

Santa Fe County Development Review Committee
County Commission Chambers
County Administration Building
Regular Meeting

February 21, 2013 at 4:00 PM

Please turn off Cellular Phones during the meeting.

Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge Of Allegiance
- IV. Approval of Agenda

- A. Amendments
- B. Tabled Or Withdrawn Items

- V. Approval of Minutes

- A. Approval of January 17, 2013 Regular Meeting Minutes

- VI. Approval of Consent Calendar

- A. Final Order

- i. CDRC CASE # ACCS 12-5390 Leeto Raivo & Holly Alsobrook Accessory Structure. Leeto Raivo And Holly Alsobrook, Applicants, Requested Approval Of A 2,400 Square Foot Accessory Structure To Be Utilized As A Barn On 5.0 Acres. The Property Is Located At 61A Hillside Road In Edgewood, Within Section 19, Township 10 North, Range 7 East, (Commission District 3). Approved 6-0, John Lovato.
- ii. CDRC CASE # MIS 12-5440 Perla Rascon. Perla Rascon, Applicant, Requested The Recognition Of A 0.95 Acre Parcel As A Legal Lot Of Record. The Property Is Located At 65B Loma Vista Road, In The Vicinity Of La Puebla, Within Section 4, Township 20 North, Range 9 East, (Commission District 1). Approved 6-0 John Lovato.

- VII. Old Business

- A. CDRC CASE # Z/S 08-5440 Tierra Bello Subdivision. Joseph Miller, Applicant, Danny Martinez, Agent, Requests Master Plan Zoning Approval For A 73-Lot Residential Subdivision On 263.769 Acres ± And Preliminary And Final Plat And Development Plan Approval For Phase 1, Which Will Consist Of 9 Lots. The Property Is Located At The Northeast Intersection Of Avenida De Compadres And Spur Ranch Road, South Of Avenida Eldorado In Eldorado, Within Sections 24 And 25, Township 15 North, Range 9 East, (Commission District 5). Vicki Lucero, Case Manager.

VIII. New Business

- A. CDRC CASE # V 12-5360 Henry Sanchez Variance. Henry Sanchez, Applicant, James McCreight, Agent, Request A Variance Of Article III, Section 2.3.6b2 (Height Restrictions For Dwellings Or Residential Accessory Structures) To Allow An Existing 1,000 Square Foot Accessory Structure To Exceed 18 Feet In Height On 2.5 Acres. The Property Is Located At 35 Heather Lane, Within The Vicinity Of Chupadero, Within Section 5, Township 18 North, Range 10 East (Commission District 1). John Lovato, Case Manager.

- B. CDRC CASE # V 12-5111 William Frederick Wagner Variance. William Frederick Wagner, Applicant, (Sommer, Karnes & Associates, LLP), Joseph Karnes, Agent, Request A Variance Of Article III, Section 10 (Lot Size Requirements) Of The Land Development Code To Allow A Family Transfer Land Division Of 31.824 Acres Into Two Lots; One Lot Consisting Of 20.990 Acres And One Lot Consisting Of 10.834 Acres. The Property Is Located At 45 La Barbaria Trail, Within Section 9, Township 16 North, Range 10 East, (Commission District 4). Wayne Dalton, Case Manager.

- C. CDRC CASE # Z/S 12-5450 Cielo Colorado Subdivision. Cielo Colorado, LLC, Applicant, Jim Siebert, Agent, Requests Master Plan Zoning Approval For A 67-Lot Residential Subdivision On 257.16 Acres \pm Within Tract 15A-2 Of The Eldorado At Santa Fe Subdivision. The Applicant Also Requests Approval To Allow Four Cul-De-Sacs (Dead End Roads) To Exceed 500 Feet In Length. The Property Is Located On The East Side Of Us 285, Off Camino Acote, Within Sections 21 & 22, Township 15 North, Range 10 East (Commission District 5). Jose E. Larrañaga, Case Manager.

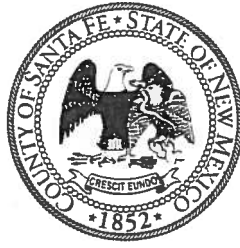
- D. Petitions From The Floor
- E. Communications From The Committee
- F. Communications From The Attorney
- G. Matters From The Land Use Staff
- H. Next CDRC Regular Meeting: March 21, 2013
- I. Adjournment

The County of Santa Fe makes every practical effort to assure that its meetings and programs are accessible to people with disabilities. Individuals with disabilities should contact Santa Fe County at 986-6225 in advance to discuss any special needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

CASE NO. MIS 12-5390

MISCELLANEOUS

LEETO RAIVO & HOLLY ALSOBROOK, APPLICANTS

ORDER

THIS MATTER came before the County Development Review Committee ("CDRC") for hearing on December 20, 2012 on the Application of Raivo Leeto and Holly Alsobrook ("the Applicants") for a development permit for a 2,400 square foot accessory structure to be utilized as barn on 5.0 acres. After conducting a public hearing on the Application, the CDRC hereby **APPROVES** the Application and makes the following findings of fact and conclusions of law:

1. The Applicant requests approval to allow a 2,400 square foot accessory structure to be utilized as a barn on 5.0 acres.
2. The property is located at 61A Hillside Road in Section 19, Township 10 North, Range 7 East.
3. Santa Fe County Land Development Code ("Code"), as amended by Ordinance No. 1997-4 states, under Article II, Section 2.3.1. "An accessory structure greater than 2,000 square feet, shall be submitted with a site plan to the CDRC for approval."

4. Additionally, Article III, Section 2.1 provides, "Residential uses and accessory structures, as defined herein, are allowed anywhere in the County provided all of the requirements of the Code are met."
5. Staff supported the Application and recommended the following conditions of approval:
 - A. The Applicant must obtain a development permit from the Building and Development Services Department for the accessory structure.
 - B. The Applicant shall comply with all Fire Marshal requirements at time of development permit Application.
 - C. Compliance with minimum requirements for water harvesting.
6. The Applicant consented to staff's conditions.
7. No one from the public spoke in favor or in opposition to the request.
8. The Application met all Code requirements.
9. After conducting a public hearing on the request and having heard from the Applicant, the County Development Review Committee concurs with staff's recommendation to approve the Application for a 2,400 square foot accessory structure on 5.0 acres.

IT IS THEREFORE ORDERED that the Application to allow a 2,400 square foot accessory structure is approved subject to the conditions set forth in paragraph 5 above.

This Order was approved by the County Development Review Committee on this _____ day of _____, 2013.

COUNTY DEVELOPMENT REVIEW COMMITTEE OF SANTA FE COUNTY

By: _____
J.J. Gonzales, County Development Review Committee Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Stephen C. Ross, County Attorney

V. **APPROVAL OF THE MINUTES: November 15, 2012**

A typographical error was noted on page 2. Member Martin moved to approve the minutes as corrected. Her motion was seconded by Member Katz and passed by unanimous [6-0] voice vote.

VI. **NEW BUSINESS**

- A. **CDRC CASE # ACCS12-5390. Leeto Raivo & Holly Alsobrook Accessory Structure. Leeto Raivo & Holly Alsobrook, Applicants, request approval of a 2,400 square foot Accessory Structure to be utilized as a barn on 5.0 acres. The property is located at 61A Hillside Road in Edgewood, within Section 19, Township 10 North, Range 7 East, (Commission District 3)**

Mr. Lovato presented the staff report as follows:

“On March 11, 1997, the Board of County Commissioners adopted Ordinance No. 1997-4 which states that the CDRC is required to review for approval, any accessory structure which is greater than 2,000 square feet. The Applicant requests approval to construct an accessory structure totaling 2,400 square feet to be utilized as a barn. The accessory structure will consist of four stalls, a tack room, and a breezeway. There is currently a residence on the property.

“Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request.”

Mr. Lovato indicated that staff recommends approval for a 2,400 square foot accessory structure to be utilized as a barn with the imposition of the following conditions:

1. The Applicant must obtain a development permit from the Building and Development Services Department for the accessory structure. (As per Article II, § 2).
2. The Applicant shall comply with all Fire Prevention Division requirements at time of development permit Application (As per 1997 Fire Code and NFPA Life Safety Code).
3. Compliance with minimum requirements for water harvesting (As per Ordinance 2003-6).
4. The structure shall be constructed of non-reflective earth tone colors (As per Article III, § 2.3.8a.2).

Duly sworn, agent for the applicants, Kurt Valker, Albuquerque, said this is a request for the placement of a prefabricated MD Barn structure. The outside of the barn is saddle-tan with a green roof meeting the Code requirements. The barn has a pitched roof and he noted that there were many MD Barn structures in Santa Fe County.

Responding to Member DeAnda's question, Mr. Valker said rain barrels would be used for water catchment and a berm may be constructed.

Mr. Valker confirmed there was no plumbing proposed within the barn. Water for the horses will come from a spigot approximately 25 feet from the barn. The height of the structure is 15 feet and the maximum allowable height is 24 feet.

There was no one from the public wishing to speak regarding this case.

Member DeAnda moved to approve #ACCS 12-5390 with staff conditions. Her motion was seconded by Member Martin and passed by unanimous [6-0] voice vote.

- C. **CDRC CASE # Z/S 08-5430 Spirit Wind West Subdivision Joseph Miller, Applicant, Danny Martinez, Agent, request Master Plan Zoning approval for a 39-lot residential subdivision (Spirit Wind West) on 133.73+ acres and Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 16 lots. The property is located south of Eldorado, on the east side of US 285, off Old Lamy Trail (CR 33), within Section 5, Township 14 North, Range 10 East and Section 32, Township 15 North, Range 10 East (Commission District 4) [Exhibit 1: Guerrero letter opposing the subdivision dated 9/10/12; Exhibit 2: Letters expressing concerns regarding proposed development: Robert Miller, Lonyta Viklund-Gallowa and Victoria Seale]**

Ms. Lucero provided the staff report as follows:

"The Applicant requests Master Plan Zoning approval for a residential subdivision located northeast of the intersection of US 84-285 and Old Lamy Trail. The subdivision will consist of 39 single-family residential lots on 133.73+ acres which will be developed in 4 phases. The proposed lots range in size from 2.49 acres to 3.47 acres. The property is located within the Homestead Hydrological Zone where the minimum lot size is 40 acres per dwelling unit with a 0.25 acre-foot per year per lot water restriction, unless water availability is proven to support increased density or community water and/or sewer is available.

"The Applicant also requests Preliminary and Final Plat and Development Plan approval for Phase I of the subdivision which will consist of 16 residential lots. This Application was submitted on February 6, 2012.

"Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request."

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

CASE NO. V 12-5440

LEGAL LOT RECOGNITION

PERLA RASCON, APPLICANT

ORDER

THIS MATTER came before the County Development Review Committee (hereinafter referred to as "the CDRC") for hearing on January 17, 2013, on the Application of Perla Rascon (hereinafter referred to as "the Applicant") requesting approval of Article 4.4 Procedure for Approval of lots Created Prior to the Effective Date of the Code (January 1, 1981) Which do not meet the Lot Size Requirements of the Code for the recognition of a 0.95 acre lot as a legal lot of record. The CDRC, having reviewed the Application and supplemental materials, staff reports and conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests the recognition of a 0.95 acre lot as a legal lot of record.
2. The Property is located within the Traditional Community of La Puebla where the minimum lot size is 0.75 acres per dwelling.
- 3 The property is located at 65B Loma Vista, within Section 4, Township 20 North, Range 9 East.
4. In support of the Application, the Applicant submitted proof of taxes paid since 1986, and a deed to the property dated April 12, 1984.

5. The County issued a permit for the property for an addition to a mobile home, however at this time no structures are on the property other than a foundation.
6. The County Development Review Committee conducting a public hearing on the request, at which no one from the public spoke in favor of or in opposition to the application, and at which the Applicant, speaking through a translator, requested approval of her request that her 0.95 acre lot to be recognized as a legal lot of record.

IT IS THEREFORE ORDERED that request for recognition of a .95 acre lot as a legal lot of record is granted.

This Order was approved by the County Development Review Committee of Santa Fe County on this ___ day of February 21, 2013.

COUNTY DEVELOPMENT REVIEW COMMITTEE OF SANTA FE COUNTY

By: _____
JJ Gonzales, Chair

Attest:

Geraldine Salazar; County Clerk

Approved as to form:



Stephen C. Ross, County Attorney

her neighbors. She has aerial photos that show the studio was built between 1988 and 1992.

Ms. Sutton said she wants the variance because she can't turn back 20 years. She has improved the property at great expense. Contrary to the complaint, she did not build the studio. It does not interfere with the neighborhood or environment. She has met with the Fire Department in order to comply with requirements.

Member Drobnis asked about the areas blanked out in the letter of intent. Mr. Romero said that was private medical information.

Ms. Sutton said there are four letters of support. The property has one septic system that was serviced this spring.

There was no one from the public wishing to speak.

Member Drobnis asked the applicant if the person in the studio could live there without the kitchen. Ms. Sutton said she could not.

Member Valdez moved to approve the variance request with staff conditions. Member Anaya seconded.

Member Katz pointed out this was not a self-imposed condition.

The motion passed by 5-1 voice vote with Member Drobnis casting the nay vote.

- VII. B. **CDRC Case #MIS 12-5440 Perla Rascon. Perla Rascon, Applicant, requests the recognition of a 0.95-acre parcel as a legal lot of record. The property is located at 65B Loma Vista Road, in the vicinity of La Puebla, within Section 4, Township 20 North, Range 9 East, Commission District 1**

Wayne Dalton gave the following staff report:

“The Applicant requests the recognition of a 0.95-acre parcel as a legal lot of record. The property is currently vacant.

“An aerial photograph taken in 1992 shows an existing residence and two sheds on the property. An aerial taken in 2005, shows the same three structures that are located on the subject property. There is a permit associated with the address of 65B Loma Vista under permit, #96-1674, for an addition to a mobile home. However, after conducting an inspection of the property, staff has found the property to be vacant.

“Taxes have been paid on the 0.95-acre portion of property since 1986 and the Applicant has submitted deeds dating back to 1984. It appears the 0.95-acre lot

was created through deed as depicted on the Warranty Deed recorded on April 23, 1984.

“Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request. The Applicant has not provided sufficient documentation that the 0.95-acre parcel was in existence prior to 1981, so recognition as a legal lot is not substantiated. Without recognition as a legal lot of record, the Applicant will be unable to obtain any type of development permit from Santa Fe County.

Mr. Dalton said staff was recommending denial for approval of a 0.95-parcel as a Legal Lot of Record.

Member Katz referred to Section 4.4 outlining procedure for securing approval for lots created prior to the code that do not meet the lot size requirements. However, in this case the lot is greater than the minimum lot size. “Why are we here?”

Mr. Dalton said the applicant has not been able to prove this lot was in existence when the code went into effect. The earliest deed is from 1984.

Deputy County Attorney Rachel Brown agreed that the provision cited does apply only to undersized lots.

Member Valdez asked if the lot was created illegally and Mr. Dalton said in essence it was; it was created through deed in 1984, even though it is notarized at the County. However, the process occurred after 1981 when the code was created. He said they were unable to find an earlier deed. He said no family transfer appears to have been involved.

Mr. Dalton stated Ms. Rascon needs a legal lot of record in order to go through the land use application process. She can't do that because she can't prove this lot was in existence prior to 1981. She needs to provide a survey, which she cannot do she doesn't have a legal lot of record.

Ms. Brown outlined the remedy as surveying the entire property, identifying the separate property Ms. Rascon is trying to create. Chair Gonzales pointed out this would be a burdensome solution.

Mr. Dalton described this as a patent lot from 1951 so there is no plat of survey for this lot. Member Anaya asked if this meant the adjoining properties are not legal lots either and Mr. Dalton said this could be true, and the original owners are deceased. He added anyone can go into the County Clerk's Office and record a warranty deed.

Perla Rascon, speaking through an interpreter and duly sworn, stated she wants to put a house on her property which she can't do until the lot is made legal.

Member Katz asked if the applicant had looked into getting a survey done and Ms. Rascon said she hadn't gotten that far through the process. She said when she sought permission last year to build a fence she was told she had to go through this process first. She bought the lot in 2008 and there were no structures, only a foundation.

There was no one from the public wishing to speak.

Member Martin moved to approve the lot as a legal lot of record. Member Katz seconded and the motion carried unanimously [6-0].

Member Valdez recommended that Ms. Rascon get a survey to in order to get title insurance.

[The committee recessed from 5:20 to 5:30.]

- D. CDRC Case #V/Z/PDP 12-5340. Glenwood Development Company, Applicant, request Master Plan and Preliminary Development Plan approval for an 8,320 square foot structure to be utilized as a Family Dollar Store on 0.87 acres. The request includes Final Development Plan be approved administratively. The Applicant also requests a Variance of Article III, § 4.4.3c (Parking Lot Location) to allow the parking lot to be located in front of the proposed building and a Variance of Article VIII, §'s 7.3, 7.8 and 7.14 (Design Standards for Permanent Signs) to allow a sign to exceed the height and set back requirements and to allow a wall mounted sign to exceed 70 square feet in sign area. The property is located at 18094 US 84/285, within the Pojoaque Valley Traditional Community, within Sections 6 & 7, Township 19 North, Range 9 East, Commission District 1**

Jose Larrañaga gave the following staff report:

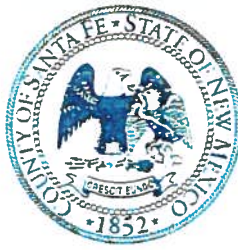
“The Applicant requests Master Plan Zoning and Preliminary Development Plan approval on a site known as Al's Liquors within the Pojoaque Valley Mixed Use Traditional Community. The existing non-conforming structure, which is sited on .45 acres, will be demolished and a lot line adjustment with an adjoining parcel, is proposed to allow for an 8,320 square foot structure to be utilized as a Family Dollar Store on 0.87 acres. The Applicant also requests that Final Development Plan be approved administratively.

“The Applicant also requests a variance of Article III, § 4.4.3c to allow the parking lot to be located in front of the proposed building. The Applicant states: “placing the parking lot to the front of the site provides separation of parked cars, noise and public activity from the neighboring residential properties; provides increased public safety and reduced criminal activity; allows for efficient on-site circulation of service and delivery activities”.

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: February 21, 2013

TO: County Development Review Committee

FROM: Vicki Lucero, Building and Development Services Manager *VL*

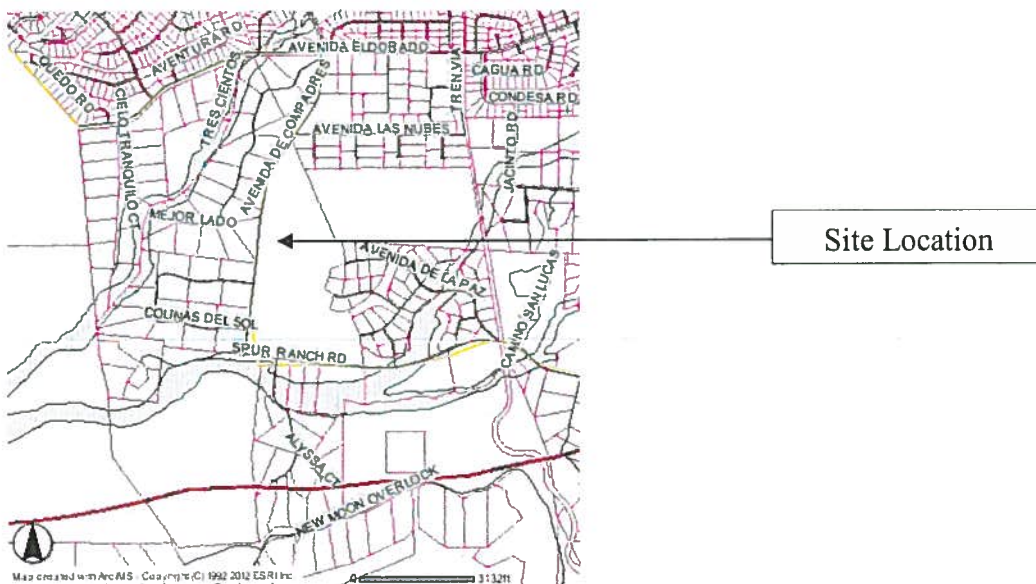
VIA: Penny Ellis-Green, Land Use Administrator *PEG for*

FILE REF.: CDRC CASE # Z/S 08-5440- Tierra Bello Subdivision

ISSUE:

Joseph Miller, Applicant, Danny Martinez, Agent requests Master Plan Zoning approval for a 73-lot residential subdivision on 263.769 acres \pm and Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots. The property is located at the Northeast intersection of Avenida de Compadres and Spur Ranch Road, south of Avenida Eldorado in Eldorado, within Sections 24 and 25, Township 15 North, Range 9 East, (Commission District 5).

Vicinity Map:



SUMMARY:

On January 17, 2013, the CDRC met and acted on this case. The decision of the CDRC was to table the request to allow the community to review and discuss the most current information as submitted by the Applicant, and to allow the Applicant and mediator to meet with members of the community in regards to the proposed development (Refer to Exhibit 7).

On July 22, 2010, a request was presented to the CDRC by the Applicant for Master Plan Zoning approval for a 73-lot residential subdivision known as Tierra Bello. The decision of the CDRC was to table the request to allow the applicant to address issues regarding affordable housing, water availability and access and traffic (Refer to CDRC minutes in Exhibit 6).

The Applicant has since signed an Affordable Housing Agreement with Santa Fe County in which the Applicant has agreed to provide 15% affordable housing in accordance with Ordinance No. 2012-1 (Affordable Housing Program).

In regards to water availability, a positive recommendation was issued by the County Hydrologist. The OSE, however has not issued a favorable response (Refer to Exhibit 3).

In regards to access and traffic, the NMDOT has issues a positive recommendation. The County Public Works Department has also issued a positive recommendation subject to conditions. (Refer to Exhibit 3).

The Applicant has modified his request since the last CDRC meeting. The request is still for Master Plan Zoning approval for a 73-lot residential subdivision on 263.769 acres. However, in addition to this, the Applicant is now requesting Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots.

This Application was submitted on March 19, 2012.

Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request.

APPROVAL SOUGHT: Master Plan Zoning Approval for a 73-lot residential subdivision and Preliminary and Final Plat and Development Plan Approval for Phase I which will consist of 9 lots.

GROWTH MANAGEMENT AREA: Galisteo, SDA-2.

HYDROLOGIC ZONE: Basin Fringe, minimum lot size per Code is 12.5-acres per dwelling unit with a 0.25 acre foot per year per lot water restriction; unless water availability is proven to support increased density or community water is available.

ARCHAEOLOGIC ZONE: High Potential, archeological report required for development of more than 5 acres. An archaeological report has been submitted for review.

ACCESS AND TRAFFIC: The site will be accessed directly off Avenida de Compadres, at two points. Avenida de Compadres will need to be upgraded by the applicant to meet County Standards.

FIRE PROTECTION: Eldorado Fire District; The EAWSD will provide the water source for fire protection. Fire hydrants will be located within 1,000 feet of all buildable areas.

WATER SUPPLY: EAWSD, a ready, willing and able to serve letter has been provided by EAWSD.

LIQUID WASTE: Individual on-site septic systems

SOLID WASTE: Individual lot owners will be responsible for contracting with a licensed solid waste disposal service for pick up on a weekly basis. Individual lot owners may also dispose of solid waste on their own at a local solid waste transfer station. This must be noted in the Subdivision Disclosure Statement.

FLOODPLAIN & TERRAIN MANAGEMENT: The proposed site consists mainly of slopes of up to 10%. Buildable areas must be identified on each lot at Preliminary Plat stage. Several stormwater detention ponds are proposed throughout the site. The entire project is outside the limits of the FEMA designated 100-year floodplain. Locations where roadways cross drainage conveyances shall be engineered for all weather access including Avenida de Compadres.

SIGNAGE AND LIGHTING: No private subdivision signage or lighting has been proposed at this time.

EXISTING DEVELOPMENT: The project site is currently vacant.

ADJACENT PROPERTY: With the exception of two large 390 acre tracts that lie to the northeast and southwest of the property the proposed Tierra Bello Subdivision is surrounded by other residential subdivisions with lots ranging from just over 3 acres to approximately 18 acres in size.

OPEN SPACE: A total of 52.58 acres is proposed as open space which allows for the development of a park.

AFFORDABLE HOUSING:

The Applicant has since signed an Affordable Housing Agreement with Santa Fe County in which the Applicant has agreed to provide 15% affordable. At 15% phase one would require 1 affordable unit. The applicant is proposing one affordable lot. Affordable housing in future phases may be transferred to the Cimarron Village Development in accordance with the Affordable Housing Agreement.

PHASING:

The project will be completed in 8 phases.

