this time. We appreciate the opportunity to review the Camino de Paz School & Farm Development Plan.

If you have any questions, please call Julie Valdez at 505-827-6790.

Sincerely,



John W. Longworth, P.E.

Water Use & Conservation/Subdivision Review Bureau Chief

cc: OSE Water Rights Division, Santa Fe Office

NBE 52



SUSANA MARTINEZ
GOVERNOR

JOHN A. SANCHEZ
LIEUTENANT GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
OPERATIONS & INFRASTRUCTURE DIVISION
Field Operations Bureau

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BUTCH TONGATE
ACTING DEPUTY SECRETARY

FRANK FIORE
ACTING BUREAU CHIEF

March 1, 2012

Morey Walker, P.E.
Walker Engineering
905 Camino Sierra Vista
Santa Fe, NM 87505

RE: Camino de Paz School & Farm

Dear Mr. Walker:

I have reviewed your February 21, 2012 letter with the Environmental Health Bureau Engineer, Tom Brandt, P.E. Your letter proposed estimated design flows and proposed usage of the the existing liquid waste system at the Camino de Paz School and Farm. Your total daily design flow is estimated at 592 gallons per day. Since this exceeds the design flow on the original liquid waste permit (525 gpd); the applicant will need to submit a modification permit to the Espanola Field Office. You will be able to use the existing septic tank and disposal field if you or another professional inspector/contractor determine that they are functioning properly. Upon receipt of a complete liquid waste permit modification application we will review it for completeness and if all is in accordance with the regulations we will grant the permit with the condition that the school enrollment shall not exceed 35 students and there shall be no more than 6 staff.

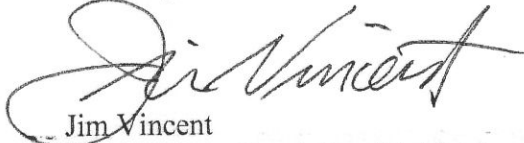
We understand that there will be an additional phase of this project in which you plan on increasing your student enrollment to 90. This will likely require a Groundwater Discharge Permit and you will need to submit a Notice of Intent to the Groundwater Quality Bureau (GWQB). In a recent discussion with GWQB, they suggested planning for this future expansion and ensuring that there will be enough space to add additional septic tanks, a treatment unit and additional disposal field.

NBE-53

One other issue that will need to be clarified is the status of the existing liquid waste system for the mobile home that is on the adjacent lot. We want to make sure that this is not connected to the septic system we have discussed above and we want to make sure that it is properly permitted.

Please let me know if you have any questions. I may be reached at 827-1840.

Sincerely,



Jim Vincent

Liquid Waste Specialist- District 2

cc:

Joseph Valdez, Environmental Specialist, Espanola Field Office

Tom Brandt, P. E., Environmental Health Bureau Engineer

NBE54



Susana Martinez
Governor

State of New Mexico
ENVIRONMENT DEPARTMENT

Environmental Health Bureau

Espanola Field Office

712 La Joya Street

Espanola, NM., 87532

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F. David Martin
Secretary

Butch Tongate
Deputy Secretary

Frank Fiore
Acting Director

February 7, 2012

Mr. Jose E. Larrañaga,
Commercial Development Case Manager
Santa Fe County
Planning & Zoning Department
P.O. Box 276
Santa Fe, New Mexico, 87504-0276

RE: CDRC Case #12-5000 Camino De Paz School & Farm

Dear Mr. Larrañaga,

The New Mexico Environment Department Espanola Field Office has received and reviewed the CDRC Case #12-5000 Camino De Paz School & Farm Master Plan & Preliminary Development Plan Submittal. The Department (NMED) has identified concerns regarding the proposed liquid waste disposal of phase I and Phase II proposals, in regards to the current liquid waste disposal system under permit ES77039.

According to the information provided, the New Mexico Environment Department has determined that the existing liquid waste disposal system appears to be inadequate for the planned activity of Phase I and Phase II. The existing permit for liquid waste disposal ES77039 is sized for a 5 bedroom residence. The existing onsite liquid waste disposal system (Septic system) is not designed for a school or other non residential flows greater than 525 gallons per day of liquid waste disposal.

Phase I appears to plan for 45 students @ 20 gallons per day /student¹, which would equate to 900 gallons per day. The expansion of staff to 6 would add an additional 120 gallons per day to the overall proposed flow equaling 1020 gallons per day.

Phase II would add 3000 additional gallons per day for the 30 boarding students plus an additional 300 gallons per day for the 15 non-boarding students. The total design flow for the completion of Phase II would be in excess of 2000 gallons per day which would require a Groundwater Discharge permit administered by the Ground Water Quality Bureau (827-2963) of the New Mexico Environment Department.²

Also note that there is insufficient information regarding the poultry (chicken) processing component. It is possible that this proposed activity may add additional discharge flow to the overall Phase I/Phase II proposal. This activity may also require additional treatment prior to discharging any liquid waste associated with excessive amounts of grease, garbage (feathers) or other ingredients that may affect the operation of an onsite liquid waste system.³

NBE-55

Also worth mentioning is the location of proposed parking appears to be above the existing septic tank and leach field. This would be detrimental to function of the on-site liquid waste system. Parking and driving on a leachfield could lead to compaction of leach field and surfacing of effluent may occur. This leachfield design would not be approved by the Department.

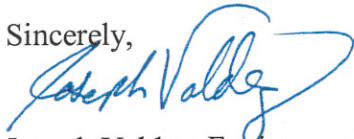
The current well may not meet the setback to the current onsite liquid waste system if it is a public well. A public well must have 100 foot setback to Septic Tanks and 200 foot setback to leach field(s).⁴

The current septic system appears to originate in one lot or parcel and cross into another lot or parcel. Please note that a liquid waste system according to regulation; shall be located wholly on the same lot, which is the site of the source served by the on-site liquid waste system.⁵

In Summary, the current design of the liquid waste disposal system is not sized to accommodate the projected use of this facility as a school/non-residential on-site liquid waste system. The system would need to be significantly modified or replaced to accommodate both present and projected design flow.

If you have any questions regarding the review of the CDRC Case #12-5000 Camino De Paz School & Farm or other matters related to this permit, please contact the Espanola Field Office at (505)-753-7256.

Sincerely,



Joseph Valdez, Environmental Scientist & Specialist
New Mexico Environment Department
Environmental Health Bureau

Attachments: Permit ES-77039

Liquid Waste Disposal and Treatment Regulation 20.7.3 NMAC Table 201.

Liquid Waste Disposal and Treatment Regulation 20.7.3 NMAC Table 302.1.

xc:

file ES-77039

Robert Italiano District II Manager

Jim Vincent District II Liquid Waste Specialist

Robert George – Groundwater Protection Bureau

Camino De Paz School & Farm- Greg Nussbaum/Patty Pantano

¹ Liquid Waste Disposal and Treatment Regulation 20.7.3 NMAC table 201.1 #17 – Schools

² Ibid-20.7.3.7 DEFINITIONS: As used in 20.7.3 NMAC L. (5)

³ Ibid- 20.7.3.201 A.

⁴ Ibid-table 302.1 Minimum Setback and clearance requirements

⁵ Ibid- 20.7.3.201 G.