AGENCY REVIEW:

<u>Agency</u>	<u>Recommendation</u>
County Fire	Approval with Conditions
County Utilities	Approval with Conditions
NMDOT	Approval with Conditions
County Open Space	Approval with Conditions
County Public Works	Negative (Awaiting revised plans)
OSE	Negative
SHPO	Approval with conditions
NMED	Approval with conditions
Public School	Approval

STAFF RECOMMENDATION:

Approval of the request for Master Plan Zoning for a 73-lot residential subdivision and Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots subject to the following staff conditions:

1. The Applicant shall comply with all review agency comments and conditions, **Article V, Section 7.1.3.c.**
2. Conditions as stated in the memo from the Public Works Department shall be addressed prior to this case being heard by the BCC.
3. Master Plan and Final Plat and Development Plan, with appropriate signatures, and subdivision covenants and final disclosure statement shall be recorded with the County Clerk, as per **Article V, Section 5.2.5 and Section 5.4.5.**
4. The Applicant shall submit a financial guarantee, in a sufficient amount to assure completion of all required improvements. The financial guarantee shall be based on a county approved engineering cost estimate for the completion of required improvements as approved by staff prior to Final Plat recordation. All improvements shall be installed and ready for acceptance within eighteen months as required by **Article V, Section 9.9.**

OB A-4

EXHIBITS:

1. Development Report
2. Proposed Plans
3. Reviewing Agency Responses
4. Disclosure Statement/Restrictive Covenants
5. Letters of opposition
6. July 22, 2010, CDRC Meeting Minutes
7. January 17, 2013, CDRC Meeting Minutes

OBA-5

DEVELOPMENT REPORTS

PREPARED FOR:

TIERRA BELLO SUBDIVISION

(A 73 lot single-family residential subdivision)

LOCATED WITHIN TRACT 8A BEING A PORTION OF LOT 8 OF ELDORADO AT SANTA FE
WITHIN TOWNSHIP 15 NORTH, RANGE 10 EAST, N.M.P.M. CANADA DE LOS ALAMOS
GRANT, VICINITY OF ELDORADO, SANTA FE COUNTY, NEW MEXICO

DEVELOPMENT REQUEST FOR MASTER PLAN APPROVAL
FOR THE FULL DEVELOPMENT AND PRELIMINARY AND
FINAL APPROVALS FOR PHASE ONE CONSISTING OF NINE LOTS

Prepared for:
Cow Springs Land and Cattle LLC.
Joseph F. & Alma Miller, Trustees
286 Riverbank Road
Lamy, New Mexico 87540

March 2012

REVISED ~~NOVEMBER 2012~~
JANUARY 2013

OBA 14

EXHIBIT

1

tabbles®



LAND DEVELOPMENT PLANNING

◆ Development Planners ◆ Construction Management

7009 Marilyn Ave. N.E. ◆ Albuquerque, New Mexico 87109
Phone: (505)660-5250 ◆ Fax: (505)798.1959

March 7, 2012

Ms. Vicky Lucero
Santa Fe County Land Use Department
102 Grant Ave.
Santa Fe, NM 87504

Re: Tierra Bello Subdivision, Development Plan Submittals

Dear Ms. Lucero,

On behalf of Mr. Joseph Miller, please accept this application as a resubmittal to our original submittal dated December, 2009, for Tierra Bello Subdivision. We are requesting that the current development request be removed from the CDRC agenda and that we move forth with the revised development request as presented in this report. Also attached are preliminary and final development plans reflecting our new development request for development master plan approval for the full development and preliminary and final development approvals for Phase 1 of "Tierra Bello Subdivision".

The development proposal is for seventy-three (73) lot single-family residential subdivision located within lot 8A Eldorado at Santa Fe on approximately 263.769 acres more or less. The subdivision identifies eight phases within the development, with phase one consisting of nine lots of which one lot would be designated as affordable housing in compliance with the "Affordable Housing Agreement and Plan" approved by Santa Fe County and attached within this report.

Development of phase one is cost effective for Mr. Miller, as all public utilities are in place, improvements to existing roads and drainage improvements will be completed per Santa Fe

CB A-17


County Standards. The subject property is currently served by existing water mains, fire hydrants and service lines under the Eldorado Area Water and Sanitation District Authority.

Detailed development plans prepared by Land Development Consultants and Civil Engineering drawings by Mr. Jorge Gonzales are enclosed with this submittal along with Traffic Impact Reports prepared by Mr. Morey Walker & Associates, together with Archaeological Report prepared by Mr. Ron Winters.

We are in receipt of previous County Staff and State Agencies previous review comments and have been addressed in this submittal.

We look forward to working with you on this development, should additional information be required we are available for an open communication as is our consultants noted.

Sincerely,


Danny S. Martinez
Development Planner

c.c: Mr.Jorge Gonzales, P.E

Mr. Joseph Miller, Developer, Property Owner

13A-8

TIERRA BELLO SUBDIVISION
Santa Fe County, New Mexico

PROJECT SUMMARY:

NAME OF DEVELOPMENT:	Tierra Bello Subdivision
LOCATION:	Lot 8A, of a portion of a Subdivision of Lot 8, Eldorado at Santa Fe within the Canada de Los Alamos Grant, Township 15 North, Range 10 East, N.M.P.M. Santa Fe County, New Mexico.
OWNER / ADDRESS:	Cow Springs Land and Cattle LLC. C/O Joseph F. Miller 286 Riverbank Road Lamy, New Mexico 87540
LAND USE DESIGNATION:	Basin Zone – Residential
USES PROPOSED:	Single Family Residential
SIZE OF PROJECT:	263.769 Acres, more or less
NUMBER OF LOTS:	73 Residential Lots
LARGEST LOTS:	5.868 Acres (Full Development) 3.6891 Acres (Phase 1)
SMALLEST LOT:	2.708 Acres (Full Development) 2.8277 Acres (Phase 1)
REGULATORY JURISDICTION:	Santa Fe County Development Review Committee, Board of County Commissioners, of Santa Fe County, New Mexico.
MAINTENANCE OF ROADWAYS:	Tierra Bello Homeowners Association.

CRA-9

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E R A - 10

VII. TRAFFIC IMPACT REPORT

The following Santa Fe County Ordinances are acknowledged:

- Ordinance No. 1996-13 (Water Right Permit Type I and Type II Subdivisions)
- Ordinance No. 1999-01 (Liquid Waste Disposal)
- Ordinance No. 2000-01 (Height Standards for Walls and Fences for Residential Uses)
- Ordinance No. 2001-01 (Rules and Regulations for County Parks, trails and Open Space Areas)
- Ordinance No. 2001-09 (Wireless Communication Facilities)
- Ordinance No. 2002-13 (Water Conservation for all Residential and Commercial Uses)
- Ordinance No. 2003-06 (Rainwater Harvesting)
- Ordinance No. 2005-08 (US 285 South Highway Corridor)
- Ordinance No. 2006-02 (Affordable Housing)
- Ordinance No. 2006-03 (Hot water Recirculation)
- Ordinance No. 2006-08 (Hot Water Recirculation)
- Ordinance No. 2007-06 (Restricting the Use of Domestic Walls for Land Divisions and Subdivisions within the Eldorado Area)
- Santa Fe Land Development Code Article V, Section 5.2.7.a (Expiration of Master Plans)
- Santa Fe Land Development Code, Ordinance 1996-10 (as amended)

VARIANCE REQUESTS

No variance requests are proposed.

CBA-11

I. INTRODUCTION

Tierra Bello Subdivision is located within a portion of Lot 8, Eldorado at Santa Fe within the Canada de Los Alamos Grant, Township 15 North, Range 9 East, of the New Mexico Principal Meridian, within the Vicinity of Eldorado, Santa Fe County, New Mexico. This development falls within the planning and platting jurisdiction of the County of Santa Fe, New Mexico.

The proposed development consists of a total area of 263.769 acres more or less, with a total of 52.357 acres dedicated as open space and 12.60 acres as dedicated roadway, which would be maintained by the Tierra Bello Subdivision Homeowners Association. The proposed development would consist of seventy-three (73) single-family residential lots ranging in size from 2.708 acres to the largest lot being 5.868 acres. Development would be completed in a total of eight (8) phases with no anticipated time line for overall completion due to economic conditions. Phase 1 would consist of nine single family residential lots.

The intent of this report is to provide a detailed review of the development of "Tierra Bello Subdivision" and provide specific data regarding the development.

The creation of Lot 8 was under the original platting of Eldorado at Santa Fe, which comprised of five hundred seventy six (576) acres more or less. On May 12, 1986, Lot 8 was granted preliminary and final subdivision development approval by the Santa Fe County Board of County Commissioners for a one-hundred (100) lot subdivision then known as "Tierra Dorado Subdivision." On April 29, 1988, Santa Fe County approved the division of Lot 8 into Lot 8A and Lot 8B, as filed for record with the Santa Fe County Clerk's Office in Plat Book 186, Page 029. The approval by the Santa Fe County Board of Commissioners granted final development approval for Lot 8B and was eventually developed as Tierra Colinas Subdivision and filed in the records of the Santa Fe County Clerks Office in Plat Book 315, Page 031 as Document number 917,614, dated September 8, 1995.

Tierra Bella subdivision proposes to develop seventy-three (73) single family residential lots and is presented as a new master plan submittal with a request for preliminary and final development approvals for Phase 1, consisting of nine residential lots. The roadway alignments, open space and utility services follows the original intent of the Tierra Dorado Subdivision and will be connected with Tierra Colinas Subdivision in the use of common open space. Existing site conditions including roadways, utilities, water main lines and service lines are existing within Tierra Bello Subdivision.

Development of Tierra Bello subdivision will follow the intent of the Santa Fe County Development Code along with applicable ordinances identified in the "Project Summary".

A. Development Request

The development of Lot 8A of Eldorado at Santa Fe would consist of a seventy-three (73) lot single family residential lots which would be developed in a eight phases including the upgrading of existing gravel roadways. Utilities and drainage improvements as identified in the development engineering plans are in place. By completing the project in phases this will ensure that all work would be completed by the developer as each phase is submitted for approval.

Community water will be provided by Eldorado Area Water and Sanitation District, through existing water mains currently in place throughout the development.

Enclosed further in this report is documentation provided by Eldorado Area Water and Sanitation District regarding an agreement to provide water for Tierra Bello subdivision between Eldorado Area Water and Sanitation District and Joseph F. Miller. Also within the agreement is "Will Serve Letters" from the District and approved by Steven Ross, Santa Fe county Attorney,

B. Platting

A detailed subdivision plat is enclosed as "Attachment B" of this development report, meeting all requirements outlined by the State of New Mexico Regulations Division for Subdivisions in the State of New Mexico, together with guidelines and requirements outlined by Santa Fe County Land Use Department.

The creation of Lot 8-A was based on a previous survey by Salvador E. Vigil; N.M.P.L.S. No. 4405, dated April 29, 1988 and recorded in the records of the Santa Fe County Clerks Office in Plat Book 186, Page 029 as Document No. 648,148, with the plat approval and subsequent Santa Fe Board of County Commissioners approval of final plans for development of Tierra Colinas Subdivision.

C. Existing Characteristics

Tierra Bello Subdivision is located on a 263-acre parcel of land lying within the Canada de Los Alamos Grant in Santa Fe County, New Mexico. The land general comprises of gentle slopes not exceeding ten percent (10%) in grade with an average slope range of one (1%) to five (5%) percent throughout a good portion of the property. Areas near natural drainages tend

to have slopes greater than ten percent (10%) and are located within a small area of these natural drainages as delineated on the development plans.

There are no natural drainage ways that are considered to be within the 100 year flood plain as identified with the Federal Emergency Management Agency (FEMA) flood insurance rate maps Community Panel Number 35049 C 0550 D effective dated June 17, 2008 for Santa Fe County, New Mexico.

The land comprises of mainly juniper, pinon and indigenous range of grasses. Existing animal life consists of rattlesnakes, bull snakes, various rodents, quail, coyotes and other small animal types. The impact on the existing vegetation and animal life would be minimal due to limited infrastructure improvements to roadways and residential building areas only. Existing development in the neighboring vicinity has had minimal impact to the environment and animal life, in some cases improving the habitat through planting of new vegetation and indigenous grasses to the vicinity. Development of Tierra Bello Subdivision would be limited to roadway construction and on-site grading, for building development and private driveways and drainage improvements, with controlled ecological disturbance to the environment within the development.

D. Topographic and Natural Features

The site consists of gentle rolling slopes, sloping to the southwest, with the highest elevation point being at approximately 6,650 above sea level and the lowest point being at approximately 6,610 above sea level. Existing views allow a three hundred sixty (360) degree viewing with the Sangre de Cristo Mountain range to the north, the Pecos Wilderness and Glorieta Mountain Range to the east, the Ortiz Mountains and the Manzano Mountain Range along with the flat lands to the south and Jemez Mountain ranges to the west. The views in all directions provide a stunning reflection of the beauty of this segment of New Mexico.

A detailed Topographic Survey was completed by Thomas R. Mann and Associates with two foot (2') contour intervals. The data will be used to assist in determining the final grading and drainage plan together with homeowner's uses in development submittals for building permits. As previously indicted there are limited slopes greater than ten percent (10%) with the average slopes less than five percent (5%) in grade. Roadway grades based on the topography survey fall within slopes less than 10% in grade and are developed under Santa Fe County Regulations

ERB A-14

E. Land Use

Development of Tierra Bello Subdivision will be restricted to single family residential lots. Development of the seventy-three (73) lots will be completed in eight phases over a period of time based on sales and marketing strategies. The developer intends to upgrade all infrastructure including existing roadways, and offsite improvements along Avenida de Compadres Road to Santa Fe County Standards upon final plat approval granted by Santa Fe County and final development permits have been obtained. Areas designated as " Open Space" are provided in compliance with Santa Fe County Development Regulations.

Development of the open space and trails would be completed at a time when input from the Home Owners Association for the subdivision is involved. Where common open space connects between Tierra Colinas Subdivision and Tierra Bello Subdivision the areas will require coordination by both Subdivision Home Owners Associations to determine the best needs for a trail system.

F. Housing

Development "Declaration of Covenants & Restrictions" identifies the preference of home construction within the development to include custom homes, or modular homes placed on permanent foundations with attached or detached garages or carports. Exterior finishes meeting architectural guidelines and approval by the designated "Architectual Board" within the Home Owners Association. Modular homes will be developed meeting Energy Star Ratings the National Manufactures Housing Construction Standards and Housing and Urban Zone Code 2 or Uniform Building Code and local development regulations for modular homes.

Modular Housing: Permissible regulations. Based on New Mexico Statues and Regulations Article 3-21A-3. In the exercise of any of the power and duties conferred by law, no governing body of a political subdivision of the state or any planning and zoning agency, there under shall exclude multi section modular homes from a specific use district in which site built, single family housing is allowed or place more severe restrictions upon a multi section modular home than are placed upon single family site built housing within that specific use district so long as the manufactured housing is built or constructed to the Housing and Urban Development Zone code II or Uniform building Code.

CB A-15

The governing body of any political subdivision of the state or any planning or zoning agency there under is authorized to regulate modular housing to require that it meets all requirements other than original construction requirements of other single family dwellings that are site built homes in the same specific use district and to further require by ordinance that such modular housing to be consistent with applicable historic or aesthetic standards.

Development within Tierra Bello Subdivision will exclude manufactured single, double or triple wide manufactured housing. Language in the development restrictive covenants and Architectural guidelines will require a thorough review of home owner development plans for modular homes. In these economical hard times more families are moving towards modular homes because of the costs per square foot versus on site built homes.

G. Phasing

The development would be broken into eight phases under the "Master Plan" with request for preliminary and final development approval for "Phase One", consisting of nine residential lots of which one lot would be identified as affordable housing under Income Range 4, per the approved "Affordable Housing Agreement and Plan", approved by Santa Fe County and Mr. Joe Miller. All Lots in phase one are a minimum of 2.90 acres more or less with other lots slightly larger in size. Public roads and utility easements will be granted on the final subdivision plats.

Development of other phases will take place when market conditions improve or the sale of lots within the first phase is moving forth. At which time a new application for final plat approvals would be presented to Santa Fe County. The developer is aware of time constraints for moving the full development through completion.

H. Water Availability / Source

Development of Tierra Bello Subdivision is based on the availability of water sources provided by Eldorado Area Water and Sanitation District, which provides water to all developments within the Eldorado vicinity and surrounding developments. This source of water is provided through wells and distribution system that is owned and operated by Eldorado Area Water and Sanitation District.

CB A 100

The attached letters of acknowledgement by EAWSD, identifies that service mains exist within the development and parallel existing right of way's serving the Tierra Bello development. All water services installations were completed in coordination with Eldorado Utilities Inc. the previous system operators and meets requirements outlined by Eldorado Area Water and Sanitation District and previous letters of acceptance for the water line extensions and fire hydrant installations. Construction As-Builts are attached within the development plans completed by Community Sciences Corporation, Engineer for the water system infrastructure. Original development plans identified the development to consist of fifty lots and based on the original approval of Tierra Dorado Subdivision. The new development request is for seventy three lots, the additional twenty three services will require tapping into the main lines for service connections. The existing fifty water services are part of an original agreement with Joe Miller and Eldorado Utilities Inc. for water taps committed by previous agreements.

"See Attachment A, Letter of Water Availability as issued by Eldorado Area Water and Sanitation District.

I. Liquid Waste Disposal

Liquid waste disposal for Tierra Bello Subdivision would be provided through individual on site septic systems meeting requirements outlined by the New Mexico Environmental Department, Ground Water Discharge permitting. Individual lot owners will be required to submit detailed site development plans at time of permitting request to the Tierra Bello Homeowners Architectural Review Committee for approval prior to submittal to Santa Fe County for building permit. Plans will identify the lot size, building pad locations, septic tank locations with leach fields. Alternative systems with gray water reuse systems may be used and will be the responsibility of the individual lot owner at the time of building permit submittal.

This development will not incorporate the use of or provide any type of facilities, devices or design products that would assist the homeowners in preparing their individual septic facility needs.

J. Solid Waste Disposal

Solid waste disposal would be provided by individual property owners through an approved Waste Management disposal firm acknowledged by Santa Fe County Waste Management Division. Homeowners will be required to contract through the firm for disposal of solid waste on a weekly basis, with disposal of solid waste in compliance with Santa Fe County guidelines. Individual homeowners may also dispose of solid waste on their own by purchasing a waste disposal permit through Santa Fe County for disposal in the local solid waste disposal transfer station located in the Eldorado Vicinity.

All costs incurred will be the responsibility of the individual homeowners. This development will not be responsible for the coordination, contracting or individual solid waste requirements

K. Site Utilities

Development of Tierra Bello Subdivision incorporates the installation of existing utility service mains within designated utility easement paralleling roadway easements. Utility easements would be ten feet (10') in width and would be utilized for the installation of electric, gas, telephone and cable television. Individual services would be identified during the applicable building permit application for each lot. Homeowners would be responsible for costs incurred in the installation of individual services.

Development of Tierra Bello Subdivision includes existing installation of the following existing utilities:

- Water Mains, Fire Hydrants, shut off valves and mechanical assemblies, individual water taps to the point of water can assemblies, individual water meters and service will be the homeowners' responsibilities.
- Electrical services will include the installation of the main service lines, transformers and services loops outside the transformers for up to five feet (5') in length. Individual homeowners will be responsible for meter installation and service lines to the residences.
- Gas services will include the installation of the main service lines. Individual homeowners will be responsible for meter installations and service lines to the residence including tap in fee to the main line.

CB 11-18

II. Affordable Housing

Santa Fe County Development Regulations requires compliance with Ordinance No. 2006-02 (Affordable Housing) and subsequent amendments to the ordinance. The mandate by the ordinance identifies the subdivision as a Type II subdivision requires developments to designate up to 15% of the lots be categorized as Affordable Housing. The ordinance as presented provides for four categories of income ranges and home sizes that meet the intent of the ordinance. A development "Affordable Housing Agreement and Plan" has been formalized between the developer and Santa Fe County and was approved and acknowledged by the Board of County Commissioners on January 10, 2012. (See Attached Documents)

E

Eldorado Area Water & Sanitation District 1 Caliente Rd, Suite F, Santa Fe NM 87508 505-466-2411David Denig-Chakroff
General ManagerJames Jenkins, President
Jerry L. Cooper, Vice President
Roberta A. Armstrong, Secretary
Stephen Wust, Director
George Haddad, Director
Gene Schofield, Non-Director

December 29, 2011

Mr. Joseph Miller
286 Riverbank Road
Lamy, New Mexico 87540-7504

Re: Tierra Bello Project

Dear Mr. Miller:

By this letter, the Eldorado Area Water and Sanitation District ("EAWSD") commits to provide water service to your Tierra Bello Addition ("Project") in accordance with the District's 2007 New Water Services Policy ("NWSP"), a copy of which is enclosed herewith, the terms stated in this letter, and the Development Agreement ("DA") dated October 17, 2008, and Amendment No. 1 dated August 24, 2010, between EAWSD and the Joseph and Alma Miller Revocable Trust ("Trust") which require the installation of infrastructure water lines and the payment of the service/connection fees ("Requirements").

Subject to the satisfaction of the Requirements, EAWSD is ready, willing and able to provide water service to the entire Project or phases of the Project in an amount not to exceed eighteen and twenty-five hundredths (18.25) acre feet per year ("afy") of water. This amount includes five and seventy-five hundredths (5.75) afy for the Project and twelve and one-half (12.5) afy for the existing Tierra Bello Development.

All Requirements must be met prior to the initiation of water service to the Project. If the project is phased, then fees will be prorated accordingly and the infrastructure will only need to involve that which is necessary to service the phase.

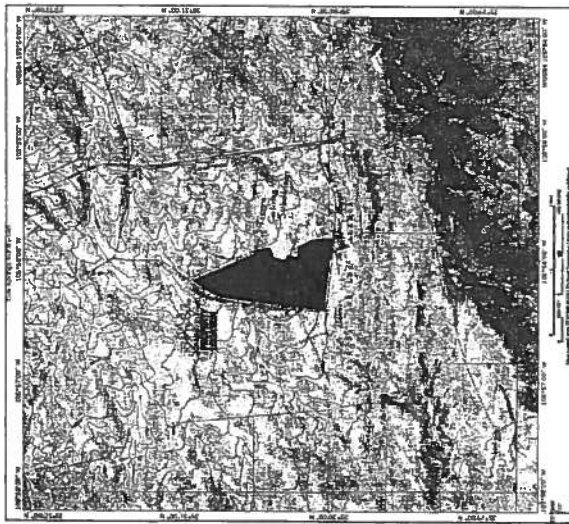
Further, all terms and conditions of this letter of commitment and the above referenced DA and Amendment have been approved by the EAWSD Board of Directors.

EAWSD looks forward to cooperating with you in the provision of water service to the Project.

ELDORADO AREA WATER AND SANITATION DISTRICT
James Jenkins, President

Cc: EAWSD Board of Directors
Santa Fe County Land Use Department

CBA-00



U.S.G.S. QUAD MAP SETON VILLAGE
NOT TO SCALE

DEVELOPMENT PLANS
PREPARED FOR

TIERRA BELLO SUBDIVISION
(73 LOTS, SINGLE FAMILY RESIDENTIAL DEVELOPMENT)
COW SPRINGS LAND AND CATTLE, LLC

DEVELOPMENT REQUEST FOR MASTER PLAN APPROVAL
FOR THE FULL DEVELOPMENT AND PRELIMINARY FINAL APPROVALS
FOR PHASE 1 CONSISTING OF 9 LOTS

TRACT 8-A ELDORADO AT SANTA FE, LOCATED WITHIN A
PORTION OF THE CANADA DE LOS ALAMOS GRANT, WITHIN
PROJECTED SECTIONS 24 & 25, TOWNSHIP 15 NORTH,
RANGE 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN
SANTA FE COUNTY, NEW MEXICO

INDEX OF SHEETS

SHEET NO.	SHEET TITLE
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2	RETRACT OF LOT 8, ELDORADO AT SANTA FE
3	RETRACT OF LOT AT SANTA FE PARCELIZATION PLAN
4	BOUNDARY SURVEY NOTES
5	BOUNDARY SURVEY NOTES
6	BOUNDARY SURVEY NOTES
7	SUBDIVISION PLAN AND AFFORDABLE HOUSING PLAN
8	SUBDIVISION PLAN NOTES
9	SUBDIVISION PLAN PHASE 1
C-1	EXISTING TOPOGRAPHY, SOILS & SLOPE ANALYSIS PLAN
C-2	TERMINAL MANAGEMENT PLAN, ORIGINAL CONDITIONS
C-3	TERMINAL MANAGEMENT GRADING AND DRAINAGE PLAN (PHASE 1)
C-4	ROAD PLAN AND PROFILE (AVENIDA DE COMPAÑES)
C-5	ROAD PLAN AND PROFILE (AVENIDA DE COMPAÑES) AND SAUDA TIERRA BELLO
C-6	SECTIONS, DETAILS, SIGNAGE AND SWPPP DETAILS
C-7	EXISTING ROAD PLAN AND PROFILE (SUNVIEW LOOP)
C-8	EXISTING ROAD PLAN AND PROFILE (SUNVIEW LOOP)
C-9	EXISTING DOMESTIC WATER DISTRIBUTION AND FIRE PREVENTION
11-13	WASTEWATER IMPROVEMENT PLAN (BY COMMUNITY SCIENCES, COR)
14	LIQUID WASTE DISPOSAL PLAN
15	EXISTING UTILITIES PLAN

SANTA FE COUNTY NOTES AND CONDITIONS:

- DEVELOPMENT WITHIN THE US 285 HIGHWAY CORRIDOR SHALL COMPLY WITH THE STANDARDS OF THE US 285 SOUTH FRONT CORRIDOR (ORDINANCE NO. 2005-63)
- MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE DEVELOPER UNLESS CURRENTLY MAINTAINED BY SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.
- LANDS SHOWN HEREON ARE OUTSIDE THE 100 YEAR FLOOD PLAIN IN ZONE "X". EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPROVED WITHOUT THE APPROVAL OF THE SANTA FE COUNTY WATER RESOURCES DEPARTMENT. DEVELOPMENT SHALL NOT EXCEED EXISTING FLOOD WAYS OR FLOODWAYS TO OR FROM THESE LOTS.
- DEVELOPMENT SHALL BE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE.
- THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF SUBMITTING THE DEVELOPMENT PLAN TO THE COUNTY ENGINEER'S OFFICE. SOILS TESTING, PURSUANT TO THE SANTA FE LAND DEVELOPMENT CODE, THE SOILS TESTING SHALL BE CONDUCTED AS PER THE SANTA FE COUNTY ENGINEER'S OFFICE. MAINTENANCE TO EXISTING DRAINAGEWAYS SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. AN ALTERNATIVE SYSTEM IS REQUIRED.
- ALL LANDS SHOWN HEREON HAVE SLOPES OF LESS THAN 15% AND THERE ARE NO AREAS OF STEEP SLOPES. DEVELOPMENT SHALL BE CONDUCTED AS PER SANTA FE COUNTY LAND DEVELOPMENT CODE.
- ALL BUILDABLE AREAS SHOWN HAVE SLOPES OF LESS THAN 15%.
- ALL FIRE HYDRANTS SHOWN ON THIS MAP ARE LOCATED IN AREAS AS PER SANTA FE COUNTY LAND DEVELOPMENT CODE.
- ALL FIRE HYDRANTS SHALL BE INSTALLED AT THE TIME THE FIRST WATER SERVICE LINE IS LAYED. THE RESPONSIBILITY FOR THE INSTALLATION AND APPROVAL OF THE WATER SERVICE LINE AS THE FIRE HYDRANT HAS BEEN TESTED AND APPROVED BY THE COUNTY FIRE DEPARTMENT.
- WELLS ARE PROHIBITED.
- WELLS ARE PROHIBITED.

SURVEY AND PLANS PREPARED FOR:

JOSEPH F. & ALMA M. MILLER FAMILY TRUST &
COW SPRINGS LAND DEVELOPMENT, LLC
285 RIVERBANK ROAD
LAAMY, NEW MEXICO 87540

DEVELOPMENT PLANS PREPARED BY:

LDP - LAND DEVELOPMENT PLANNING
7009 MARILYN AVE. NE
ALBUQUERQUE, NEW MEXICO 87109
TELEPHONE: (505) 660-5250
JORGE GONZALES, N.M.P.E. NO. 6441
LENORE ARMIJO, N.M.L.S. NO. 15511

OB A-2

tabbles®
EXHIBIT
2

TIERRA BELLO SUBDIVISION
SANTA FE COUNTY, NEW MEXICO

COVER SHEET

REVISIONS FOR CHANGE NOTICES	
NO.	DATE
1	
2	
3	
4	
5	
6	
7	
8	
9	

PROJECT NO.	
REVISION BY:	CW
CHECKED BY:	
DATE:	
DATE:	
SHEET	1

NOTICE OF PUBLIC HEARING
APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING OF _____ DATE _____

COMMISSIONER, BOARD OF COUNTY COMMISSIONERS _____ DATE _____

APPROVED BY THE COUNTY DEVELOPMENT REVIEW COMMISSION AT THEIR MEETING ON _____ DATE _____

COMMISSIONER _____ DATE _____

CORP. DEVELOPER _____ DATE _____

COUNTY ENGINEER _____ DATE _____

PUBLIC WORKS DIRECTOR _____ DATE _____

LAND USE ADMINISTRATION _____ DATE _____

RURAL ADDRESSING _____ DATE _____

COUNTY DEVELOPMENT PERMIT NUMBER _____

STATE OF NEW MEXICO
COUNTY OF SANTA FE

HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE _____ DAY OF _____ A.D. 20____ AT _____ O'CLOCK _____ M. AND WAS _____ OF THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.

WITNESS MY HAND AND SEAL OF OFFICE
VALERIE EPINOZA
COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO

THIS MASTER PLAN IS OF THE OWNERS FREE CONSENT:
OWNER'S SIGNATURE _____ DATE _____

12/6/12
Revised 10/10/12

Tierra Bello Subdivision

TRACT B-A
 ELDORADO AT SANTA FE, WITHIN THE
 CANADA DE LOS ALAMOS GRANT,
 WITHIN PROJECTED SECTIONS 24 & 25,
 TOWNSHIP 15 NORTH, RANGE 9 EAST,
 NEW MEXICO PRINCIPAL MERIDIAN,
 SANTA FE COUNTY, NEW MEXICO

PHASING PLAN	LOTS
PHASE 1	LOTS 1-9
PHASE 2	LOTS 10-15
PHASE 3	LOTS 16-21
PHASE 4	LOTS 22-29
PHASE 5	LOTS 30-37
PHASE 6	LOTS 38-43
PHASE 7	LOTS 44-63
PHASE 8	LOTS 64-73

- LEGEND**
- DESIGNATES POINTS FOUND AND USED, AS INDICATED
 - DESIGNATES CAPPED REMAINS TO BE SET WITH RED CAP "PS 1762"
 - DESIGNATES SANTA FE CONTROL MONUMENT
 - TELEPHONE PEDestal
 - TELEPHONE POLE
 - GAS METER
 - ELECTRIC METER
 - WATER METER
 - WATER VALVE
 - WELL
 - SEWER
 - DESIGNATES 1,000 SF BUILDABLE AREA TO INCLUDE SEPTIC SYSTEM LOCATION

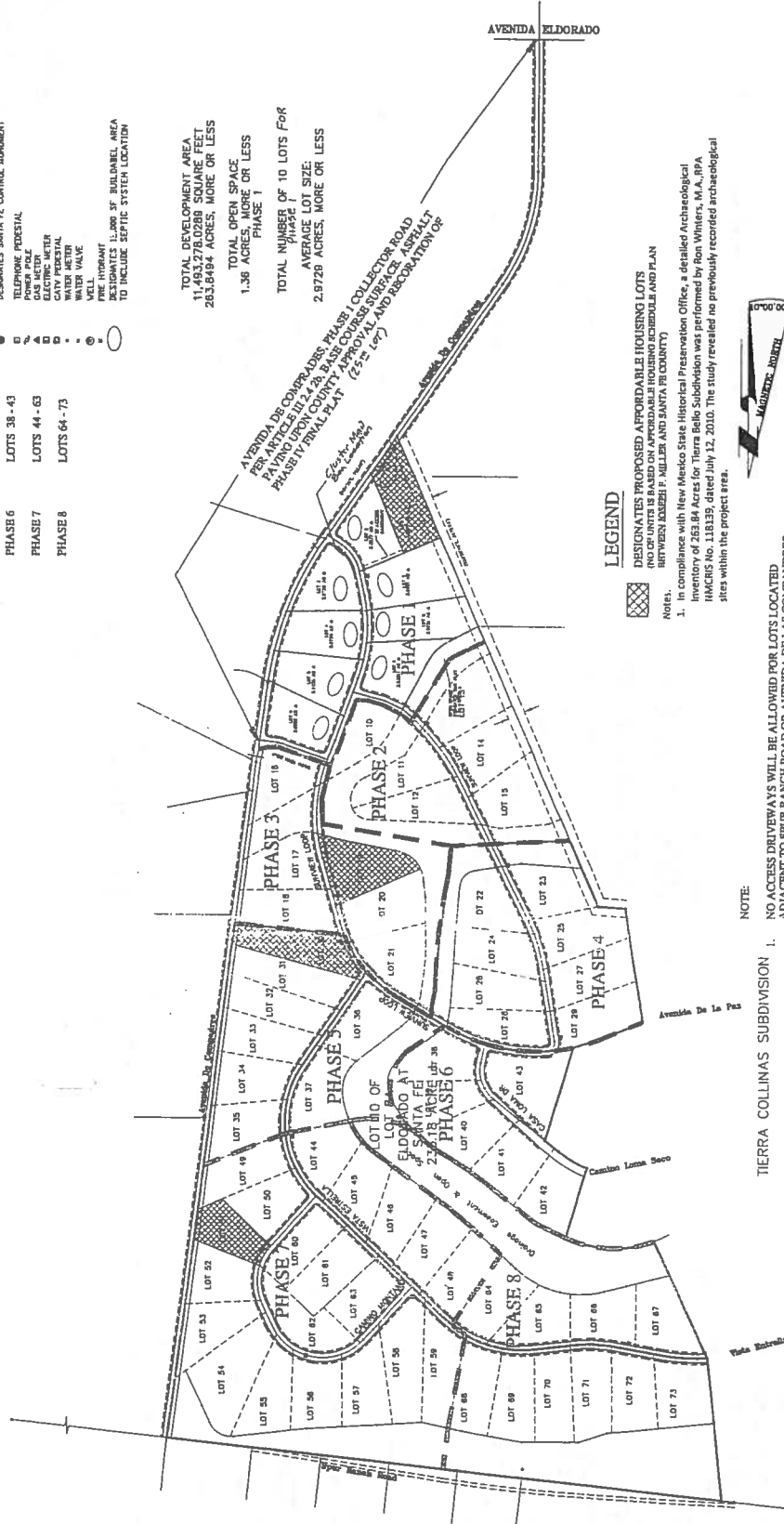
TOTAL DEVELOPMENT AREA
 11,493,276.0288 SQUARE FEET
 263,848.4 ACRES, MORE OR LESS

TOTAL OPEN SPACE
 1.36 ACRES, MORE OR LESS
 PHASE 1

TOTAL NUMBER OF 10 LOTS FOR
 PHASE 1
 AVERAGE LOT SIZE:
 2,9728 ACRES, MORE OR LESS

AVENIDA DE LOS COMPADRES PHASE I COLLECTOR ROAD
 FOR AVENIDA DE LOS COMPADRES PHASE I
 (25' ± 1.97')

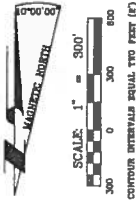
AVENIDA EL DORADO



LEGEND

DESIGNATES PROPOSED AFFORDABLE HOUSING LOTS
 (NO OF UNITS IS BASED ON AFFORDABLE HOUSING SCHEDULE AND PLAN
 BETWEEN ADDRESS P. MILLER AND SANTA FE COUNTY)

NOTES:
 1. In compliance with New Mexico State Historical Preservation Office, a detailed Archaeological Inventory of 263.84 Acres for Tierra Bello Subdivision was performed by Ron Whiners, M.A., RPA (MICR# No. 118139, dated July 12, 2010). The study revealed no previously recorded archaeological sites within the project area.



NOTE:

- NO ACCESS DRIVEWAYS WILL BE ALLOWED FOR LOTS LOCATED ADJACENT TO SPUR RANCH ROAD OR AVENIDA DE LAS COMPADRES.
- DEVELOPER SHALL BE REQUIRED TO OBTAIN A ROAD CONSTRUCTION PERMIT FROM PUBLIC WORKS DEPARTMENT PRIOR TO ANY WORK ON AVENIDA DE COMPADRES.
- THE DEVELOPER WILL BE REQUIRED TO PAVE PORTIONS OF AVENIDA DE COMPADRES IDENTIFIED AS PHASE 1, FROM AVENIDA EL DORADO TO SALIDA TIERRA BELLO.

TIERRA COLLINAS SUBDIVISION 1.

TERRA BELLO SUBDIVISION
 SANTA FE COUNTY, NEW MEXICO
 MASTER DEVELOPMENT
 AND AFFORDABLE HOUSING PLAN

PROJECT NO. 03 2511
DESIGNED BY: []
DRAWN BY: CW
CHECKED BY: []
DATE: []
OFFICE: []
SHEET: 6

OB A-22

SUBDIVISION PLAT OF PHASE 1
TIERRA BELLO SUBDIVISION
PREPARED FOR
COW SPRINGS LAND AND CATTLE LLC,
JOSEPH F. MILLER AND ALMA M. MILLER

TRACT B-A
ELDORADO AT SANTA FE, WITHIN THE
CANADA DE LOS ALAMOS GRANT,
WITHIN PROJECTED SECTIONS 24 & 25,
TOWNSHIP 15 NORTH, RANGE 9 EAST,
NEW MEXICO PRINCIPAL MERIDIAN,
SANTA FE COUNTY, NEW MEXICO

N/F Jack Goodwin
Lot 2A-3A2
65 Mejor Lado
Deed Instrument 1445047
UPC 1-054-087-270-267

FUTURE
PHASE 2
TIERRA BELLO
SUBDIVISION

OPEN SPACE
DEDICATED THIS PLAT
1.36 ACRES ±

N/F Aric Wheeler
Tract 1, Rancho Verano
No Address Found
Deed Instrument 1305202
UPC 1-054-087-358-332

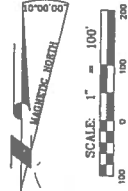
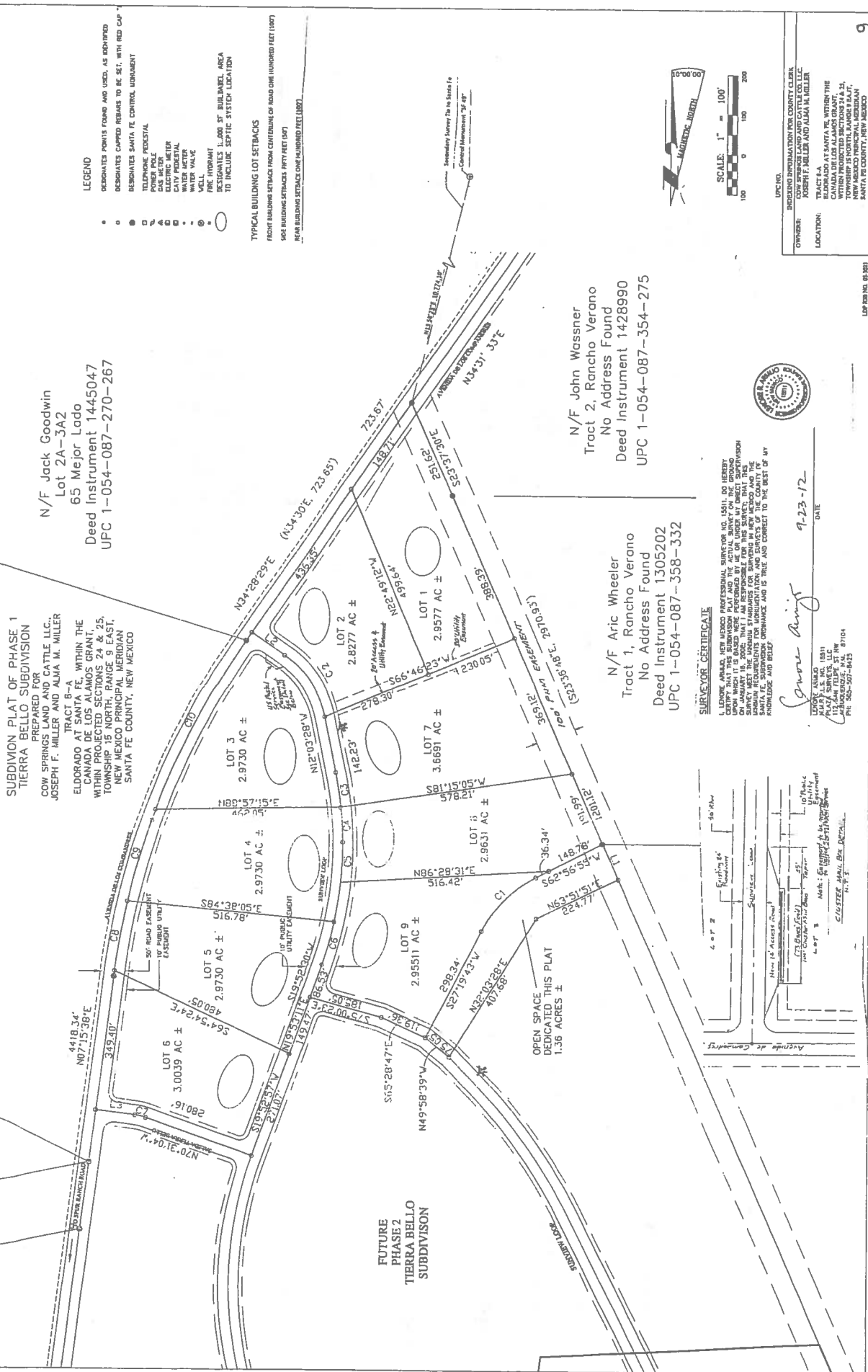
N/F John Wassner
Tract 2, Rancho Verano
No Address Found
Deed Instrument 1428990
UPC 1-054-087-354-275

LEGEND

- DESIGNATES CAPPED PIPES AND USED, AS SHOWN
- DESIGNATES SANTA FE CONTROL MONUMENT
- TELEPHONE PEDIESTAL
- TELEPHONE POLE
- GAS METER
- ELECTRIC METER
- 10" PUBLIC UTILITY
- WATER METER
- WATER VALVE
- WELL
- SEWER MANHOLE
- DESIGNATES 1,000 FT BUILDING AREA TO INCLUDE SEPTIC SYSTEM LOCATION

TYPICAL BUILDING LOT SETBACKS

- FRONT BUILDING SETBACK FROM CENTERLINE OF ROAD ONE HUNDRED FEET (100')
- SIDE BUILDING SETBACKS FIFTY FEET (50')
- REAR BUILDING SETBACK ONE HUNDRED FEET (100')

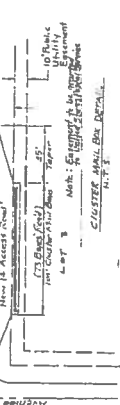


SURVEYOR CERTIFICATE

I, ARIC WHEELER, NEW MEXICO PROFESSIONAL SURVEYOR NO. 13052, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT AND THE ACTUAL SURVEY ON THE GROUND THEREON WERE MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION ON JANUARY 16, 2024, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE STATUTES AND THE CANONIC LAWS OF THE STATE OF NEW MEXICO, AND THAT THE SURVEYING INSTRUMENTS USED WERE CALIBRATED AND ACCURATE. I, THE SURVEYOR, GUARANTEE THE ACCURACY OF THE SURVEYING DATA AND THE CORRECTNESS OF THE CALCULATIONS AND THE TRUTH AND CORRECTNESS OF THE CONTENTS OF THIS PLAT.

Aric Wheeler
DATE 9-23-12

LEONOR RAMOS
ALTA 71, S. NO. 12811
112 SAN TALEN, ST. NW
DALLAS, TEXAS 75244
PH: 972-514-7145

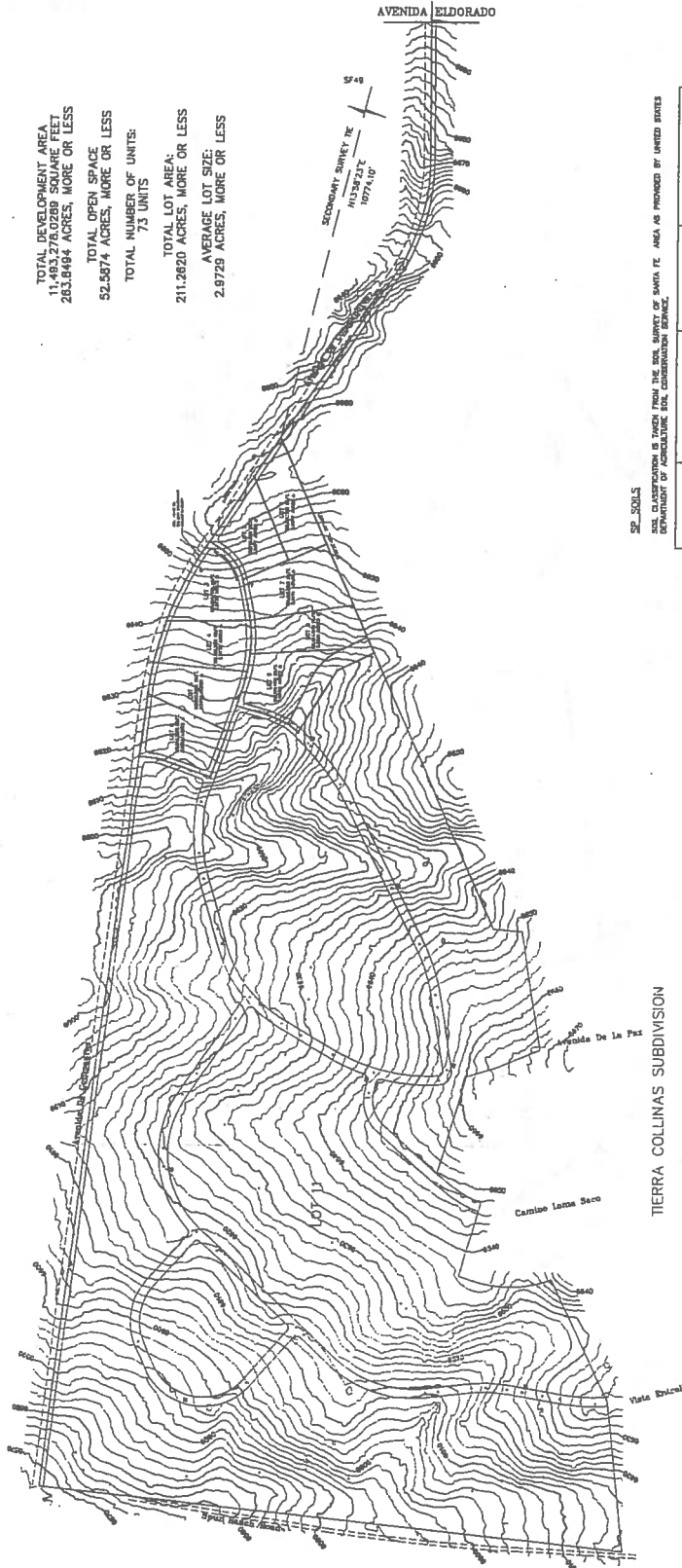


UPC NO.
PROCEEDING INFORMATION FOR COUNTY CLERK
COW SPRINGS LAND AND CATTLE CO. LLC,
JOSEPH F. MILLER AND ALMA M. MILLER
LOCATION:
CANADA DE LOS ALAMOS GRANT,
WITHIN PROJECTED SECTIONS 24 & 25,
TOWNSHIP 15 NORTH, RANGE 9 EAST,
NEW MEXICO PRINCIPAL MERIDIAN,
SANTA FE COUNTY, NEW MEXICO

OB A-2

EXISTING TOPOGRAPHIC, SOILS, AND SLOPE ANALYSIS
TIERRA BELLO SUBDIVISION

TRACT 8-A
 ELDORADO AT SANTA FE, WITHIN THE
 CANADA DE LOS ALAMOS GRANT,
 WITHIN PROTECTED SECTIONS 24 & 25,
 TOWNSHIP 10 NORTH, RANGE 9 EAST,
 COUNTY OF SANTIAGO, BUREAU OF LANDS,
 SANTA FE COUNTY, NEW MEXICO



TOTAL DEVELOPMENT AREA
 11,493,278.0289 SQUARE FEET
 263,849.4 ACRES, MORE OR LESS

TOTAL OPEN SPACE
 92,587.4 ACRES, MORE OR LESS

TOTAL NUMBER OF UNITS:
 73 UNITS

TOTAL LOT AREA:
 211,292.0 ACRES, MORE OR LESS

AVERAGE LOT SIZE:
 2,972.9 ACRES, MORE OR LESS

SP SOILS
 THE SOILS SHOWN ON THIS MAP WERE DETERMINED FROM THE SOIL SURVEY OF SANTA FE AREA AS PROVIDED BY UNITED STATES
 DEPARTMENT OF AGRICULTURE FOR AGRICULTURAL PURPOSES.

SOILS	EXAMINATION FOR MULLING	HYDROLOGICAL GROUP	PERCENT SAND, SILT, CLAY	PERCENT SLOPE PERMEABILITY
POW TO POOR	NON-SATURATED SWELL	C		SEVERE SLOPE PERMEABILITY
POOR TO MOD	POOR TO MOD	C		SEVERE SLOPE PERMEABILITY

THIS ASSOCIATION CONSISTS OF ABOUT 80 PERCENT SILTY LOAM THAT HAS SLOPES OF 1 TO 8 AND 30
 PERCENT POOR TO MOD CLAY LOAM THAT HAS SLOPES OF 8 TO 8 PERCENT.

THE ASSOCIATION CONSISTS OF ABOUT 80 PERCENT SILTY LOAM THAT HAS SLOPES OF 1 TO 8 AND 30
 PERCENT POOR TO MOD CLAY LOAM THAT HAS SLOPES OF 8 TO 8 PERCENT.

THE POOR TO MOD CLAY LOAM HAS A PROFILE SIMILAR TO THAT DESCRIBED AS REPRESENTATIVE FOR THE POOR TO
 MOD CLAY LOAM. THE SURFACE WATER IS CLAY LOAM.

SOILS	EXAMINATION FOR MULLING	HYDROLOGICAL GROUP	PERCENT SAND, SILT, CLAY	PERCENT SLOPE PERMEABILITY
POOR TO MOD	NON-SATURATED SWELL	C		SEVERE SLOPE PERMEABILITY
POOR TO MOD	NON-SATURATED SWELL	C		SEVERE SLOPE PERMEABILITY

SLOPE ANALYSIS

ALL SLOPES ARE LESS THAN 10 PERCENT. AREAS OF
 SMALL ARROYOS MAY HAVE MINIMAL AREA OF SIDE SLOPES
 GREATER THAN 20 PERCENT.



TIERRA COLLINAS SUBDIVISION

EXISTING TOPOGRAPHIC, SOILS,
 AND SLOPE ANALYSIS PLAN

SANTA FE COUNTY, NEW MEXICO
 TIERRA BELLO SUBDIVISION

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			
7			

PROJECT NO. 03-001
 DRAWN BY: CW
 CHECKED BY:
 DATE: 12/1/11
 BY: CWS
 SHEET
 C-1

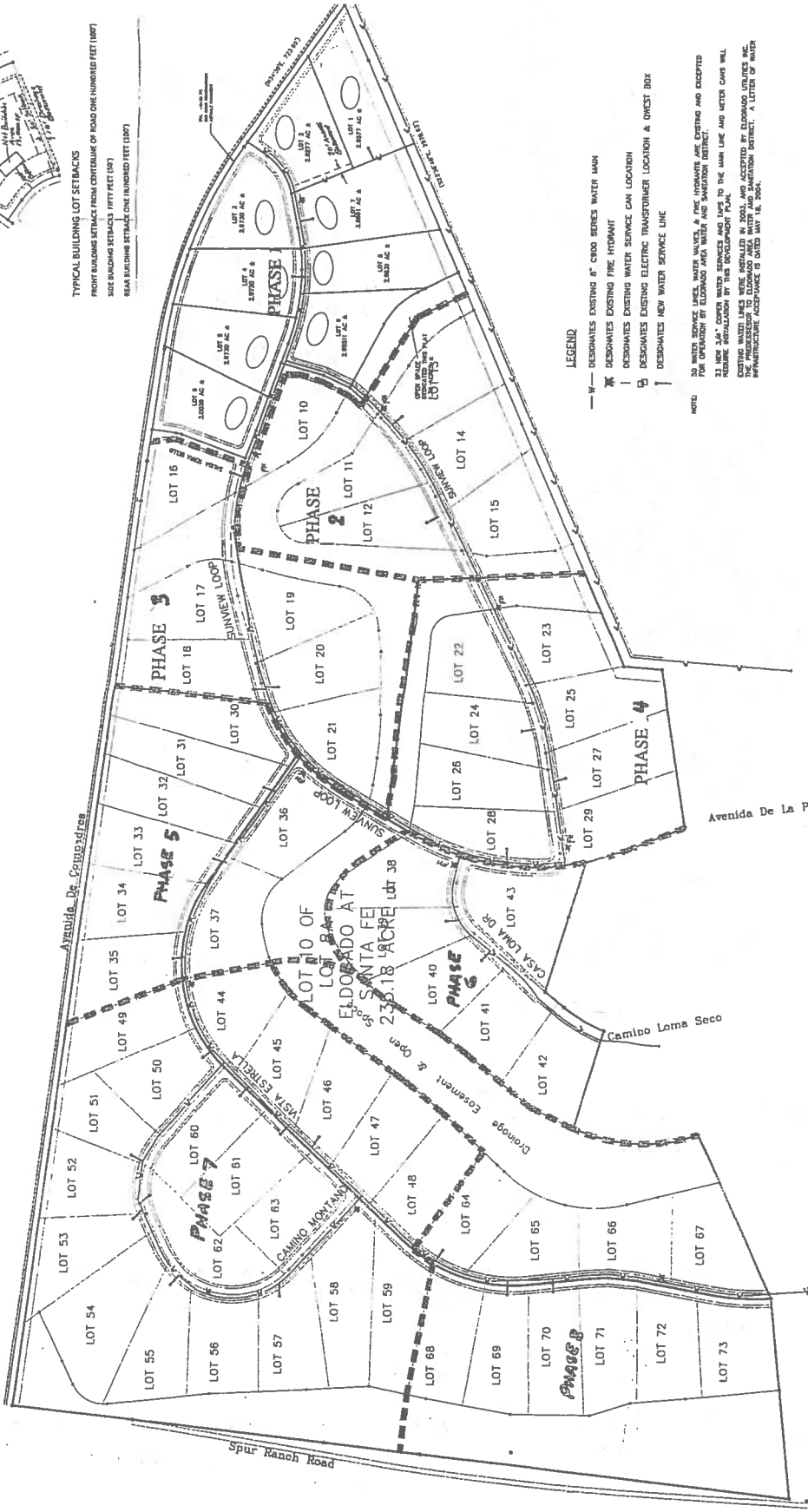
10/10/11 05:30

OBA-21

EXISTING DOMESTIC WATER DISTRIBUTION
AND FIRE PREVENTION PLAN
SANTA FE COUNTY, NEW MEXICO

PROJECT NO. 05-2011
REVISIONS (OR CHANGE NOTICES)
DATE
BY
DESCRIPTION
NO.

C-9
SHEET



- LEGEND
- W --- DESIGNATES EXISTING 4" CIND SERIES WATER MAIN
 - F ○ DESIGNATES EXISTING FIRE HYDRANT
 - E □ DESIGNATES EXISTING WATER SERVICE CAN LOCATION
 - E □ DESIGNATES EXISTING ELECTRIC TRANSFORMER LOCATION & DWEST BOX
 - S --- DESIGNATES NEW WATER SERVICE LINE

NOTE:
1. ALL WATER SERVICE LINES, WATER VALVES, & FIRE HYDRANTS ARE EXISTING AND EXCEPTED FROM EASEMENTS AND RIGHTS RESERVED TO THE SANITATION DISTRICT.
2. ALL NEW 4" CIND SERIES WATER SERVICE LINES TO THE MAIN LINE AND WATER CANS WILL BE INSTALLED BY THE DEVELOPER.
3. EXISTING WATER LINES WERE REPAIRED IN 2004 AND ACCEPTED BY EL DORADO UTILITIES INC. (EUD) AND EL DORADO AREA WATER AND SEWERAGE DISTRICT. A LETTER OF WATER INFRASTRUCTURE ASSESSMENT DATED MAY 14, 2008.



TIERRA COLLINAS SUBDIVISION

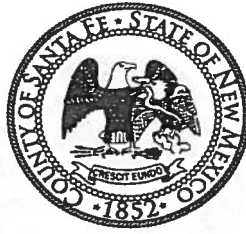
LUP 008 05-2011

OB A-27

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Liz Stefanics
Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller
County Manager

**PUBLIC WORKS DIVISION
MEMORANDUM**

Date: January 16, 2013

To: Vicki Lucero, Development Review Team Leader

From: Paul Kavanaugh, Engineering Associate *R*
Johnny P. Baca, Traffic Manager *JPB*

Re: CASE # 08-5440 Tierra Bello Subdivision Master Plan with Preliminary and Final Plat and Development Plan for Phase I.

The referenced project has been reviewed for compliance with the Land Development Code, and shall conform to roads and driveway requirements of **Article V (Subdivision Design Standards) and Section 8.1 (General Policy on Roads)**. The project is located south of Avenida Eldorado, east of Avenida de Compadres, north of Spur Ranch Road and west of New Mexico State Road 285. The applicant is requesting Master Plan approval for a seventy-three (73) lot single-family residential development on 263.769 acres parcel of land and Preliminary and Final Development Plan for Phase I (9 units).

Access:

The project is proposing to access Tierra Bello Subdivision from Avenida de Compadres an existing unimproved dirt road.

Conclusion:

Public Works Staff has reviewed the project and feels they can support the above mentioned project.

The following must be addressed at time of DEVELOPMENT PERMIT for Phase I;

1. Applicant shall be required to obtain a road construction permit from Public Works Department prior to any work on Avenida de Compadres.
2. Santa Fe County Public Works will require a pre-construction conference prior to starting any construction.
3. Santa Fe County Public Works will require a construction schedule prior to construction.
4. Applicant shall provide Santa Fe County with a permit from the Army Corp of Engineers prior to installing culverts on Avenida De Compadres.
5. Applicant shall provide Santa Fe County with a N.O.I. (Notice of Intent) prior to any construction on Avenida De Compadres.

OB A-28

EXHIBIT

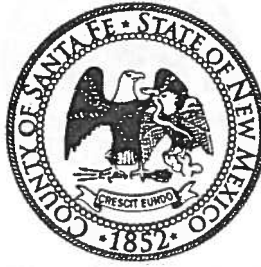
3

tabbles

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathleen Holian
Commissioner, District 4

Elizabeth Stefanics
Commissioner District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: April 20, 2012

TO: Vickie Lucero, Development Review Team Leader, Growth Management Department

FROM: Colleen Baker, Program Manager, Open Space and Trails Program

VIA: Mark Hogan, Director, Projects, Facilities and Open Space Division
Adam Leigland, Director, Public Works Department

RE: CDRC CASE # Z/S 08-5440 Tierra Bello Subdivision Master Plan with Preliminary and Final Plat and Development Plan for Phase I

Santa Fe County Open Space and Trails Program staff has reviewed the Tierra Bello Subdivision Master Plan with Preliminary and Final Plat and Development Plan for Phase I for compliance with the Santa Fe County Land Development Code and has the following comments:

1. The Land Development Code (Article V; Section 9.7) states that for "subdivisions of twenty-five (25) lots or more, open spaces shall be provided for parks and recreation on a ratio of ten (10) acres per 1,000 residents; provided that no such open spaces shall contain less than one (1) acre per subdivision. Said open spaces shall be of a nature and location suitable for park development". The Tierra Bello Subdivision plans indicate enough acreage has been set aside to meet this requirement, but it is unclear from the plan set if the nature and location of the land is suitable for park development.
2. Open Space staff has reviewed the archaeology report prepared by Ron Winters for "An Archaeological Inventory of 263.84 Acres for the Proposed Tierra Bello Subdivision, West of US Highway 285, Santa Fe County, New Mexico prepared on July 12, 2010. Open Space staff has no comments on this report.

013 A-2c

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

October 23, 2012

TO: Vicki Lucero, Development Review Team Leader
FROM: Karen Torres, County Hydrologist

RE: CDRC Case # Z/S 08-5440 Tierra Bello Subdivision Final Approval for Phase I – T15N R10E
Projected Sections 24 & 25

The amended development plan for this project was reviewed for technical accuracy and compliance with the SFC Land Development Code. The submittal by the applicant is largely complete, in compliance with the Land Development Code and addressed most of previous review comments. Outstanding comments can be addressed as a condition of final development approval for phase I.

Nature of Project:

The applicant proposes a master plan to create 73 lots ranging in size from 2.708 to 5.868 acres for single family residences. Additionally the applicant seeks preliminary and final approval for phase I of this development consisting of only 9 residential lots. The subject property is located east of New Mexico State Road 285 and is north of Spur Ranch Road. This project is within projected Township 15 North, Range 10 East, Sections 25 and 25 N.M.P.M, in the Canada de Los Alamos Land Grant.

Water supply for this development will be provided by the Eldorado Area Water and Sanitation District with individual septic tanks for liquid waste disposal.

History of Review:

The Tierra Bello Master, Preliminary and Phase I final development plan was reviewed on April 20th, 2012 for technical accuracy and compliance with the Land Development Code. This review found Eldorado Area Water and Sanitation District has sufficient water rights and well capacity to meet the existing and future commitments of the water system and the additional water use proposed by this application. The master plan met code requirements but additional information, as outlined below, was required for review prior to preliminary and final approval.

1. Domestic water plans are sufficient to meet this code requirement for master plan but not for preliminary or final approval, as neither plan are stamped with an engineer's seal. Resubmission of properly stamped plans for review by the utilities department is required prior to preliminary and final plan approval.

2. Address red-line comments on Development Plans for Tierra Bello Subdivision received March 19th, 2012.
3. Preliminary and final plat should incorporate all easements required by EASWSD and all standards for public water facilities.
4. Due to soil conditions within the development the analysis required by Article VII Sections 2.4 and 2.6, to determine whether a conventional septic tank is suitable at this site or an advanced treatment system.
5. Submission of Water Restrictive Covenants for review prior to final plat approval.

Review Comments

1. Resubmission of Properly Stamped Plans

Final set of plans were received on September 25th and reviewed on September 29th, 2012. No additional professional stamps were noted on the plans as requested. The applicant stated in a memo the water plans were completed in 1996 but the parcels were not created at that time. The new water supply plan submitted reflects new service connections but does not identify the existing infrastructure in sufficient detail and is not stamped by either a professional survey or engineer.

It is recommended the applicant supply a final set of plans for Phase I of this project with proper professional stamps for staff review prior to filing of final plat of the nine residential lots.

2. Address Redline Comments

A new version of red-line comments were submitted to the applicant and should be addressed prior to filing of Phase I final plat.

3. Preliminary and final plat should incorporate all easements required by EASWSD and all standards for public water facilities.

Plans submitted did not indicate which easements are for EASWSD or if they met the needs of the water system. Through the Land Development process an opportunity exists to coordinate with utilities and insure all easement and other requirements are met. It is recommended the applicant submit a set of plans to EAWSD for timely review prior to final plat to give the water system to evaluate if all necessary easements are in place. Such a review should have a set date for comments to ensure the final approval process is not delayed.

4. Due to soil conditions within the development the analysis required by Article VII Sections 2.4 and 2.6, to determine whether a conventional septic tank is suitable at this site or an advanced treatment system.

The following items are required for a liquid water disposal package:

2.6.1 - A copy of the sub divider's disclosure statement relating to liquid waste disposal

Redline comments have been submitted to the Land Use Department. Liquid waste section meets code requirements.

2.6.2 - The location of proposed distance separation of all proposed and existing wells, sewage adsorption areas, community sewage systems and community water supply systems within the proposed subdivision or large scale residential development and existing wells and drain fields within 500 feet of the proposed subdivision or large scale residential boundary.

Plans submitted include buildable area designation to include septic system location. This code requirement has been met.

2.6.3 - A map showing the location of all arroyos, flood plains and bodies of water within the proposed subdivision or development and within 1,000 feet of the proposed subdivision or development boundary.

This requirement has been met within the floodplain / drainage map.

2.6.4 - A soil investigation report, including a soil survey, soil borings to a minimum depth of 8 feet, soil test results and an analysis of the soil survey, soil boring and soil tests. The report shall define soil depth to bedrock, seasonal high groundwater table or other limiting soil layer and percolation rate for the soils present with the proposed development. There shall be a minimum of 1 boring and 1 percolation test per 10 lots; the locations of these borings and test shall be distributed over the site to adequately represent the site soil conditions.

Boring log and percolation records were submitted on October 8th, 2012 for review. These tests indicate a conventional septic tank is feasible with phase 1 of this project. The installation of an advanced treatment system does not appear to be necessary and does not need to be disclosed.

2.6.5 - A liquid waste system feasibility map, superimposed on the subdivision plat or development plan delineating the areas suitable, limited and prohibitive soils as defined in Table 7.2 and delineating required setback distances as defined in Table 7.3. The feasibility map shall delineate slopes of 9% to 15% and slopes more than 15%.

Based on the geotechnical report and development plan all soils, slopes and setbacks within Phase I of this development are suitable for a conventional septic system.

2.6.6 - The flood frequency of areas within the proposed subdivision or development

Flood map was reviewed by the Public Works Department and found acceptable.

2.6.7 - A detailed description of the kind of individual liquid waste disposal systems, if any, that are to be used by the occupants of the subdivision or development. Preliminary plans for individual liquid waste disposal systems if a system will serve more than one connection.

Not required for this development

2.6.8 - The projected population of the subdivision or development.

This requirement is met by the residential nature of the development through NMED Liquid Waste permitting procedures and will be deferred to in this review.

2.6.9 – The direction of movement of ground water in the subdivision or development

This requirement is met through NMED permitting procedures and will be deferred to in this review.

2.6.10 – An analysis which indicates the individual liquid waste disposal systems can be used for each lot in compliance with all applicable New Mexico Environment Department regulations in effect at the time the application is made and all requirements of Section 2.4 of this Article, without need for any variance from their requirements.

Based on the geotechnical report and development plan all soils, slopes and setbacks within Phase I of this development are suitable for a conventional septic system. Other requirements will be met through NMED permitting procedures and will be deferred to in this review.

Documentation submitted by the applicant meets code requirement for liquid waste disposal.

5. Submission of Water Restrictive Covenants for review prior to final plat approval.

Covenants were submitted for review. Rain catchment and hot water recirculating pump requirements were not included. Redlines are attached to this memo.

Conclusions

The submittal by the applicant is largely complete, in compliance with the Land Development Code and addressed most of previous review comments. Outstanding comments can be address as a condition of final development approval for phase I.

If you have any questions, please feel free to call me at 992-9871 or email at ktorres@co.santa-fe.nm.us.

OBA-3

XFINITY Connect

ldplanning@comcast.net

± Font Size -

RE: Tierra Bella Subdivision TIA

From : Afshin Jian, NMDOT <Afshin.Jian@state.nm.us>

Mon, Oct 22, 2012 06:34 PM

Subject : RE: Tierra Bella Subdivision TIA**To :** Morey <Morey@walkerengineering.net>, Jeremy Lujan, NMDOT <Jeremy.Lujan@state.nm.us>**Cc :** 'Vicki Lucero' <vlopez@co.santa-fe.nm.us>, Danny Martinez <ldplanning@comcast.net>

Hi Morey,

As per our phone conversation today we agreed to the following:

- The review of the 50% build shows that the delay is increasing on turning movements to US 285.
- Although, the level of service remains the same for the turning movements
- The deceleration lane on US 285 is not adequate length for the posted speed of 45 mph.
- Acceleration length might not be required at this time, based on the shown turning movement in the report for 50% build scenario
- Signal warrant was not performed at this intersection and the NMDOT district five communicated that a traffic signal was not planned.

Based on the traffic impact analysis the current mitigation for 50% development shall be to increase the length of deceleration lane to 45 mph standards shown in New Mexico Access Manual. The manual calls for 370' of deceleration lane with 150' of taper.

The full build requires analysis for traffic signal warrant for the intersection or right acceleration lane on US 285 if it does not meet the warrant.

Please let me know if you have any questions

Afshin Jian P.E.
State Traffic Engineer
New Mexico Department of
TRANSPORTATION
Phone: (505) 827-5490
Cell: (505) 795-5993

From: Morey [mailto:Morey@walkerengineering.net]
Sent: Monday, October 22, 2012 12:06 PM
To: Lujan, Jeremy, NMDOT; Jian, Afshin, NMDOT
Cc: 'Vicki Lucero'; Danny Martinez
Subject: RE: Tierra Bella Subdivision TIA

Afshin,

After talking with you today, my understanding is Terra Bella would receive NMDOT approval once we determine what mitigation measures will be required.

I have looked into the design of the right turn deceleration lane from US 285 onto Avenida Eldorado. Apparently, when the right turn deceleration lane was built, the speed limit on US 285 was 40 mph. I know that is a fact since I got a speeding ticket on that stretch of highway. Since the speed limit has been raised to 45 mph, the right turn deceleration lane should be lengthened from the current 300 feet to the required 370 feet. My client will agree to pay for the lengthening once Tierra Bella has received final approval for 37 lots.

This should take care of the mitigation requirements from NMDOT. If that is not the case, please do not hesitate to contact me. Santa Fe County is requesting a letter from NMDOT for this approval.

Thank you for your response

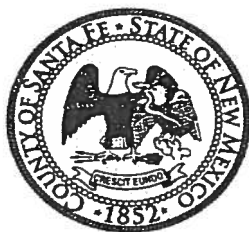
OB A - 34

<http://web.mail.comcast.net/zimbra/h/printmessage?id=27478&tz=America/Denver&xim...> 10/23/2012

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Submittal Review

Date	April 24, 2012		
Project Name	Tierra Bello / Joe Miller		
Project Location	56 Avenida de Compadres T17; R9; S24-25		
Description	Development request for 73 lot single family subdivision	Case Manager	Vicki Lucero
Applicant Name	Joe Miller/ Agent -Land Development Consultants	County Case #	Z/S08-5440
Applicant Address	7009 Marilyn Ave. NE Albuquerque, NM 87109	Fire District	El Dorado
Applicant Phone	505-660-5250		

Commercial <input checked="" type="checkbox"/>	Residential <input type="checkbox"/>	Sprinklers <input type="checkbox"/>	Wildland <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
<u>Review Type</u>	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input checked="" type="checkbox"/>	Inspection <input type="checkbox"/> Lot Split <input type="checkbox"/>

Project Status Approved Approved with Conditions Denial

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*) :

Summary of Review

- Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development... (*page #2*)
- Per revised Phase I plans, development shall include the regrading and surfacing of Sunview Loop for adequate fire department access and shall include Sunview Loop on Phase I drawings. Construction of Salida Tierra Bello shall allow for a secondary access point onto Avenida de Compadres Road. Avenida de Compadres Road shall be built to County Standards to the intersection with Avenida Eldorado . This shall include adequate drainage for low water crossing areas. (*page #2*)
- All access roadway identification signs leading to the approved development area(s) shall be in place (*page #3*)
- No building permits shall be granted until such time as the fire hydrants have been tested and approved... (*page #4*)

OBA-35

- Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection... (page #5)

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Any walking trail system created for this development shall have a trail identification number or name and be marked with a number every 1/10th of a mile (528 feet) for the purpose of expediting emergency response.

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

Curbs adjacent to fire hydrants, landscape medians in traffic flow areas and in designated no parking areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE - NO PARKING" as determined by the Fire Marshal prior to final approval. Assistance in details and information are available through the Fire Prevention Division. The Home Owner's and/or the Home Owner's Association will maintain said markings following the final approval and for the duration of the subdivision.

- **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Final acceptance based upon the Fire Marshal's approval.

Cul-de-sacs shall be a minimum 50' radius. SFC Land Use Code, Article V, Section 8.2.1d, (cul-de sacs over 250' in length)

Maximum size for an island in a cul-de-sac shall be 20' diameter.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Driveways, turnouts and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted base course or equivalent. Minimum gate and individual driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

Per revised Phase I plans, development shall include the regrading and surfacing of Sunview Loop for adequate fire department access and shall include Sunview Loop on Phase I drawings. Construction of Salida Tierra Bello shall allow for a secondary access point onto Avenida de Compadres Road. Avenida de Compadres Road shall be built to County Standards to the intersection with Avenida Eldorado . This shall include adequate drainage for low water crossing areas.

▪ **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

▪ **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

Slope shall not exceed 11%.

▪ **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

A final inspection by this office will be necessary to determine the applicability of the installation of the Knox lock access system in regards to emergency entrance / egress into the subdivision via the adjoining Tierra Colinas access roads. Should it be found suitable for such, the developer shall install the system.

Fire Protection Systems

▪ Hydrants

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Section 903.4.2 Required Installations. (1997 UFC) *The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.*

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within one thousand feet (1,000') as measured along the access route.

Additional hydrants and/or relocation of existing fire hydrants shown within the submittal packet may be required.

Fire hydrant locations shall be no further than 10 feet from the edge of the approved access roadways with the steamer connections facing towards the driving surface. Final fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

All hydrants shall have NST ports.

No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal.

All hydrants shall comply with Santa Fe County Resolution 2000-55, Hydrant color-coding, marking and testing.

General Requirements/Comments

- **Inspections/Acceptance Tests**

Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

- **Permits**

As required

Final Status

Recommendation for Final Development Plan approval with the above conditions applied.

Tim Gilmore, Inspector




Code Enforcement Official

4-25-12
Date

Through: David Sperling, Chief/Fire Marshal

File: DevRev/EL/TierraBello/042412

Cy: Applicant
District Chief
Buster Patty, Capt., Fire Prevention Div. 

Official Submittal Review

5 of 5

OBA-39



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

CONCHA ORTIZ Y PINO BLDG.
POST OFFICE BOX 25102
130 SOUTH CAPITOL
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6091
FAX: (505) 827-3806

April 9, 2012

Vicki Lucero
Development Review Team Leader
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-1985

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Tierra Bello Subdivision Master Plan/Preliminary and Final Plat and Development Plan for Phase 1

Dear Ms. Lucero:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Santa Fe County Land Development Code and the New Mexico Subdivision Act.

Based on the information provided, this office cannot determine that the subdivider can furnish water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses, and that the subdivider can fulfill the proposals in his disclosure statement concerning water, excepting water quality. Accordingly, a **negative** opinion is issued.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Julie Valdez at 505-827-6790.

Sincerely,

A handwritten signature in black ink that reads "John W. Longworth".

John W. Longworth, P.E.
Water Use & Conservation/Subdivision Review Bureau Chief

Encl.

cc: OSE Water Rights Division, Santa Fe Office

OB A-40

MEMORANDUM
New Mexico Office of the State Engineer
Water Use and Conservation Bureau

DATE: April 9, 2012
TO: John Longworth, P.E., Water Use and Conservation Bureau Chief
FROM: Julie Valdez, Senior Water Resource Specialist *JMV*
SUBJECT: Tierra Bello Subdivision, Santa Fe County

SUMMARY

On March 16, 2012 the Office of the State Engineer (OSE) received a request to provide comments on the *Tierra Bello Subdivision Master Plan/Preliminary and Final Plat and Development Plan for Phase 1*.

The applicant seeks approval from Santa Fe County for a Master Plan development of 73 lots and Preliminary/Final approval for Phase 1 of the development. The proposed Master Plan will be developed in eight phases as follows:

- Phase 1 – Lots 1-9
- Phase 2 – Lots 10-15
- Phase 3 – Lots 16-21
- Phase 4 – Lots 22-29
- Phase 5 – Lots 30-37
- Phase 6 – Lots 38-43
- Phase 7 – Lots 44-63
- Phase 8 – Lots 64-73

The Master Plan proposal is a request to subdivide a 263.8 acre parcel into 73 residential lots ranging in size from 2.7 to 5.9 acres. The property is located on the west side of US 285 between Avenida Eldorado and Spur Ranch Road within projected Sections 24 and 25, Township 17 North, Range 9 East, Cañada De Los Alamos Grant. The New Mexico Subdivision Act does not require an opinion from the OSE for Master Plans. Therefore, this opinion is only for Phase 1 of the development.

This office reviewed and provided comments for the Tierra Bello Plan on January 12, 2009, January 13, 2010, August 26, 2010 and October 28, 2011. For details, please refer to these letters.

The water supply documents submitted to this office consist of a Water Budget, Disclosure Statement, a Letter from EAWSD, and a Plat Map.

The revised nine lot subdivision proposal (Phase 1) was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act (Act). Based on the information provided, the water supply proposal is not in compliance with the requirement of Section 6.6.2 of the Code and Section 47-6-11.F.(1) of the Act. Accordingly, a **negative** opinion should be issued.

OB A-41

WATER DEMAND ANALYSIS AND WATER CONSERVATION

Section 6.6.2 of the Code requires that a detailed water demand analysis be included in the proposal. Water requirements for residential use are computed as 0.25 acre-feet per lot and are based on indoor water uses and quantities presented in OSE Technical Report 48, (Wilson, 1996) assuming 3 persons per dwelling unit and 400 squared ft of Bermuda grass.

The developer provides confusing and contradicting statements throughout the proposal regarding water use:

- Outdoor irrigation is computed assuming 400 square feet of Bermuda grass (Table 1. Water Use Projection). This does not coincide with the Water Conservation Restrictions on Water Use which limited outdoor irrigation to 800 square feet watered with rainwater or recycled gray water.
- Under Item No. 4 of the Disclosure Statement the developer states that water use is limited to 0.25 acre-feet per annum. This does not coincide with Item No. 5 of the Disclosure Statement which states "*each household within the Eldorado subdivision uses approximately 0.80 acre feet of water per year*".

It is recommended that the developer amended the Water Budget and the Disclosure Statement to reflect the proper assumptions made in quantifying the maximum water demand. These assumptions should be consistent throughout the proposal.

WATER AVAILABILITY ASSESSMENT

The proposed water supply is by the Eldorado Area Water and Sanitation District (EAWSD). The proposal contains an agreement between the developer and EAWSD to provide water service at a rate of 18.25 acre-feet per year at full development.

EAWSD filed an application with the OSE for an additional Point of Diversion (POD) on May 3, 2011. The proposed POD will increase EAWSD's diversion capacity, which may be necessary to ensure sufficient ability to meet existing and proposed demands. This POD was granted an emergency authorization to divert water for the summer of 2011 and expired on October 1, 2011.

The May 3, 2011 application had been protested (which has been withdrawn) and is currently awaiting a determination from the OSE's Water Rights Division (WRD). Since the application is pending, the developer cannot currently furnish water in sufficient quantity to fulfill the maximum annual water requirement for Phase 1. Once the WRD determines the outcome of the application, this may change. However, the OSE does not have the authority to make a conditional determination based on a potential future action.

Based on the information provided, this office has determined, as required by Section 47-6-11.F.(1) of the Act, that the developer cannot fulfill the statements in the proposals concerning

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water availability at this time. This office is prepared to re-evaluate the reference proposal when the necessary water rights applications have been completed.

OB A-43



December 11, 2012

Vicki Lucero
Development Review Team Leader
Santa Fe County
Santa Fe, NM

Re: Tierra Bello Subdivision

Dear Ms Lucero:

Santa Fe Public Schools has reviewed information received from Santa Fe County Development Review Team regarding the above referenced project. Given the estimated build out projections for the development plan, current capacities at assigned schools (Eldorado Community School K-8, Santa Fe High School 9-12) will be adequate to serve the anticipated student population from this development. However, there may be additional residential housing projects currently planned or in the development phase that will affect future school capacities in this area.

We appreciate your observance of City Ordinance 2008-32 allowing Santa Fe Public Schools to adequately plan for impact to facilities and operations.

Sincerely,

Shirley McDougall
Property & Asset Management
(505) 699-4369
smcdougall@sfps.info

Educational Services Center
610 Alta Vista
Santa Fe, NM 87505
Telephone (505) 467-2000
www.sfps.info

OB A-44



BILL RICHARDSON
Governor

State of New Mexico
ENVIRONMENT DEPARTMENT

Environmental Health Division
District II-Santa Fe Field Office
#4 Calle Medico

Santa Fe, New Mexico 87505

Telephone (505) 827-1840

Fax (505) 827-1839

www.nmenv.state.nm.us



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CARLOS ROMERO
Director

December 30, 2008

Mr. Joe Catanach
Zoning Case Manager
County of Santa Fe
102 Grant Avenue, P.O. Box 276
Santa Fe, New Mexico 87504-0276

Re: CDRC Case # 08-5440 MP – Tierra Bello – Master Plan

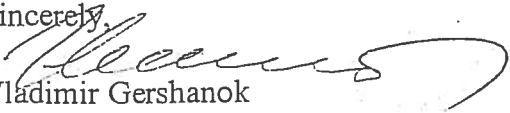
Dear Mr. Catanach:

Per your request I have reviewed the package submitted for CDRC Case # 08-5440 MP – Tierra Bello - Master Plan. My review covered regulatory and technical requirements within the purview of the New Mexico Environment Department. According to the Master Plan, individual liquid waste systems are proposed for each lot. Each lot owner must apply for a Liquid Waste Permit. Soil analysis has been prepared for the subdivision and appears that conventional LW System or Advanced Treatment System, based on soil evaluation on each individual lot, will be suitable and will meet NMED regulatory requirements.

Please contact NMED Drinking Water Bureau (Phone # 827-8641) regarding requirements for the proposed Eldorado Public Water System water line extensions and modifications.

If conditions as proposed within the Master Plan are not implemented as proposed, further review and evaluation would be needed. Should you have any questions regarding my comments, please contact me at (505)- 827-1840.

Sincerely,


Vladimir Gershanok
Environmental Scientist

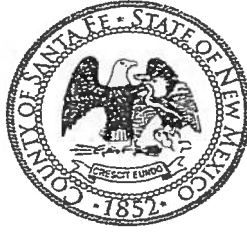
cc: Robert Italiano
Reading file

OBA-45

Harry B. Montoya
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Michael D. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

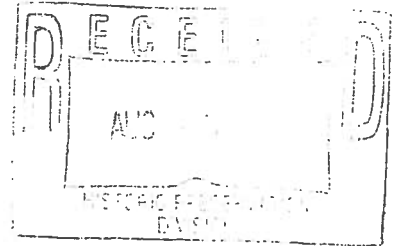
Liz Stefanics
Commissioner, District 5

Roman Abeyta
County Manager

July 28, 2010

Ms. Michelle Ensey, Deputy State Historic Preservation Officer
State of New Mexico
Historic Preservation Division
228 E. Palace Avenue
Santa Fe, NM 87501

089993



Re: EZ CASE # Z 08-5440 Tierra Bello Subdivision

Dear Ms. Ensey:

Please review the enclosed information as submitted to us by the applicant for technical accuracy and for compliance with the County Land Development Code and respond with comments at your earliest convenience.

If you have any questions, please do not hesitate to contact this office at 986-6222.

Sincerely,

Vicki Lucero
Development Review Team Leader

No Historic Properties Affected. 8/31/10

Michelle Ensey
for NM State Historic Preservation Officer

The cultural resources survey was negative. The proposed subdivision will not have an effect on historic properties.

OB A-46

**Tierra Bello Subdivision
Santa Fe County, New Mexico**

Disclosure Statement

November 2012

Tierra Bello Subdivision

Disclosure Statement

For all Subdivisions containing Five (5) or more Parcels

UB A-4

EXHIBIT

4

tabbles®

PLEASE READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE TO ANYTHING.

This disclosure statement is intended to provide you with enough information to permit you to make an informed decision on the purchase or lease of property described in this statement. You should read carefully all of the information contained in this statement before you decide to buy or lease or otherwise acquire the described property.

Various public agencies may have issued opinions, on both the subdivision proposal and the information contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Board of County Commissioners has examined this disclosure statement to determine whether the sub-divider can satisfy what the sub-divider has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure is not a recommendation or endorsement of the subdivision by the City, the County, or the State. It is informative only.

The Board of County Commissioners recommends that you see the property before buying or leasing it or otherwise acquiring it. **If you have not inspected the parcel before purchasing, leasing or otherwise acquiring it, you have six (6) months from the time of purchase, lease, or other acquisition to inspect the property. After inspecting the parcel within the six (6) month period, you have three (3) days from the date of inspection to rescind the transaction and receive all of your money back from the sub-divider when merchantable title is reverted in the sub-diver. To rescind the transaction, you must give the sub-divider notice of intent to rescind within three (3) days of your inspection of the property.**

County regulations require that any deed, real estate contract, lease, or other instrument conveying an interest in a parcel in the subdivision be recorded with the Santa Fe County Clerk.

Building permits, wastewater permits or other use permits must be issued by state or county officials before improvements are constructed. You should investigate the availability of such permits before you purchase, lease, or otherwise acquire an interest in the land. You should also determine whether such permits are required for construction of addition improvements before you occupy the property.

1. **Name of Subdivision**
Tierra Bello Subdivision
 2. **Name & Address of developer**
Cow Springs Land & Cattle
Joseph & Alma Miller
286 Riverbank Road
Lamy, New Mexico 87540
 3. **Name & Address of person in charge of sales or leasing in New Mexico**
Not applicable
 4. **Size of Subdivision both present and anticipated**
Tierra Bello Subdivision is a (73) seventy three lot, single family residential development containing 263.750 acres, located within Lot 18A Of Eldorado at Santa Fe. Development will be completed in (8) phases.
 5. **Size of the Largest Parcel or Unit offered for sale or lease within the Subdivision**
2.972 Acres
 6. **Size of smallest parcel offered for sale or lease within the Subdivision**
2.750 Acres
 7. **Proposed range of selling or leasing prices**
Not Available
- NOTE: These lot and unit prices are subject to change based on off-site improvements required by the County or other market conditions by formal amendment to this Disclosure Statement.**
8. **Financing Terms**
Not Available
 9. **Name & Address of holder of legal title**
Cow Springs Land and Cattle
Joseph & Alma M. Miller
286 Riverbank Road
Lamy, New Mexico 87540

10. **Name & Address of person having equitable title**

Joseph F. & Alma M. Miller
286 Riverbank Road
Lamy, New Mexico 87540

11. **Condition of Title**

Free and clear title, fee simple.

12. **Statement of all restrictions or reservations of record subject the subdivided land to any conditions affecting its use or occupancy**

Not Applicable

13. **Escrow Agent**

Not Available

14. **Utilities Estimated Costs**

Electric, gas water, telephone and cable TV main lines are existing within the public right of way and adjoining utility easements. Individual lot services are the responsibility of the lot/home owner.

15. **Installation of Utilities**

Electric – Public Service Company of New Mexico
New Mexico Gas
Telephone – Qwest
Cable TV - Comcast
Water mains, fire hydrants by the developer, individual services by the lot owner

16. **Utility Location**

All utilities are within designated 10' utility easements and public right of ways.

17. **Water Availability**

Water distribution for fire protection and domestic water consumption is provided by Eldorado Area Water and Sanitation District, and is designated as a Quasi Municipal Government, with an elected Board of Directors.

18. **For Subdivisions with Community Water Systems**

Eldorado Area Water and Sanitation District.

19. **For Subdivisions with Individual Domestic Wells or Shared Wells**

Individual private wells are not permitted within Tierra Bello Subdivision.

20. **Life Expectancy of the Water Supply**

100 Year water supply provided through Eldorado Area Water and Sanitation District. Documentation is available from the district.

21. **Surface Water**

No surface irrigation water rights are available.

22. **Water Quality**

Refer to Eldorado Area Water and Sanitation District

23. **New Mexico Environmental Departments Opinion on Water Quality**

Refer to Eldorado Area Water and Sanitation District

24. **Liquid Waste Disposal**

Private Septic Systems permitted through New Mexico Environmental Department is each lot owner responsibility. The types of permitted liquid waste disposal systems is dependent on the types of soils, depth of soils to bedrock and depth to water tables, proximity to natural water courses and steepness of slopes. It is the responsibility of the lot owner to comply with Santa Fe County Development Regulations and New Mexico Environment Department regulations at the time of development building permit submittal. Attached is a letter from NMEID acknowledging approval for septic systems.

Based on existing soils conditions within Tierra Bello Subdivision and development data Conventional septic systems are acceptable.

NOTE: Other liquid waste disposal system may be used in the subdivision such as advanced on site treatment, effluent gray water reuse systems or other systems approved by the New Mexico Environmental Department. Costs associated are the responsibility of the home owner and not the developer.

25. **New Mexico Environmental Department Opinion on Liquid Waste Disposal**

See attached letter from State of New Mexico Environment Department dated December 30th, 2008, regarding Tierra Bello Subdivision.

26. **Solid Waste Disposal**

Each lot owner is responsible for removal of solid waste by contracting with a commercial company that deals in solid waste disposal or by direct disposal at Santa Fe County Solid Waste Transfer Station located in Eldorado.

27. **New Mexico Environmental Department Opinion on Solid Waste Disposal**

Not available

28. **Terrain Management**

Gentle slopes, with no adverse impacts, subject property does not fall in a designated 100 year flood plain.

29. **Soil & Water Conservation District Opinion of Terrain Management**

Not available

30. **Subdivision Access**

Access into Tierra Bello Subdivision from the City of Santa Fe is east on Interstate 25 to US Highway 285 South, then to the intersection of Avenida Eldorado west to the intersection with Avenida de Compadres Road south to the intersection of Sunview Loop and access into Tierra Bello Subdivision

31. **State Highway & Transportation Department's Opinion on Access**

No access driveway permits onto US Highway 285 are required.

32. **Maintenance of Public Right of Way within Subdivision.**

Tierra Bello Homeowners Association will be the responsible party for interior road maintenance.

33. **Adverse Conditions**

None

34. **Recreation Facilities**

Dedicated Open Space and Pedestrian Trail System to be designed and developed by The Tierra Bello Subdivision Homeowners Association.

DECLARATION OF RESTRICTIVE COVENANTS

FOR:

TIERRA BELLO SUBDIVISION

KNOW ALL PERSONS BY THESE PRESENTS:

ARTICLE 1: DECLARATION

The undersigned, Joseph A. Miller and Alma M. Miller, the owners of real property now duly platted as Tierra Bello Subdivision as shown by a plat thereof files in the office of the County Clerk of Santa Fe County, New Mexico on the _____ day of _____, 2008, in Plat Book _____, Page(s) _____ under Reception No. _____, _____: HEREBY MAKE THE FOLLOWING DECLARATION as limitations, restrictions and use to which the lots or tracts constituting said subdivision may be put. HEREBY SPECIFYING that said declaration shall be constitute covenants to run with all the land, as provided by law, and shall be binding to all parties and all persons claiming under them and for the benefit of and said limitations upon all future homeowners in said subdivision, thus keeping said Subdivision desirable, uniform and suitable in architectural design and use as herein specified, whether or not that same are embodied in the covenants or other instrument affecting any portion of Lot 8A, Eldorado at Santa Fe. This declaration of restriction is intended to protect the visual and environmental integrity; the value and desirability of the subject property.

NOW THEREFORE that the subject property being identified as "Tierra Bello Subdivision" within Lot 8A, Eldorado at Santa Fe and zoned residential use is hereby subject to the restrictions herein set forth below.

ARTICLE 2: DEFINITIONS

- 2.01. "Lot" shall mean each and every lot sold or leased to purchase or held for sale in the subject property. "Lot" means tract.
- 2.02. "The Subdivision" Tierra Bello refers to any lands lying within Lot 8A, Eldorado at Santa Fe, approved by the County Commissioners in year _____ and described on Plat of Survey dated _____ and filed _____ Book _____, Page _____.
- 2.03. "Architectural Review Committee" (the Committee): A committee comprising of three (3) members charged with the authority and duty to review and approve or disapprove proposed plans for development within the property cover by these covenants. The developer shall serve as the Architectural Committee until ten (10) lots have been sold or leased to purchase. The developer will then appoint a three (3) member interim committee. A vacancy in the committee will be filled by appointment of new members agreed upon by the remaining committee members. All members of the committee must be owner(s) or lessee(s) of property within Tierra Bello Subdivision.

When a Landowners Association is formed then all members of the Architectural Committee must be elected by the Landowners Association. All members of Architectural Committee must be notified of any meeting of the Committee at least 5 days before the meetings. Each of the three members of the Committee shall have one equal vote. A quorum of the Committee shall exist when majorities of the members are present at properly called meeting.

- 2.04. "Manufactured Housing." "Based on New Mexico Statutes and Regulations Article 3-21A Manufactured Housing and Zoning." Multi section manufactured housing means a manufactured home or modular home that is a single family dwelling with a heated area of at least thirty-six by twenty-four feet and at least eight hundred sixty-four square feet and constructed in a factory to the standards of the United States Department of Housing and Urban Development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or the Uniform Building Code, as amended to the date of the unit's construction, and installed consistent with the Manufactured Housing Act [Chapter 60, Article 14 NMSA 1978] and with the regulations made pursuant thereto relating to permanent foundations.
- 2.05. "Mobile Home" means a moveable or portable housing structure larger than forty feet in body length, eight feet in width or eleven feet in overall height, designed for and occupied by no more than one family for living and sleeping purposes that is not constructed to the standards of the United States department of housing and urban development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or Uniform Building Code, as amended to the date of the unit's construction or built to the standards of any municipal building code.
- 2.06. "Manufactured Housing; permissible regulations," Based on NM Statues and regulations Article 3-21A-3. In the exercise of any of the powers and duties conferred by law, no governing body of a political subdivision of the state or any planning and zoning agency there under shall exclude multi-section manufactured homes from a specific- use district in which site-built, single family housing is allowed or place more severe restrictions upon a multi-section manufactured home than are placed upon single-family, site-built housing within that specific-use district so long as the manufactured housing is built or constructed according to the Housing and Urban Development Zone Code II or the Uniform Building Code. The governing body of any political subdivision of the state or any planning and zoning agency there under is authorized to regulate manufactured housing to require that it meets all requirements other than original construction requirements of other single-family dwellings that are site-built homes in the same specific-use district and to further require by ordinance that such manufactured housing be consistent with applicable historic or aesthetic standards.
- 2.07. "Landowners Association" (The Association): If 2/3 of the landowners and lessees approve the Landowners may form a Landowners Association after ten (10) lots within Tierra Bello are sold, transferred, or leased. Such an association shall be a non-profit corporation for the benefit of Tierra Bello Subdivision. Each lot within the Subdivision shall be to one membership and each membership will

have one vote. Said Association shall develop their bylaws and conduct an election to select 3 members to the Architectural Committee. The Bylaws of the Landowners Association must be approved by 2/3 of the landowners voting. The Landowners Association shall have the right and power to assess lot owners and lessees for improvements and maintenance of roads, facilities and open space for the benefit of the landowners or lease of Tierra Bello. The developer of Tierra Bello will be exempt from all assessments. The Association shall appoint by plurality of voting members a Chairperson, a Secretary and a Treasurer. The Secretary may also serve as the Treasurer. The Chairperson shall be obligated to conduct the meeting of the Association in accordance with the then current issue of Robert's Rules of Order. The Association must foster the best interest of the Subdivision.

- 2.08. Household pets shall mean dogs, cats, hamsters, and birds and reptiles.

ARTICLE 3: DURATION

3.01. These Restrictive Covenants shall run with and bind with the land, as provided for by law and shall be binding on all parties, persons claiming under them and to insure, and limitations upon all future residence in Tierra Bello Subdivision keeping Tierra Bello Subdivision desirable, uniform and suitable for use as herein specified.

3.02. These covenants may be changed or terminated with the approval of 60% of the landowners. Changes will take effect when all instruments stating so is filed with the Clerk of Santa Fe County.

ARTICLE 4: SEVERABILITY

4.01. Invalidation of anyone or more of these covenants by judgment or court order shall in no way effect any or the remaining provisions, which shall remain in full force and effect.

4.02. In the event that any party violates or attempts to violate any of the covenants contained herein it shall be lawful for the Landowners Association or any person owning or leasing real property situated in said subdivision to prosecute any proceedings at law or equity against the person or persons violating or attempting to violate any such covenant in order to prevent them from further violation and to recover damages for such action.

ARTICLE 5: PERMITTED USES

5.01. The following are permitted in Tierra Bello Subdivision as zoned by Santa Fe County for residential uses. Single-family dwellings together with such structures and outbuildings as are commonly and customarily thereto including but not limited to, private garages, and studios when permitted by the County of Santa Fe or permitted under these covenants. Any dwelling may be used for home occupied business provided all the requirements of the Santa Fe County codes are met.

However any owner may without such approval erect one (1) sign not more than four (4) feet by three (3) feet advertising the lot for house for sale or rent.

- 6.07. "Storage"- No storage of any material, except building material during construction, shall be permitted. No more than one (1) recreational vehicle and one boat may be stored on any lot. RV's and boats must be parked in the least conspicuous possible place. Covers are encouraged.
- 6.08. "Lighting"- No exterior lighting more than twelve (12) feet above ground designed to illuminate an area from dusk to dawn may be placed on a lot unless it is adequately shielded to prevent being a nuisance to surrounding landowners.
- 6.09. "Tanks"- Butane tanks and other storage tanks shall be placed in such a manner as not to distract the appearance of any lot as determined by the committee.
- 6.10. "Nuisance"- No noxious or offensive activity can be carried on any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the owners or renters in the subdivision. This provision shall be liberally construed to include activities, which are offensive to reasonable persons such as disposal or retention of junk vehicles, carrying on loud activities. Nor the conduct of any activities, which produce interferences to ordinary TV reception such as improperly tuned HAM or CB reception transmission stations, etc. Any activation that interferes with the peace and tranquility of the residence of Tierra Bello shall be prohibited.
- 6.11. "Other uses"- No uses inconsistent with the residential character of the Subdivision shall occur, as determined by the Committee.
- 6.12. "Subdivision of lots"- No lot shall be subdivided as to create an additional lot.
- 6.13. "Access to lots"- All lots will be accessed from roads within the subdivision. No lot may be accessed from Spur Ranch Road or from Avenida de Compadres except Lot No. 1
- 6.14. "Waivers"- Any prohibition may be waiver by the Committee when the proposed waiver is not inconsistent with the purpose and intent of these covenants.

ARTICLE 7: CONSTRUCTION

- 7.01. "Approval"- Architectural Committee must approve all plans prior to the construction, or placing structures built offsite, or exterior modification, or additions to any structure on any lot in Tierra Bello Subdivision. The Architectural Committee shall render its decision relating to the proposed construction within 15 days following the date of submission of plans and specifications. If no decision is forth coming within this time the plans and specifications shall be deemed to have been approved. Development applications and permits are required from Santa Fe County and New Mexico Construction Industries Division along with New Mexico Environment Improvement Division for liquid waste disposal systems.

- 7.02. "Standard"- The type of architecture design for on site constructed homes shall be based upon, but not strictly adhere to Santa Fe style, Territorial style, Pueblo style and Northern New Mexico Style. Reasonable innovative and creative ways are permitted. The use of construction material will not be visually offensive. The only requirement of the decision to approve modifications in the standard is that the committee shall act in good faith for the benefit of all residents of lots in the subdivision.
- 7.03. All Utilities shall be underground.
- 7.04. All construction shall be completed within twelve (12) months from the date such work is started.
- 7.05. Temporary construction quarters are permitted, but must be removed immediately when the home is occupied. During construction the owner of the site must insure the area be clear of debris and use reasonable efforts to minimize noise, dust and fumes.
- 7.06. "Construction"- During construction, the lot owner must insure that they or the builder shall be required to refrain from damaging or removing trees and other vegetation except as may be reasonably necessary in clearing the building site or the construction of driveways and parking areas.
- 7.07. "Solid Waste Disposal"- All lot owners are to dispose of their solid waste in an approved sanitary landfill or to contract for solid waste pick-up service by an approved waste management firm.
- 7.08. Any property owner, tenants and members of their family, and guest may have use of the common areas. No motorized vehicle of any type shall be operated on any common area.
- 7.09. Property owners within Tierra Colinas may use open space through Tierra Bello Open Space upon an agreement with the Homeowners Association of Tierra Colinas and Tierra Bello.

Failure to enforce any covenant herein shall in no event be deemed as waiver of the right to do so thereafter.

County Land Use Administrator

12 September, 2012

P.O. Box 276

Santa Fe, NM 87504-0276

I strongly object to the approval of CDRC Case# Z 08-5440. Putting what essentially is a trailer park in a well established stick built community goes against the entire concept of community development—it would be like putting a trailer park in Las Campanas. Of course that would never happen because the rich people who live there would never allow it.

Besides Eldorado, there are several other developments in the vicinity of the proposed Tierra Bello. The lots of Rosa Linda, a subdivision across Spur Ranch Road, were required to be a minimum 12.5 acres and stick built homes- the lots alone were an average of \$240,000 each. How is it that Mr. Miller can be permitted to subdivide 263 acres into 73 lots and even allow horses on these small lots with trailers. Trailers are not consistent with the communities like Vista Linda and Eldorado. The presence of trailers (no matter what you call them, they are trailers) will cause the devaluation of the surrounding properties and a subsequent reduction in the tax base.

Please do not approve Tierra Bello.

Sincerely,



Amelia Carson

466-0091

013.A-58

EXHIBIT

tabbles
5

From: Jane Carson [mailto:janecarson@pawsonm.org]

Sent: Tuesday, April 10, 2012 1:16 PM

To: Liz Stefanics

Subject: Joe Miller's Tierro Bello(sp)

I just saw the proposed covenants for the Tierro Bello subdivision to be built at Compardres and Spur Ranch Road next to Eldorado. They are totally opposite to the adjoining neighborhoods' covenants. For example, 2 horses allowed on 2 to 2.5 acres; recreational vehicles, horse trailers and boats recommended to be out of view, but not required; square footage minimum of only 1,000 square feet; house siding includes metal and vinyl, etc. At one point they talk about an 11 feet by 40 feet of house. Such language indicates a trailer /manufactured home subdivision which would be completely out of character with the surrounding communities. I own 2 expensive lots right around the corner from where Mr Miller wants to put this trailer park subdivision. What can we do to insure that Mr Miller does not devalue the surrounding property by creating a trailer/manufactured home subdivision that is so starkly different from the other subdivisions around him? Thank you , Jane Carson

OB A-59

Vicki Lucero

From: Sharon Ross [shouckross@aol.com]
Sent: Thursday, April 26, 2012 12:18 PM
To: Vicki Lucero
Subject: Tierra Bello County Development Review

Dear Ms. Lucero and County Development Committee:

As homeowners in Tres Cientos (located close to the intersection of Avenida Eldorado and Avenida de Compadres) we respectfully request that the Santa Fe County Development Review Committee deny the permit resubmitted by Joe Miller for the Tierra Bello subdivision located south of Eldorado.

Residents in the Eldorado area all live within communities that are highly regulated in terms of construction materials, home size, exterior appearance and other aesthetics. These areas also restrict livestock and visual distractions such as boats, trailers, or RVs. The covenants governing our Tres Cientos Homeowners Association of 12.5 acre lots require stucco exteriors, minimum 2,500 square feet, and prohibit boats, trailers and RVs unless they are screened from view and also require that cars be parked inside a garage rather than in the drive. Our community is located less than 1/2 mile from Joe Miller's proposed Tierra Bello.

For the CDRC to approve Tierra Bello covenants permitting standards that are far lower than those of any other Homeowners Association in the Eldorado area is questionable community planning. The Tierra Bello covenants allow:

- o **manufactured or modular homes (no older than 2006 models) of 864 square feet** with wood, cement board, metal, vinyl or stucco siding along with detached carports, garages and sheds
- o up to **two (2) horses on 2 to 2-1/2 acre lots** fenced to 1/3 acre and barn (less than ideal conditions for horses not exercised daily and a potential fecal waste/fly control problem)
- o **one (1) recreational vehicle AND one (1) boat** to be stored on each lot
- o **butane or storage tanks**
- o **73 lots** of this type to be developed in phases!

In addition, prefabricated homes would not benefit our local economy as that type of housing is typically manufactured and trucked in from other New Mexico and Texas cities. Other counties and other states would benefit from 73 lots of manufactured homes; while site constructed homes would employ local construction, electrical, and plumbing workers creating a positive bonus to the area's economy and workforce.

I would hope that the CDRC would give careful consideration to the repercussions of such inappropriate and disparate land development adjacent to properties that require a higher benchmark for their residents. Such a development would surely negatively impact both the aesthetics of a carefully maintained community as well as property values.

Sincerely,
Sharon Houck Ross and Larry Erbert
44 Mejer Lado
Santa Fe, NM 87508
505-466-2950

Vicki Lucero

From: Chuck West [chuckofthewest@gmail.com]
Sent: Tuesday, April 24, 2012 12:27 PM
To: Vicki Lucero
Subject: Tierro Bello Developement

Ms. Lucero,

As a resident of Eldorado, I am quite concerned about the proposed low cost housing development by Joe Miller adjoining Eldorado on the southern edge, particularly since I live just off Avenida Eldorado, very near the proposed development.

It is clear to those of us who have lived in Eldorado for a few years, that this is not about Joe Miller providing affordable housing to lower income families. This is all about Joe Miller sticking his thumb in the eyes of Eldorado residents. As a perfect example, when Mr. Miller proposed an affordable housing development across hwy. 285 a few years ago, which was defeated, he promptly installed several rag-tag house trailers directly across the highway in full view of Eldorado. Most of those trailers have fallen into disrepair, and remain an ugly blight on the views east of Eldorado.

This is not the behavior of a concerned citizen fighting to provide affordable housing to lower income families, this is the behavior of an immature and vindictive individual with no real social concern for the welfare of the community at large. Please do not allow Joe Miller to play his obnoxious little game with the decent people of Eldorado.

Charles H. (Chuck) West
12 Reno Rd.
Eldorado at Santa Fe, NM 87508

t) 466-0844

Vicki Lucero

From: Dawn Gwin [dawn@dawngwinstudio.com]
Sent: Tuesday, April 24, 2012 3:03 PM
To: Vicki Lucero; Dawn Gwin
Cc: hhoughton@sfnewmexican.com; editor@sfreporter.com; cmoore@abqjournal.com
Subject: Tierra Bello Subdivision, Permit Number Z/S 08-5440

Dear Ms. Lucero and other interested parties,

I implore the Santa Fe County Development Review Committee (CDRC) to carefully review the permit resubmitted by Joe Miller for the Tierra Bello subdivision in view of its impact on current residents. The proposed subdivision is located just south of Avenida Eldorado, between Avenida de Compadres and Spur Ranch Road.

Residents in the Eldorado area all live within communities that are highly regulated in terms of construction materials, home size, exterior appearance and other aesthetics. These areas also restrict livestock and visual distractions such as boats, trailers, or RVs. The covenants governing our Tres Cientos Homeowners Association of 12.5 acre lots require stucco exteriors, minimum 2,500 square feet, and prohibit boats, trailers and RVs unless they are screened from view and also require that cars be parked inside a garage rather than in the drive. Our community is located less than 1/2 mile from Joe Miller's proposed Tierra Bello.

For the CDRC to approve Tierra Bello covenants permitting standards that are far lower than those of any other Homeowners Association in the Eldorado area is questionable community planning. The Tierra Bello covenants allow:

- **manufactured or modular homes (no older than 2006 models) of 864 square feet** with wood, cement board, metal, vinyl or stucco siding along with detached carports, garages and sheds
- up to **two (2) horses on 2 to 2-1/2 acre lots** fenced to 1/3 acre and barn (less than ideal conditions for horses not exercised daily and a potential fecal waste/fly control problem)
- **one (1) recreational vehicle AND one (1) boat** to be stored on each lot
- **butane or storage tanks**
- **73 lots** of this type to be developed in phases!

In addition, prefabricated homes would not benefit our local economy as that type of housing is typically manufactured and trucked in from other New Mexico and Texas cities. Other counties and other states would benefit from 73 lots of manufactured homes; while site constructed homes would employ local construction, electrical, and plumbing workers creating a positive bonus to the area's economy and workforce.

I would hope that the CDRC would give careful consideration to the repercussions of such inappropriate and disparate land development adjacent to properties that require a higher benchmark for their residents. Such a development would surely negatively impact both the aesthetics of a carefully maintained community as well as property values.

I am copying the city editors of *The New Mexican*, *The Santa Fe Reporter*, and *The Journal* with this email in hope that they will assist us in discovering why the County would cater to Joe Miller's objections to the County's Affordable Housing directives as they impact developers by permitting a subdivision in immediate proximity to an existing community of more than 3,000 residents which disregards the general standards of the area.

Friends and neighbors are also receiving a blind copy of this email for the sake of keeping you informed. If you have objections or opinions, please make them known to Vicki Lucero, Development Review Team Leader at the Santa Fe County Growth Management Department (email: vlopez@co.santa-fe.nm.us or by mail: Vicki Lucero, P. O. Box 276, Santa Fe NM 87504-0276). Many of us objected and attended meetings when Miller first proposed Tierra Bello over a year ago, but those letters must be resubmitted to be considered regarding this new permit request.

Please don't delay, the hearing for the new permit request is scheduled for Thursday, May 17, 2012, and we need to be sure that we are acting to protect our interests.

Thanks,

Dawn Gwin
Secretary/Treasurer
Tres Cientos Homeowners Association

DATE: October 15, 2012

TO: Santa Fe County Commissioners
Santa Fe County Planning and Development Division

FROM: Tom Whitson, President, Sun Ranch Homeowner's Association

SUBJECT: Proposed Tierra Bella Subdivision

It has come to our attention that a proposed new subdivision called Tierra Bella will adjoin our subdivision on the west. In the same area are numerous long-time established other subdivisions including El Dorado. We would like to bring your attention to some concerns we have about the proposed Tierra Bella subdivision.

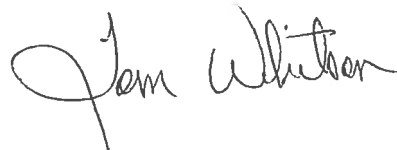
Our major concerns include availability of sufficient water, road maintenance, dust control, architectural requirements, and horses on the property. With the large number of small lots proposed and the limited water in the area what kind of impact will the new development have? What provisions are being made for road maintenance?

Tierra Bella proposes very small houses with no restrictions on materials used and no limitations on modular construction. All other homes in the area are larger and restricted to southwestern design. Many people feel the value of existing properties will drop. In our subdivision large investments have been made in our homes. This does not seem fair to other property owners.

Two horses will be allowed on the proposed lots but restricted to one-third acre plots. Nothing in the covenants talks about proper care, manure disposal, fly control or riding areas being provided. There is no place to ride except on private property nearby.

We feel that perhaps Mr. Miller, the developer of the proposed Tierra Bella subdivision, has made a bad investment and in an effort to recoup his money in difficult economic times is lowering his development standards as a way out of his problems. Those of us already living in the area should not be penalized by a new subdivision with so few requirements compared to neighboring developments that property values and therefore revenue for the county will be impacted.

Thank you for considering our concerns. Please feel free to contact me for additional information or questions you may have of us. 505-629-5770



OB A-65

Vicki Lucero

From: Ann Bitter [annbitter3@gmail.com]
Sent: Wednesday, January 09, 2013 9:20 AM
To: ldplanning@comcast.net
Cc: Vicki Lucero; Penny Ellis-Green; Dee Hall; Beth Prothro; lstefanics@msn.com; Al Webster; 4cx250b@muohio.edu; Sharon Peterson
Subject: Re: Tierra Bello Subdivision

First, let me say how pleased I am that Mr. Miller has made modifications to the Tierra Bello Covenants in response to some of our concerns.

HOWEVER, you and the County need to understand that you have left us insufficient time to inform all our neighbors and affected parties about these new developments. While you posted public notice five months ago and we have been diligently following the County review process, we were not aware that the CDRC would take this up this month (many of our neighbors have been away for the holidays). I know that Mr. Miller and the County staff and CDRC place a high value on communication between all parties. Nine days is simply not enough time for us to communicate with our neighbors, review your documents, and schedule a meeting to discuss these latest developments.

We therefore respectfully request that CDRC review of Tierra Bello be tabled until the February meeting. I understand your desire to keep this project moving forward, but I can tell you what will happen if neighbors are not given enough time to carefully review this project. Remember what it was like the last time this project came before the CDRC without proper communication: Hundreds of angry people appeared to testify in opposition to Tierra Bello and the project was delayed for many months. This is likely to happen again unless we take the time to ensure that everyone is properly informed and engaged. Nothing is to be gained if we fail to communicate with each other.

I have read your covenants and restrictions and now believe that Tierra Bello has become a project that our neighbors should have the opportunity to support. But if we rush this through without communicating properly with our neighbors, we will have missed the chance to build awareness, understanding and support. Let's do it right this time. Please table CDRC review until February. I thank you for your consideration and look forward to your prompt response to my request.

On Tue, Jan 8, 2013 at 11:21 AM, <ldplanning@comcast.net> wrote:

TO: Neighbors of the Terra Bello Subdivision Monday, January 07, 2013

On Thursday January 17, 2013 The Santa Fe County will consider the development approval of the Terra Bello Subdivision at The Santa Fe County CDRC Commission.

We sent out our "public notice" to the surrounding residences more than 5 months ago and have diligently been working with the county staff to insure that we have met all the requirements of the county and concerns of the residents.

The county staff has now finished their review and has recommended approval. We will be heard that evening seeking approval from the CDRC Commission so that we can proceed to the Santa Fe County Commission for final approval.

Attached for your review are our updated Restrictive Covenants and our Disclosure Statement.

We have made many modifications requested by the county staff and many residents. Those changes include the elimination of single, double and triple wide manufactured homes. The covenants will allow modular homes placed on permanent foundations, with exterior stucco finishes, attached or detached garages or studios along with custom built site homes.

The exceptional quality and design features of today's modular homes are accepted in many of the new developments approved by The City of Santa Fe and Santa Fe County. These homes will be of frame stucco construction on permanent foundations and will be subject to the approval of the Terra Bello Architectural Committee. We are committed to insuring a new home community that will enhance home values and the quality of life that is so important to us all.

In addition we have eliminated farm animals and restricted the number and types of house hold pets.

We have also reach an agreement to build and pave approximately 2,200 feet of Avenida de Compadres Road from Avenida Eldorado to the second entrance into Tierra Bello Subdivision. This segment will be paved to SF County Standards upon approval of Phase Four of the overall development.

We are willing to meet at a time and location convenient to you, prior to the CDRC meeting. Should you prefer to respond via email, I will provide a timely response to your questions or comments?

Danny Martinez

Land Development Planning
PHONE: (505) 660-5250
FAX: (505) 798-1959
e-mail ldplanning@comcast.net

Member C. Gonzales moved approval of the agenda as amended and Member Salazar seconded. The motion carried by unanimous voice vote.

IV. APPROVAL OF MINUTES

A. June 17, 2010 Regular Meeting Minutes

Member Dayton moved to approve the minutes as submitted and Member DeAnda seconded. The motion passed unanimously.

V. FINAL ORDER

CDRC CASE # DP 09-5130 Zia Credit Union Final Development Plan.

Zia Credit Union, Applicant, Jeffery White, Agent, request Final Development Plan approval for a Branch Banking Facility consisting of a 7,724 square foot two-story building, four (4) drive-through lanes and one (1) ATM lane on 1.12 acres. The 1.12-acre site is designated as a Traditional Mixed-Use Sub-District under Ordinance No. 2008-5. The property is located within the Pojoaque Traditional Community, at #1 Luz de Amado, within Section 17, Township 19 North, Range 9 East, (Commission District 1)

Member Salazar moved approval of the final order. Member C. Gonzales seconded and the motion passed without opposition.

VI. NEW BUSINESS

D. CDRC CASE # Z 08-5440 - Tierra Bello Subdivision: Joseph Miller, Applicant, Land Development Consultants, Agent, request Master Plan Zoning approval for a residential subdivision consisting of 73 lots on 263.769 acres. The property is located at the northeast intersection of Avenida de Compadres and Spur Ranch Road, south of Avenida Eldorado in Eldorado, within Sections 24 and 25, Township 15 North, Range 9 East (Commission District 5).

- Exhibit 1: Emails (43) in opposition to the proposal*
- Exhibit 2: Santa Fe County Affordable Housing Administrator Memo dated 7/22/10 re: Tierra Bello*
- Exhibit 3: Tierra Bello – Declaration of Restrictive Covenants*
- Exhibit 4: Correspondence - Attorney John Wertheim to Attorney Ron VanAmberg dated 6/9/10*

Ms. Lucero provided her staff report as follows:

“The Applicant requests Master Plan Zoning approval for a residential subdivision at Avenida de Compadres and Spur Ranch Road, consisting of 73 residential lots on 263+ acres. The proposed lots range in size from 2.6989 acres to 3.6691 acres. The property is located within the Basin Fringe Hydrological Zone where the minimum lot size is 12.5 acres per dwelling unit with a 0.25 acre-

OB A-6'

EXHIBIT	
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foot per year per lot water restriction unless water availability is proven to support increased density or community water and/or sewer is available.

“The project site is currently vacant. The land consists of a gentle slope of which the majority does not exceed 10 percent. Minimal areas near natural drainages have slopes greater than 10 percent. With the exception of two large 390-acre tracts that lie to the northeast and southwest of the property the proposed Tierra Bello Subdivision is surrounded by other residential subdivisions with lots ranging from just over 3 acres to approximately 18 acres in size.”

Ms. Lucero stated that the application was reviewed for phasing, access and traffic, terrain management, water and liquid waste, solid waste, fire protection, landscaping, open space, archaeology, signage and affordable housing. She noted that the applicant has been unable to demonstrate a viable means of compliance with the affordable housing plan but because the plan is at master plan approval which gives the applicant no vested rights, staff has determined that the alternative means of compliance can be resolved prior to the submission of the preliminary plat and development plan.

Ms. Lucero indicated that the application was in accordance with Code Master Plan Requirements and therefore staff recommends Master Plan Zoning approval subject to the following conditions:

1. The Master Plan must be recorded with the County Clerk’s office.
2. All redlines will be addressed; original redlines will be returned with final plans.
3. A location for a future cluster mailbox area to serve the Tierra Bello Subdivision and other areas must be provided. This pullout shall meet the minimum specifications for mailbox pullouts set forth by the NMDOT. The pullout driving surface shall be a minimum of 6” of aggregate base course, and adequate drainage must be provided. The detail of this location shall be included in the Final Development Plan, and additional right-of-way as required indicated on the Final Plat.
4. The Applicant must provide a revised traffic study to include the existing intersections along Avenida Eldorado to determine that the development has no adverse impacts on these intersections.

Chair Romero requested that staff distribute copies of their report to the audience.

Duly sworn, Danny Martinez, Land Development Planning agent for the applicant, stated the submittal was made over 20 months ago and he was pleased to be before the CDRC. The development is designated as a 73-lot residential subdivision and the original draft covenants submitted with the original plan have been modified [*Exhibit 3*] to “not disallow the placement of manufactured housing within the subdivision.”

Mr. Martinez said the intent of the development is to provide lots to those wanting to live out in the county at an affordable price for the placement of manufactured housing. He emphasized, “this isn’t a mobile home subdivision.” He said people can place manufactured, modular homes as well as custom houses on their lots.

OB A-69

Mr. Martinez reminded the Committee that this is the master plan stage and the applicant is prepared to negotiate and wants to keep the door open to manufactured housing.

Mr. Martinez said that over 40 percent of the residents in New Mexico live in manufactured houses.

Mr. Martinez said he had the opportunity to review the concerns raised by the neighbors and he was "shocked by the prejudice against this type of housing." He said these are not mobile homes but rather manufactured homes.

Mr. Martinez said Mr. Miller's development is providing affordable housing for the future generations.

Mr. Martinez stated that the Tierra Bello Subdivision was half of a subdivision that received final plat approval in 1996 for a 100-lot subdivision. Following the approval, the subdivision was divided into two 50-lot parcels. Tierra Colinas and Tierra Bello. Tierra Colinas has been developed.

After a period of time, the Tierra Bello was sent back to the BCC for approval and it was denied. Mr. Miller took the County to court and ultimately lost that case.

Mr. Martinez said they have met with three administrators of affordable housing who have said affordable housing on a 2.5-acre lot is not viable. He said they have developed nine separate submittals to meet the affordable housing plans.

Closing his comments, Mr. Martinez said Tierra Bello offers the opportunity for those people who would love to live in a rural setting but can't afford to build a house to buy a manufactured house. He said he hoped the CDRC would provide definitive direction on what was appropriate.

Duly sworn, the applicant, Joe Miller of Lamy said Tierra Bello is the eastern half of Tierra Colinas, an approved 100-lot subdivision. The partnership split up and the subdivision was turned into two 50-lot subdivisions. Mr. Miller stated that before he purchased the 50-lot subdivision, he obtained assurance from the County three times that because the subdivision was approved prior to the moratorium he would be able to develop it. Once he purchased the property the County revoked the approval.

Mr. Miller said he took the matter to court where he won but the County appealed the decision and two years later the County won their appeal.

Once the moratorium was lifted, Mr. Miller said the County instituted an affordable housing ordinance that, he said, was far more restrictive than the moratorium. This ordinance requires a developer to give 30 percent of their land to the County which he said was extortion. He said that not only would he be required to give the County the land, but to build houses on them, sell them within the County's purchase structure and pay 8 percent gross receipts tax on the sale. Complying with the ordinance would make the development of the subdivision unaffordable; however, there are alternatives. Mr. Miller said he proposed nine alternatives to the County and no response was received.

OBA-70

Mr. Miller said they eventually applied for a waiver warranted by the projected loss of \$2.3 million. The County rejected the waiver. Mr. Miller said apparently the County does not "think losing \$2.3 million is a hardship" and he was appealing that decision in district court. In fact the entire ordinance is under appeal in a Denver court and Mr. Miller said if he loses there, the case will go to the US Supreme Court.

Mr. Miller said he was unable to get anything through the County and cited a project he has on US 285 that has been delayed for 19 years and another by Lamy delayed 14 years. He said the County has a vendetta against him which they satisfy by denying his projects.

Mr. Miller said there are people interested in buying lots in Tierra Bello.

Mr. Miller talked about a \$6,750 fee he paid to start the subdivision development phase with the County. He said manufacturers of homes are willing to help finance. He has the land and this will provide affordable housing for citizens of Santa Fe County.

Referring to water, Mr. Miller said in 1985 he bought 79 water taps from the Eldorado Water Company and those taps are being honored by Eldorado Utility. He discussed an agreement with the water company to turn over five wells and the associated water rights that will supply half of what the utility currently uses. He discussed easements and rights-of-way necessary to drill the wells.

"It's a good project that will help a lot of people," concluded Mr. Miller.

Member DeAnda asked whether he proposed a homeowners association for the subdivision. Mr. Miller said yes, but he wanted the subdivision property owners to rewrite their own covenants.

Member DeAnda asked if he was willing to develop CC&Rs before selling any lots. Mr. Miller said there will be generic restrictive covenants on the lots. He discussed financing and lease-to-purchase property ideas.

Member DeAnda asked whether mobile homes would be restricted and Mr. Miller said the industry term is manufactured housing, offsite homes, pre-fab, and modular homes. He offered that whatever fit in with the aesthetics would be acceptable. Member DeAnda said she was concerned there were no standards. Mr. Miller said Tierra Bello will have an architectural committee making aesthetic decisions.

Member DeAnda asked whether a community sewer system was considered and Mr. Miller said it was and there was a community system in his Cimarron Subdivision. He indicated that all the lots in that area have septic tanks and the only distinguishing factor between his lots and the existing developed lots was that his are larger.

Ms. Cobau said per the Code, CC&Rs and homeowner association documentation are required at preliminary plat for review.

Mr. Martinez said the CC&Rs were submitted to the County as part of the original packet and are very clear in regards to livestock, vehicles, etc.

OB A-71

Responding to the Chairman's question, Mr. Martinez said the retention ponds would be sited in the open space area.

In response to a series of questions about by Member C. Gonzales, Ms. Cobau confirmed that this subdivision was in litigation between the County and Mr. Miller in 2005. She said the County issued a notice of violation for illegal grading activity and other improvements on Avenida de Compadres. She said most of the infrastructure has been constructed. In regards to bonding for infrastructure, Ms. Cobau said the County will require a letter of credit and test the already installed infrastructure. She said a bond will be required for offsite improvements.

Member Salazar said the terms mobile home and manufactured homes have been used interchangeably by the applicant and according to state statute there is a difference. He asked Mr. Miller whether he was intending on allowing mobile homes or manufactured housing on the development. Mr. Miller said they were not restricting manufactured houses and if there is a difference he said he was unaware of it.

Member Salazar said mobile homes are typically on axles and wheels. Manufactured housing units are designed to be on permanent foundations. He repeated his question of whether trailers/mobile homes (4-foot wide/16-foot) would be allowed. Mr. Miller responded they would all be built off-site and transported to the site. Whether the homes are on permanent or temporary foundations was not restricted.

Member Salazar asked whether the proposal could receive approval at master plan without an affordable housing agreement or at least a preliminary agreement. Ms. Lucero said depending on discussions, the number of lots could change. If the numbers increased the applicant would be required to return for an amendment to the master plan.

Member Salazar opined that it made more sense to have the affordable housing component addressed before granting master plan approval.

Mr. Martinez said the affordable housing issue is under discussion with County staff. He said he appreciated staff's help with the ordinance in trying to figure out how affordable housing works on 2.5-acre lots. He said one of Mr. Miller's alternatives was to transfer the requirement to the Cimarron Subdivision where townhouses are proposed.

Mr. Miller said the affordable housing people have been very helpful, are good people and he gave them a lot of credit for their work. He said staff's hands were tied in trying to administer an affordable housing ordinance that does not work.

Chair Romero asked whether community meetings were held. Mr. Miller said there were several meetings over the past years. Mr. Martinez said before manufactured housing was put in the mix the area residents supported the development.

Chair Romero asked whether there were any manufactured houses/mobile homes within the area. Ms. Cobau could not recall having seen any but Mr. Miller interjected that there are some on his property.

OB A-72

Member Dayton asked about the planned improvement to the two access roads to the development. Mr. Miller said originally they were going to pave; however, since the time County revoked the approval the price of paving has skyrocketed. He said they will improve them and bring them up to County standards.

Duly sworn, Morey Walker, the applicant's engineer, discussed the traffic study which used single-family housing for the trip generation. Regardless of the type of houses the trip generation will be the same. The study employed the largest numbers. The intersection analyzed was US 285 and Avenida Eldorado. All movements in PM were okay the only problem movement was during the AM eastbound out of the subdivision. He said that the level of service did not change and there would be problems regardless of this subdivision. He said the grades were C and better although Vista Grande was an F.

Chair Romero requested that the public limit their comments to three minutes and avoid redundancy. Those wishing to speak were administered the oath as a group.

Previously sworn, John Green, vice president of the Tierra Colinas Subdivision, discussed Spur Ranch Road noting it is unimproved and substandard and not maintained by either the County or a homeowners group. He doubted that a right-turn only sign would divert traffic from Spur Ranch Road. The proponent must take responsibility for the additional wear and tear on Spur Ranch Road as well as the full length of Avenida de Compadres between Avenida de Eldorado and Spur Ranch Road.

Mr. Green said the neighborhood has requested that barriers be erected to limit traffic through the Tierra Colinas interior roads.

In regard to the affordable housing component, Mr. Green said his subdivision supports it and believes it should be integrated into the community. They did not support the applicant's idea of transferring the affordable housing to Cimarron because it would essentially establish a "rural ghetto" behind the Chevron Gas Station.

Mr. Green said the proposal should be tabled until the affordable housing component and CC&Rs are resolved. He mentioned Mr. Miller's installation of mobile homes on US 285 across from the Eldorado Subdivision and said it was the CDRC's responsibility to make sure that is not repeated. He referred to the July 4th memorandum that includes conditions of the approval by Tierra Colinas.

Member DeAnda asked Mr. Green if he had an opportunity to review the proposed CC&Rs and he said he did and they did not appear restrictive. He discussed his understanding of mobile homes versus manufactured housing stating, a mobile home has a VIN number similar to any vehicle.

Member DeAnda asked whether it was his understanding that mobile homes, according to the CC&Rs, would not be allowed on this subdivision. Mr. Green said that was not his understanding and he was unsure as to what would be allowed.

Under oath, John Wentworth, an Eldorado resident, prefaced his comments stating he has known Joe Miller's attorney Ron VanAmberg for over 30 years and asked him if mobile homes were going to be permitted and, if so, were there any restrictions.

DB A-73

Mr. VanAmberg responded yes, they would be allowed and the restrictions have not yet been drafted. [Exhibit 4] Mr. Wentworth said west of US 285 from the north of Eldorado to the south he knows of no mobile homes, no trailers or manufactured or modular houses.

Mr. Wentworth distributed a packet outlining his following testimony [*copy was not made available for this record*]. He said on May 20, 2004 the CDRC denied Tierra Bello with 50 lots, all stick homes. The proposal changed from 50 homes with CC&Rs to a 46 percent increase of 73 lots with any kind of home. On June 4, 2004, Mr. Miller was cited for working on the land without a permit. A few days later the County filed a criminal case against Mr. Miller for constructing a subdivision without a proper permit. An appeal was heard by the BCC on the CDRC's denial of Tierra Bello and by unanimous vote the appeal was denied. Mr. Miller took his appeal to District Court and during that same time period placed a notice in the newspaper declaring it was impossible to work with Santa Fe County's "unreasonable politicians who use their position to satisfy a personal vendetta."

Mr. Wentworth referred to the 2006 Affordable Housing Ordinance which establishes that the ordinance shall apply to an application for approval of master plan. This proposal is for master plan, observed Mr. Wentworth. The affordable component is to be integrated into the project and he reviewed other requirements, none of which have been accomplished. The ordinance is the law, stated Mr. Wentworth and it applies to this case.

At district court, Mr. Miller lost and affirmed the County's position in denying Tierra Bello. In 2008, the New Mexico Supreme Court told Mr. Miller he'd had his day in court and he lost with Tierra Bello. While the case was being appealed and pending, Mr. Miller filed suit in federal district court challenging the constitutionality of the affordable housing ordinance. March 11, 2009, the federal district judge in Albuquerque issued a 62-page opinion denying his challenge. Mr. Miller filed a motion to amend that judgment and the court turned him down. Mr. Wentworth continued to outline the court proceedings.

Mr. Wentworth said access was an issue and referred to an earlier declaration submitted by Mr. Miller on this subdivision that represented that no lots may be accessed from Spur Ranch Road or Avenida de Compadres. Spur Ranch Road is a private road and maintained by the property owners. "It is not a public road," stated Mr. Wentworth. He referred to the traffic impact report and pointed out that the intersection reviewed for this proposal was 3 miles from the subdivision. There are multiple intersections that were more appropriate to review impact on. However, the level of service was graded F creating a "breakdown of intersection." He provided traffic generation numbers that would occur over a road on private property. Mr. Miller has done nothing to maintain Spur Ranch Road.

Contrary to Mr. Miller's assertion that water is not a problem, Mr. Wentworth said the State Engineer as of January 2009 said, "there has been difficulty in the past" and asked for documentation demonstrating quality and quantity of water. In 2010, the OSE issued a negative opinion on the development. He pointed out that Mr. Miller's wells have not been transferred to the Eldorado utility nor has it been proven there is sufficient water.

OB A=74

Previously sworn, Lois Klezmer, an Eldorado homeowner, said she has experience with several homeowner associations and what concerns her is the lack of information about the covenants and what percentage of the lots must be sold before a homeowners association would be established.

Previously sworn, Dirk Wassner, a resident of Rancho Verano, defined a mobile home as having axles and a trailer hitch and without CC&Rs the subdivision will be a mobile home park. Relying on the traffic counts provided by Mr. Wentworth, Dr. Wassner said his business in the ER will skyrocket.

Dr. Wassner took issue with Mr. Miller's use of the phrase "this kind of people" stating it was one step away from "you people."

Under oath, Bill Davis, president of the Rosalinda Landowners Association, said the County Assessor will lose a lot of revenue once the trailers are wheeled into the area. He said approving this development will destroy peoples' property values. Mr. Davis said he had a lot sympathy for Joe Miller and agreed with him regarding the affordable housing ordinance. He said the ordinance was the source of the problem and had it not been enacted there would be some nice houses already built in the subdivision.

Under oath, Ellsworth Stewart, Rosalinda landowner, said he planned on building a high-end home on his property but his property overlooks Tierra Bello and with trailers to look at, his property will be worth nothing. He said Los Compadres is not a road but instead a mud hole that requires a high-clearance vehicle and private Spur Ranch Road is the only alternative.

Duly sworn, Randy Blake, Sun Mountain Subdivision, said he's spent 20 years to be able to afford to live in the area and if the mobile homes are permitted he will instantly lose \$100,000 of equity.

Under oath, Bill Farmer a 10-year resident of Eldorado stated he recently read the Ordinance 2005-8 which prohibits mobile homes in Eldorado. He said there is a big difference between a manufactured home and a mobile home. The development is breaking rules from escarpment to fencing.

Mentioning the five trailers on Mr. Miller's US 285 land, Mr. Farmer said one of them has been uninhabited for five years. He said he knew that it was empty because all winter long one of the doors was open. He referred to a landfill on Mr. Miller's property behind the gas station, to his bulldozing of trees and other infractions by Mr. Miller.

Under oath, Colonel Bert Koegl, an Eldorado resident said the issue is "trailer." He asked that the Committee obtain a specific definition of what a mobile home is and what a manufactured or modular home is. He defined a manufactured home as one that is delivered to the site and installed on a permanent foundation with no wheels, no axles, nor toolbars. Anything else, Colonel Koegl said should be prohibited.

The proposal fails to include an archaeological permit as well as an affordable housing component. He said the proposal must be tabled or denied.

OB A-75

Under oath, Bill Peterson a resident of Tierra Colinas, said Spur Ranch Road was very dangerous this winter. He said it is much easier to use Spur Ranch Road or Camino de Compadres rather than US 285 and he said additional traffic would be detrimental to those roads.

Mr. Peterson recognized that as a private property owner Joe Miller has rights. He said it was important that Mr. Miller have firm restrictions on his subdivision. If the plan is approved, Mr. Peterson urged the CDRC to insure that restrictive covenants are established that are clear about preserving the aesthetics and quality to protect the communities around it.

Eldorado resident Lorren Meares, under oath, alluded to the chamber mural and mentioned that he lived in a mobile home as a former teacher. The protection of property is a right, stated Mr. Meares. He applauded Mr. Miller's egalitarian sensibility; however, Mr. Miller was unclear if the lots would be purchased or leased. Manufactured homes encompass a wide array from wonderful modular homes to junk yard mobile homes.

Mr. Meares said a mobile home community was a "blessing" for him when that was all he could afford. The concern is that that community might look like the community Mr. Miller has erected off US 285. Mr. Meares said Mr. Miller's proposal is too "loosey goosey" in its definition of manufactured homes, aesthetics and landscaping.

Previous sworn, Crystal Coombs, Eldorado, said she moved to the area because it is a beautiful community where people take pride in their property. She said she was assured by the County that the minimum lot size in her area was 12.5 acres. Following the purchase of the property she said Mr. Miller began a development with units on 2.5 acres. She said the value of her home has dropped because the County allows Mr. Miller to develop. If this development is approved, Ms. Coombs said the "investment of our future is in the toilet."

Stating she didn't have any problem with "those folks," Ms. Coombs explained that she wasn't prejudice ...her daughter lives in a double-wide and her parents have always lived in a mobile home. She said she and her husband left Las Campanas because Aldea and the bypass were developed destroyed the night-light. Further, aesthetics are very important and there are a lot of artists in the area. The proposed development is "just not going to work for the community. It may be helpful to 73 families but ... incredibly harmful to the hundreds of people that already live there."

Under oath, Diane Pinter, Eldorado, said to leave Eldorado she has to drive by the dilapidated trailers that Mr. Miller installed. She said those trailers make her mad because it ruins an absolutely beautiful hillside. She found Mr. Miller's statement that "just about anything" would be permitted on the property "real scary." She asked whether FEMA trailers from Louisiana would be moved onto the property.

Referring to the Chamber mural's declaration of protection of property, Ms. Pinter said the homeowners have invested money in their homes and would like the CDRC to protect their property.

OB A-76

Duly sworn, Michael Dukeminier, Eldorado, identified himself as a lifelong resident of Santa Fe. He said his family has owned property in Lamy and neighbors to Joe Miller. Mr. Dukeminier said for 20+ years they have been fighting Mr. Miller on everything from gravel mining to painting water towers. Making a deal with Mr. Miller is making a deal with the devil, stated Mr. Dukeminier. He said the proposal before the CDRC is a way to thumb his nose at the County and the fact is "you cannot trust this guy."

Mr. Dukeminier said he was depending on the CDRC to be the community's voice. He didn't care if he was called prejudiced but these are the facts: property values would decline and crime will go up if trailer homes are next to a neighborhood.

Mr. Dukeminier beseeched the Committee to "have no dealings with this man."

Eric Wheeler, duly sworn, said his house is adjacent to the west and south of the proposed development. He said he reviewed the information on this subdivision and it is incomplete and inaccurate. The question of whether mobile homes would be permitted was not answered. This subdivision cannot move forward until the application is complete. Mr. Wheeler said the effect of this development on his property value was not the issue, rather is the plan complete and compatible with the surrounding community?

He requested the CDRC deny the application.

Under oath, Terry Irons, 122 La Paz Loop, said his concern is the traffic, specifically Avenida Eldorado at US 285 which is already a problem. He requested that staff analyze the traffic study. He said he was opposed to anything that would decrease his property value and this development may decrease values as far away as three miles where his home is.

Mr. Irons asked the CDRC to pay particular attention to the required master plan submittal of a market analysis and economic impact report.

Previous sworn, Doug Speeret, member of the Eldorado ad hoc architecture committee and a professional consultant with expertise in global climate said the development is being approached as though the world has not changed and that is not true. The world has changed. He mentioned the oil and gas ordinance to protect the environment. He urged the CDRC not to approve any development that would use Avenida de Compadres until the road is approved for fire trucks. Providing water to this development will impact everyone in the areas as the southwest is in a drought. He said the resource shortage – fuel, medicine, food – is already a consideration in Eldorado. Mr. Speeret said the application fails to address energy conservation.

Previously sworn, Charlotte Meares, Eldorado said there was no one here against affordable housing. The people here objecting to the proposal are not NIMBY people. She said if this proposal were really about affordable housing it would look like those in-town developments that are "decent, ... in character with the community around it and at least has an effort made to look presentable." She said the five trailers on US 285 are the proof of the pudding.

OB A-77

Ms. Meares said affordable housing should appreciate rather than depreciation, as the trailers will over time. She said true affordable housing should uplift the people and not ostracize them from their community.

Duly sworn, Noel Camborbe, Azul Loop, Eldorado said water was an issue that cannot be ignored. Taxes will need to be increased because there will be more kids in the Eldorado schools. The area lacks public transportation and he asked rhetorically whether this development was good for Santa Fe County.

Returning to the podium Crystal Coombs said the road maintenance was a really big issue.

Ronald Davidson, under oath, said he was a five-year resident of the area and in his time he has seen that the applicant's actions are not coherent with words. He pointed out that the applicant ducks the questions.

Duly sworn, Richard Lyndale, Eldorado, said the application was incomplete and should not be acted on. The applicant is not in compliance with the affordable housing ordinance and the application should be denied.

That concluded the public input and Mr. Miller and his agent were permitted to rebut.

Mr. Miller said the public testimony was filled with misinformation. He suggested that one of the roads in question was an easement rather than a road. The mobile homes in Cimarron were placed there because the County would not allow anything else. Once the County gives him approval to move forward he'll move the trailers off the land. He said the County has raked him over the coals and he is treated differently than other developers. He mentioned that in the past he has had to run the County off his property and told them to come back with a warrant. He said the court found that the County violated his civil rights and since that time he has not been able to get anything approved.

Mr. Miller said he has had a rotten time working with Santa Fe County and the County will not let him do a thing with his property. He mentioned the gravel he supplied to the Highway Department.

Mr. Miller said the proposal he has before the CDRC is where the market is right now and while it's not what they originally wanted this is what they are requesting.

Mr. Martinez said they knew this would be a battle because the community would not want "substandard homes not comparable to theirs" and Mr. Miller is willing to adjust the covenants and work to satisfy some of the concerns raised by the community. He said they were prepared to work with County staff, revise the CC&Rs and meet today's market standards.

OB A-78

Chairman Romero said before an application comes to the CDRC, the County as well as other agencies reviews the proposal. He offered that he grew up in a trailer for the first 15 years of his life and he has many friends living in trailers.

Member DeAnda asked whether the January 2010 OSE's negative opinion was the most recent. Ms. Lucero said this application has changed and the January letter was in response to a mobile home park. That application is no longer on the table, the OSE's review of the current proposal is not negative and is included in the Committee's packet. There are issues regarding the water system that will need to be addressed but the OSE's opinion was not negative.

Member DeAnda said the CC&Rs [Exhibit 3] were ambiguous and the affordable housing ordinance requirements should be integrated within the subdivision plan. She said the issues raised regarding traffic and the sewage system were important and need to be addressed.

Member DeAnda said she was inclined to table the proposal pending additional information.

Chair Romero said the applicant did address the issues appropriate for master plan level.

Member Salazar pointed out that the OSE's letter references a 2009 memo which states the Eldorado Utility has had difficulty providing adequate water service. He asked whether it was appropriate for County staff to pursue answers to the concerns raised by the OSE.

Ms. Cobau said staff has actively been seeking information on the Eldorado utility's viability as a water provider for the past five years. According to reports prepared by experts in hydrology and reviewed by County staff, it has been ascertained that the utility was able to provide water to their current customers. Subdivisions will be required to transfer water rights in a sufficient amount to the utility.

Member Salazar said the application lacked information and he was not comfortable approving the plan. The affordable housing and density components need to be fleshed out. He said someone from the County's affordable housing department needs to be present to discuss the compliance alternatives that the applicant proposed.

Member Salazar raised concerns about sustainability in the plan regarding alternative energy, gray water, rainwater harvesting, etc. The plan appears to be from 20 years ago when conditions were different. A distinction between manufactured and mobile homes is required. He agreed with Member DeAnda that it was appropriate to table it.

Ms. Lucero said an archaeological study has been submitted and the County is awaiting SHPO comments.

Member Dayton said he was concerned about the affordable housing issue and the road access issue.

OB. A-79

Member C. Gonzales said he didn't understand the litigation Mr. Miller described. He said he wanted to see gray water harvesting, screening with landscaping, and CC&Rs. He suggested restricting the age of mobile homes to resolve the issues and finally the lease, rent or sale of the property was vague.

Member JJ Gonzales said there were a lot of questions that haven't been answered and he agreed with the other members. He said he appreciated how hard the affordable housing ordinance was on developers.

Chair Romero said he hopes the developer and his agent will answer the questions the community and CDRC has raised. He urged them to be good neighbors and meet with the community a few more times.

Chair Romero moved to table CDRC Case Z 08-5440. His motion was seconded by Member DeAnda and passed by unanimous [6-0] voice vote.

[The CDRC recessed from 6:55 to 7:05]

Chair Romero requested that Tierra Bello be placed last under Old Business at the next meeting.

~~E. **CDRC CASE # V10-3032 Gerald Medina Variance.** Gerald Medina, Applicant, requests a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow a Land Division of 4.95 acres into two lots. The property is located at 312 C Rabbit Road, within Section 10, Township 16 North, Range 9 East, (Commission District 4).~~

~~Mr. Dalton presented the staff report as follows:~~

~~“The applicant, requests a variance of Article III, Section 10, Lot Size Requirements, of the Land Development Code to allow a Land Division of 4.9587 acres into two 2.475 acre lots. Article III, Section 10 states the minimum lot size in the area is 2.5 acres with water restrictions.~~

~~“The property currently has an accessory structure and no dwelling units. The property is located in the Basin Hydrologic Zone where lots can be administratively divided to a minimum of 2.5 acres with water restrictions, as previously noted. The proposed lot size of 4.9587 acres is just below the Code required 5.0 acres needed to subdivide this lot administratively. In order to process this request administratively an additional 1,799 square feet of property would be required. The applicant has approximately 99.1 percent of the required area.”~~

DBA-80

~~Member Katz asked for a friendly amendment that the building sign be reduced from 144 square feet not to exceed 105 square feet, splitting the difference between the proposed size and the recommended maximum of 70 square feet. The motioner and seconder accepted the condition, as did Mr. Kost.~~

~~The motion as amended carried by unanimous [6-0] voice vote.~~

~~Mr. Larrañaga verified that the wall-mounted sign cannot exceed 105 square feet and the pole-mounted sign cannot exceed 12 feet, and stated a variance was still required. Ms. Brown confirmed that the approval included both variances.~~

- VII. E. **CDRC CASE # Z/S 08-5440 Tierra Bello Subdivision. Joseph Miller, Applicant, Danny Martinez, Agent Requests Master Plan Zoning Approval for a 73-Lot Residential Subdivision on 263.769+ Acres and Preliminary and Final Plat and Development Plan Approval for Phase 1, Which Will Consist of 9 Lots. The Property is Located at the Northeast Intersection of Avenida de Compadres and Spur Ranch Road, South of Avenida Eldorado in Eldorado, within Sections 24 and 25, Township 15 North, Range 9 East, Commission District 5 [Exhibit 5: Staff Memo from County Hydrologist; Exhibit 6: Staff Memo from Public Works]**

Ms. Lucero read the caption and gave the following staff report:

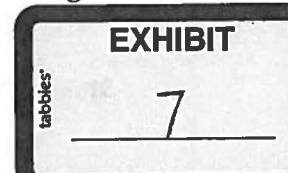
“On July 22, 2010, a request was presented to the CDRC by the Applicant for Master Plan Zoning approval for a 73-lot residential subdivision known as Tierra Bello. The decision of the CDRC was to table the request to allow the applicant to address issues regarding affordable housing, water availability and access and traffic.

“The Applicant has since signed an Affordable Housing Agreement with Santa Fe County in which the Applicant has agreed to provide 15% affordable housing in accordance with Ordinance No. 2012-1.

“In regards to water availability, a positive recommendation was issued by the County Hydrologist. The OSE, however has not issued a favorable response. The response given by the OSE was with regard to the point of diversion, which is the same as the previous case heard, Spirit Wind.

“In regards to access and traffic, the NMDOT has issued a positive recommendation. The County Public Works Department – a new memo was just handed out which issues a positive recommendation with conditions. [Exhibit ???]

“The Applicant has modified his request since the last CDRC meeting. The request is still for Master Plan Zoning approval for a 73-lot residential subdivision on 263.769 acres. However, in addition to this, the Applicant is now requesting



Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of nine lots.”

Ms. Lucero stated staff recommended approval of the request for master plan zoning approval for a 73-lot residential subdivision and preliminary and final plat and development plan approval for Phase 1, which will consist of nine lots subject to the following staff conditions:

1. The Applicant shall comply with all review agency comments and conditions, Article V, Section 7.1.3.c.
2. Conditions as stated in the memo from the Public Works Department shall be addressed prior to this case being heard by the BCC.
3. Master Plan and Final Plat and Development Plan, with appropriate signatures, and subdivision covenants and final disclosure statement shall be recorded with the County Clerk, as per Article V, Section 5.2.5 and Section 5.4.5.
4. The Applicant shall submit a financial guarantee, in a sufficient amount to assure completion of all required improvements. The financial guarantee shall be based on a county approved engineering cost estimate for the completion of required improvements as approved by staff prior to Final Plat recordation. All improvements shall be installed and ready for acceptance within eighteen months as required by Article V, Section 9.9.

Member Katz said he was confused by the fact staff was recommending preliminary and final approval, while the County Hydrologist seemed to approve only the master plan. Ms. Lucero said the memo handed out was an earlier memo; the latest is in the packet. Her last communication with the OSE indicated they were approving, but due to the short timeframe staff was unable to get anything in writing.

Legal counsel for the project, Ron Van Amberg stated this project has been in the works for ten years. It received final plat approval in 1986 but that expired. It is the second half of the project; the first was Tierra Colinas. The current application reflects work by County staff, the mediator, Robert Rambo and Mr. Miller. Mr. Van Amberg noted he has heard from the neighbors who request a tabling to give them time to go over the new covenants. He added there will be a two-month hiatus before the application goes to the BCC which will allow time for the neighbors to review the covenants and meet with Mr. Miller and Danny Martinez, his agent.

Mr. Van Amberg pointed out Tierra Bello will not have mobile homes, which are regulated by HUD but rather modular homes which are under the same jurisdiction as stick-built homes. Modular adds to the affordability.

He said initially 60 percent of Los Compadres Road will be basecoursed. Ultimately it will be paved.

Contrary to rumors, the water company does have the capacity and water rights to serve the project. Mr. Van Amberg referred to Exhibit 7, *Water Notes*, issued by the Eldorado Area Water & Sanitation District which established its capacity which is great enough to accommodate more development. There is an adequate cushion to serve current and future customers. He mentioned Well #18 has been approved by the OSE as a

point of diversion and will be functioning soon now that the easement with PNM has been settled. The well cost around \$1 million and produces 500 to 700 gallons per minute and is in a separate aquifer from the Galisteo Basin. He added consumption has decreased over the years due to increased conservation. "The impact of the Miller subdivisions will effectively be negligible. Mr. Miller has given five wells and the associated water rights to the EAWSD.

Turning to Exhibit 8, Mr. Van Amberg explained the agreement with the County regarding water supplies and infrastructure, which further assures adequate water resources as backup. Exhibit 9 refers to a partial license signed by the State Engineer. Mr. Van Amberg reviewed the history of water pumping in Eldorado.

Member Katz referred to recent developments causing the BDD to curtail diversion due to drought. "Rights are very nice, but what happens if it doesn't rain?" Mr. Van Amberg stated that the bulk of the water in that particular aquifer is not dependent on rain or runoff.

Previously sworn, Danny Martinez reiterated this has been a long process and they are committed to comply with the Land Use Code. He thanked staff for their continuing help and expressed his commitment to work with the neighbors.

Noting this was tabled two years ago Chair Gonzales asked what has changed in that time. Mr. Martinez stated the number of lots and phases have not changed. In deference to the neighbors they have eliminated manufactured homes – single-wide, double-wide and triple-wide. However, modular homes remain. Average lot size is 3+ acres, which is greater than the average in Eldorado, although neighboring developments are mandated to have larger lots. An affordable housing agreement has been arrived at that will allow a good portion of the 13 required affordable lots to be transferred to the future Cimarron Village Subdivision where wastewater treatment will be available. This subdivision will have four units in Tier 4.

Mr. Martinez stated water has been established and hydrants are in place. Natural gas has been extended to Tierra Colinas at no cost.

Chair Gonzales asked about farm animals and Mr. Martinez said they will not be allowed. Chickens are prohibited and pets limited.

Member Anaya asked what effect that restriction would have on 4-H participants. Mr. Martinez said the community does not seem to want to have farm animals and they are acquiescing to that preference. Citing the CC&Rs, Member Drobis said household pets include birds; since chickens are birds it appears they are not excluded. Mr. Martinez said fine-tuning remains on the covenants.

County Hydrologist Torres reviewed the data she analyzed regarding the well capacity vis-à-vis demand. Her analysis did not include the Lamy wells which are shallow and subject to drought conditions. She found there was sufficient capacity even during high-pumping months.

Member Anaya asked how many monitoring wells were present. Ms. Torres stated she believed there were three, however, they are not on the USGS database. She explained there are two systems – the Lamy well and the central wellfield, which are independent from one another. She explained that as backup, a water line is being planned to bring Buckman water to the area. Eldorado has agreed to be a customer for up to 50 acre-feet a year as a supplemental supply.

Duly sworn, Ann Bitter, past president of the Tierra Colinas Homeowners Association, said she has been convening meetings for two or three years to discuss incoming developments. In that time the County has placed great emphasis on communication. She said the community has not had time to review the latest material due to the holidays. She first saw the amended covenants was on January 9th which did not afford the time for a meeting. Additionally, in that time the County's computer system was down. She asked that the case be tabled until the February meeting. She said they would be very happy to meet with Mr. Rambo as mediator since the last meeting with the developers did not go well.

Ms. Bitter recognized compromises made, stating they had no problem with modular homes as long as they are stuccoed. They appreciate that horses are excluded and that design standards are in place. They are also pleased with the affordable housing agreement. Concerns remaining to be addressed concern roads and traffic. Addition time will allow for greater consensus.

Noting that there were people from the Spirit Wind hearing that felt they were not allowed a chance to speak, Member Katz said that rather than go through the public hearing he would prefer to table and re-open the public hearing in February, and so moved. Member Martin seconded and the motion carried by 4-2 voice vote with Members Katz, Martin, Drobnis and Gonzales voting in favor and Members Anaya and Valdez voting against.

~~VIII. PETITIONS FROM THE FLOOR~~

~~None were offered.~~

~~IX. COMMUNICATIONS FROM THE COMMITTEE~~

~~Member Martin asked that her vote on the Spirit Wind case be changed from aye to nay.~~

~~X. COMMUNICATIONS FROM THE ATTORNEY~~

~~None were presented.~~

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: February 21, 2013

TO: County Development Review Committee

FROM: John Lovato, Development Review Specialist Senior

VIA: Penny Ellis-Green, Land Use Administrator
Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF.: CDRC CASE # V 12-5360 Henry Sanchez Variance

ISSUE:

Henry Sanchez, Applicant, James McCreight, Agent, request a variance of Article III, Section 2.3.6b2 (Height Restrictions For Dwellings Or Residential Accessory Structures) to allow an existing 1,000 square foot Accessory Structure to exceed 18' feet in height on 2.5 acres.

The property is located at 35 Heather Lane, within the vicinity of Chupadero, within Section 5, Township 18 North, Range 10 East (Commission District 1).

Vicinity Map:



NBA-1

SUMMARY:

The Applicant requests a variance of Article III, Section 2.3.6b.2 (Height Restrictions for Dwellings or Residential Accessory Structures) to allow an existing 1,000 square foot Accessory Structure (Garage) to exceed 18' feet in height. The structure was originally permitted through Santa Fe County under permit #11-522, and the structure is near completion. After receiving a complaint regarding the structure and the roof reflectivity, staff conducted an inspection and found the structure exceeded height for what was permitted and the roof did not meet code standards for light reflective value of forty (40) . The structure was approved at a height of 18' but was constructed at 19'-2".

The Structure exceeds height requirements for ridgetops. The Maximum allowable height for ridgetops is 18' feet for a pitched roof and 14' feet for a flat roof. The Applicant states, a variance is needed due to the expense it would cost to bring the structure into compliance with the approved permit and to comply with height requirements for ridgetops. The Applicant further states the Accessory structure was constructed and human errors are to blame for exceeding height requirements.

Article II, § 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." **The variance criteria does not consider financial or medical reasons as extraordinary hardships**

This Application was submitted on October 16, 2012

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request.

APPROVAL SOUGHT: Variance of Article III, § 2.3.6b.2 (Height Restrictions for Dwellings or Residential Accessory Structures) of the Santa Fe County Land Development Code.

GROWTH MANAGEMENT AREA: El Norte, SDA-2

HYDROLOGIC ZONE: Basin Fringe Zone, minimum lot size per Code is 12.5 acres per dwelling unit.

FIRE PROTECTION: Tesuque Fire District.

NBA-2

WATER SUPPLY:

Shared Domestic Well

LIQUID WASTE:

Conventional Septic System.

VARIANCES:

Yes

AGENCY REVIEW:

<u>Agency</u>	<u>Recommendation</u>
County Fire	Approval at Permit Application

STAFF RECOMMENDATION:

Denial of a variance Article III, § 2.3.6b.2 (Height Restrictions for Dwellings or Residential Accessory Structures) of the Land Development Code.

If the decision of the CDRC is to recommend approval of the Applicant's request, staff recommends imposition of the following conditions:

1. The Applicant shall Screen the structure to protect and enhance the visual appearance of natural hillsides. (As per Article III, § 2.3.10a.3)
2. The structure and roof shall be constructed in non-reflective earth tone colors (As per Article III, § 2.3.8a.2).

EXHIBITS:

1. Letter of request
2. Article III, § 2.3.6
3. Article II, § 3 (Variances)
4. Article III, § 2.3.10a.3
5. Article III, § 2.3.8a.2
6. Letter From Vista Redonda Water and Property Owners' Association
7. Site Photographs
8. Plan Elevation
9. Aerials of Site and Surrounding Area

We are asking for a 12-15 inch variance in the height of our garage; that has already been completed.

Our home will conform to the required height restriction, and will block the vistas from the west where the Vista Redonda subdivision is located. "They are the party who voiced a complaint."

The garage will not be seen once the home is constructed, due to the fact that the home will face all of Vista Redonda to the west, and the garage is on the east side.

Unfortunately during the submittal process the fact that the area is considered "ridge top" never came up. We thought we were allowed the maximum height of 24 feet.

We appreciate your consideration in this matter.

Thank you



NBA-4

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 - VARIANCES3.1 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

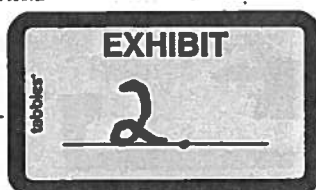
In no case shall any variation or modification be more than a minimum easing of the requirements.

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



2.3.4b Any development site on a ridgetop must be set back from the shoulder toward the crest of a hill or ridge pursuant to Article VII, Section 3.4.1 d. Performance Standards for Development Site.

2.3.5 Shared points of ingress and egress to adjacent development sites is encouraged, unless it can be demonstrated that additional or separate access is necessary. Design standards and submittal requirements as set forth in Article III, Section 4.4.3a, for Driveway Access, and Article VII, Section 3.4.4, Roads and Driveways shall be applied.

→ 2.3.6 Height Restrictions for Dwellings or Residential Accessory Structures

2.3.6a. For the purpose of this Section, height means the vertical distance from any point on the upper surface of a building or structure to the natural grade or finished cut grade, whichever is lower, directly below that point.

2.3.6b. The height of any dwelling or residential accessory structure shall not exceed twenty-four feet (24'). The vertical depth of fill materials from the natural grade, with or without retaining walls, shall be considered as a component of the building or structure; this depth shall be included in the determination of building height. Chimneys may extend three feet (3') beyond the height limitation. In addition:

1. The height of any dwelling or residential accessory structure located on land which has a natural slope of fifteen percent (15%) or greater shall not exceed eighteen feet (18'). The vertical distance between the highest point of a building and the lowest point of a building at natural grade or finished cut grade, whichever is lower, shall not exceed thirty feet (30'). The Code Administrator may waive this requirement if the portion of the structure located on land over 15 % slope is incidental to the entire site.
- 2. On ridgetops as defined in Article X of the Code, only one story buildings are allowed. On ridgetops, the height of any dwelling or residential accessory structure shall not exceed fourteen feet (14'), except one story pitched roof style buildings may be allowed a maximum height of eighteen feet (18') provided such roof can be screened from a public way and pursuant to a site visit and approval of the Code Administrator.
3. Structures for agricultural purposes shall meet the requirements of Article III, Section 1.

2.3.6c. Requests for residential accessory structures such as windmills and radio antennas to exceed the maximum height restrictions shall be reviewed for approval by the County Development Review Committee. When an exception to the height restrictions is desired, the applicant shall submit plans for the installation and operation of the accessory structure with a report explaining why the requested height of the structure is necessary for proper function. The County Development Review Committee shall consider: whether the requested structure is reasonably necessary to be on the proposed site; whether the applicant has demonstrated that the requested height is the minimum height necessary for the proposed structure to function properly, not to exceed a maximum height of forty-five feet (45'); and the size of the lot and impact on neighboring properties.

2.3.7 Terrain Management

All development of a lot, tract, or parcel shall be done in accordance with the Santa Fe County Land Development Code and the Santa Fe County Terrain Management.

EXHIBIT

3

III - 3

2.3.9 Utilities2.3.9a Purpose and Intent

To minimize the visual scars created by trenching or the visual intrusion to the skyline by overhead installation of utilities across undeveloped terrain.

2.3.9b Installation of new utilities in development shall meet the following standards:

- 1) All new and replacement water, gas, electric, telephone, television or other utilities, including both main and service lines shall be placed underground within designated utility corridors. Infill development in areas currently served by overhead electrical lines, where conversion to underground for single uses may create safety or service problems, may continue to use overhead lines subject to individual review and approval by the Code Administrator.
- 2) Utility trenches shall be placed within easements in or adjacent to road or driveway easements or rights-of-way except where alternate locations are required for gravity flow of water or sewer or where a significant reduction in line length and terrain disturbance would be achieved by cross country easements and trenching.
- 3) All utility installations must meet the design standards for grading and removal of vegetation and revegetation of utility trenches found in Article VII, Section 3, Terrain Management.
- 4) Reserve Section for location of multiple utilities within roadway easements.

2.3.10 Landscaping2.3.10a. Purpose and Intent

The standards and guidelines for landscaping are intended to promote three primary purposes:

- 1) The preservation of native vegetation. Native trees, shrubs and other natural vegetation stabilize steep slopes, retain moisture, prevent erosion, provide habitat for wildlife, play a role in the prevention of air and noise pollution, and enhance natural scenic qualities.
- 2) Revegetation of land disturbed in the development process:
 - a. to minimize erosion, runoff, dust, and other negative physical impacts associated with land disturbance;
 - b. to maintain and stabilize cut and fill slopes, and conceal raw soil from view.
- 3) Screening of development in areas of steep terrain and ridgetops to protect and enhance the visual appearance of natural hillsides.

2.3.10b Preservation and Revegetation of Native Vegetation

- 1) Grading and clearing of existing native vegetation shall be limited to approved development sites. No significant tree may be removed from slopes greater than thirty percent (30%).
- 2) Cleared or graded areas which are not built on and cut and fill areas shall be revegetated to the approximate original density and type of vegetation existing prior to disturbance. Areas to be used for recreation or park landscaping or rural agricultural uses shall be excluded from this requirement.
- 3) Any transplantable tree that will be displaced by construction shall be the primary source of material used for screening, buffering or other

EXHIBIT

4.

III - 5

2.3.8 Architectural and Appearance Standards

2.3.8a. Purpose and Intent

These standards for architecture and appearance apply only to development sites where any portion of land has a natural slope prior to development of fifteen percent (15%) or greater and on ridgetops; they are designed to assure that buildings, roads, driveways, utilities, and other development blend into the natural landscape and conform to the existing natural topography, vegetation, and soils characteristics. The natural form, color, slope, and texture of the hills or mountains should be the dominant feature, not the built environment. The following standards apply to all new buildings and additions to existing structures which are located on natural slopes of fifteen percent (15%) or greater or on ridgetops:

- 1) Architectural styles are not regulated; however, buildings which fit the traditional or local building types, styles, and scale, as these vary throughout the County, are encouraged.
- 2) Neutral and darker shades of colors shall be used for exterior walls, facades, and roofs which blend with the natural foliage of the native trees or other vegetation or, where vegetation is sparse, with the natural earth tones of the soils on the building site. Roof colors visible from adjacent properties and all wall and facade colors shall be muted and of non-reflective or non-glossy materials with a Light Reflective Value (LRV) of less than forty (40) pursuant to manufacturers specifications. When such data is unavailable, compliance will be determined by a comparison of samples where data is available. This Light Reflective Value standard shall not apply within established Traditional Community Districts.
- 3) Pitched or shed roofs are allowed, provided they are within the height limitations set forth in Article III, Section 2.3.6, Height Restrictions.
- 4) Buildings should be designed using such techniques as variations in height and orientation and offset walls to reduce the visible mass or bulk.
- 5) Window and door glazing shall be non-mirrored with a Light Reflectance Value of forty (40) or less.
- 6) To minimize cuts and fills, buildings shall be designed to conform to the natural terrain by following contours, fitting into existing landforms, and solidly meeting the ground plane. Any pier foundations shall be enclosed so that exterior walls appear to meet the ground and shall not exceed the height limitations set forth in Article III, Section 2.3.6. For a structure built on a natural slope of over twenty percent (20%), the finished floor elevation at any point shall not exceed five feet (5') above the natural grade below that point. (See Article VII, Section 3.4.1, Terrain Management Performance Standards.)
- 7) Free standing walls and fences and retaining walls shall also be designed to conform to the natural terrain.
- 8) Multi-story buildings are prohibited on ridgetops.

2.3.8b. Reserve Section for future overlay districts for visual sensitivity which may be designated by the County.



VISTA REDONDA WATER & PROPERTY OWNERS' ASSOCIATION
P.O.Box 375
Tesuque, NM 87574

10 December, 2012

Santa Fe County Development Review Committee
102 Grant Avenue
Santa Fe NM. 87501

Re: CDRC CASE # V125360 James McCreight Variance

Dear Chairman and Committee Members:

The Vista Redonda Water & Property Owners' Association and Vista Redonda Architectural Committee concurs with the Staff Recommendation regarding excess roof height, and, are particularly concerned with the applicants non-conformance with roof color and light reflective value (LRV). We respectfully request the the roof height, and metal roofing recently applied to the subject structure, and any future structures, adhere to the Santa Fe County Land Development Code, Article III, Section II 2.3.8 (2) which reads in part:

Natural and darker shades of color shall be used for exterior walls, facades, and roofs which blend with the natural foliage of the native trees or other vegetation or, where vegetation is sparse, with the natural earth tones of the soils on the building site. Roof colors visible from adjacent properties and all wall and facade colors shall be muted and of non-reflective or non-glossy materials with a Light Reflective Value (LRV) of less than (40) pursuant to manufactures specifications.

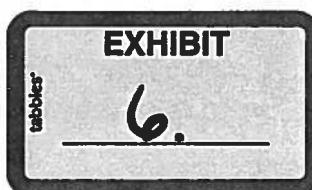
The Vista Redonda Water & Property Owners' Association appreciates being given the opportunity to submit this letter for your consideration.

Sincerely,

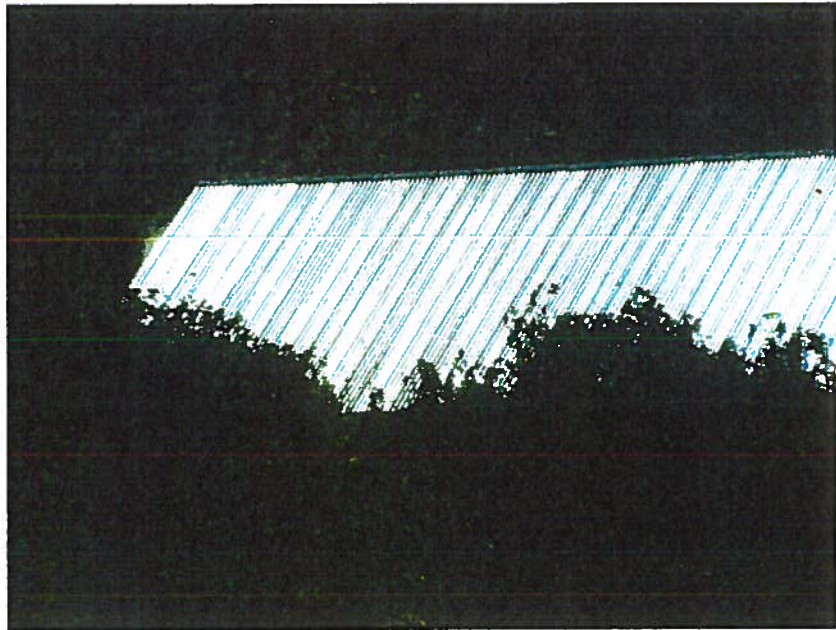
*Susan G. Mize, President, Board of Directors,
Vista Redonda Water & Property Owners' Association*

Sue Mize, President
(505) 988-7526

attached exhibit



NBA-9



NBA-10



Henry Sanchez
35 Heather Lane



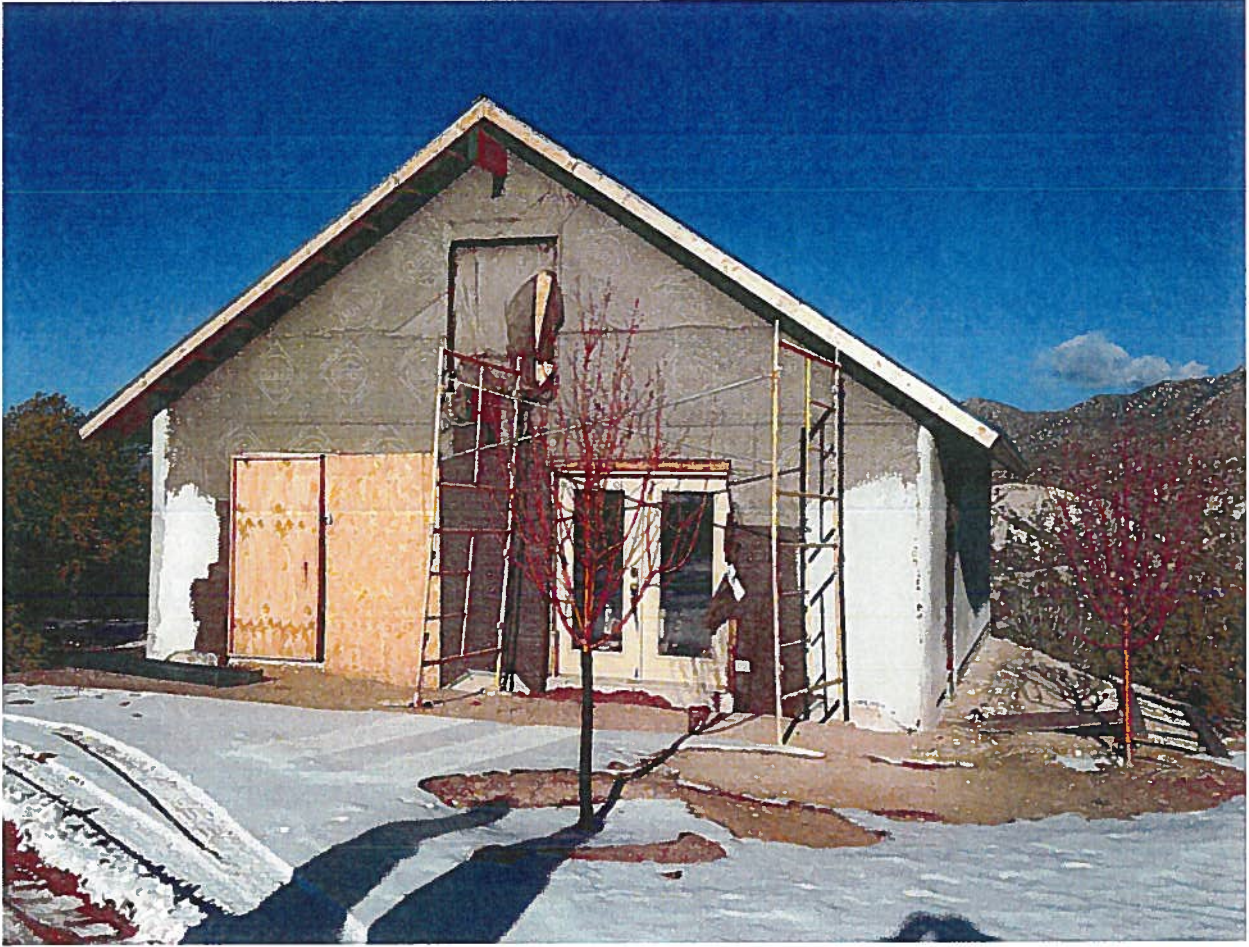
NBA-11



Henry Sanchez

35 Heather Lane

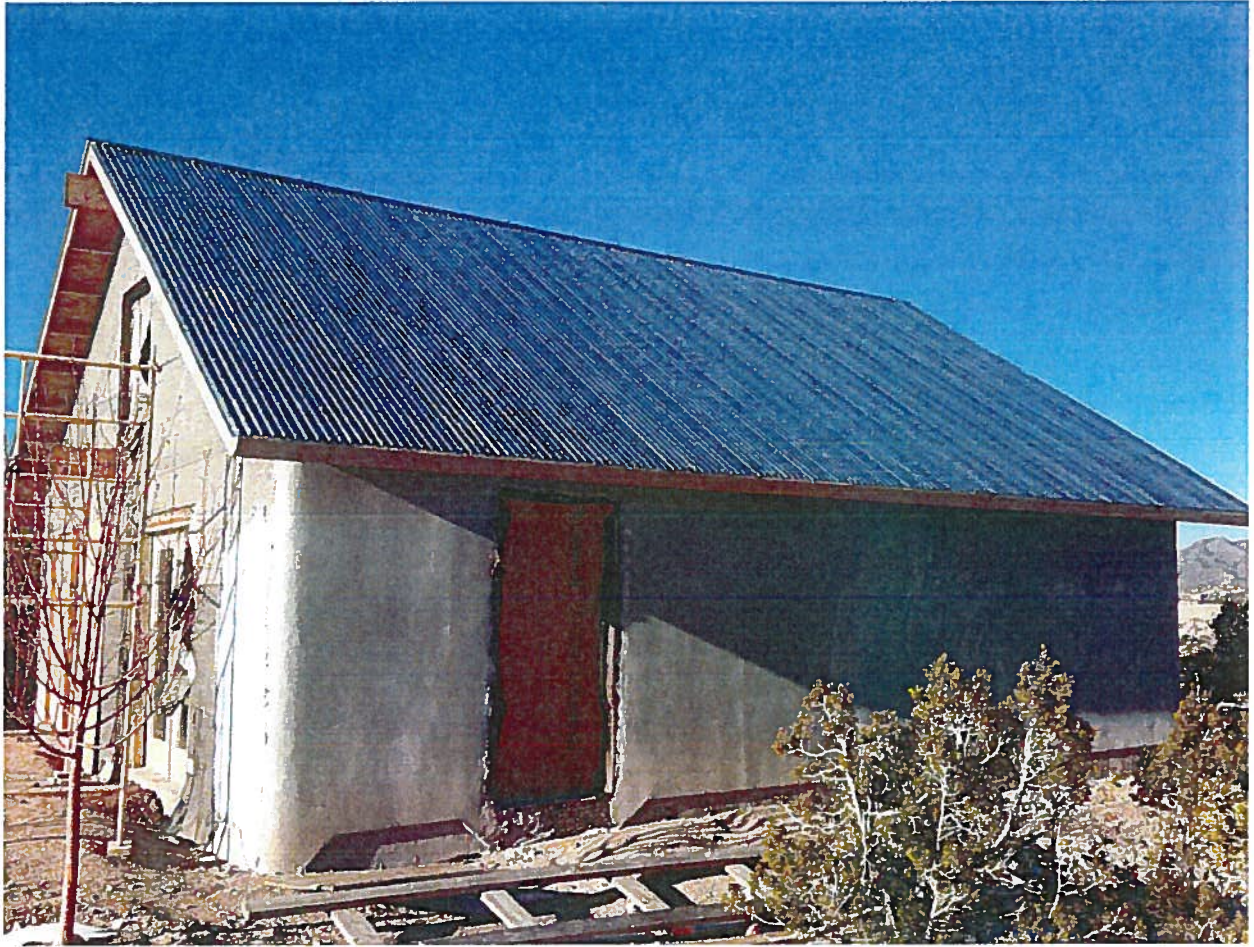
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Henry Sanchez

35 Heather Lane

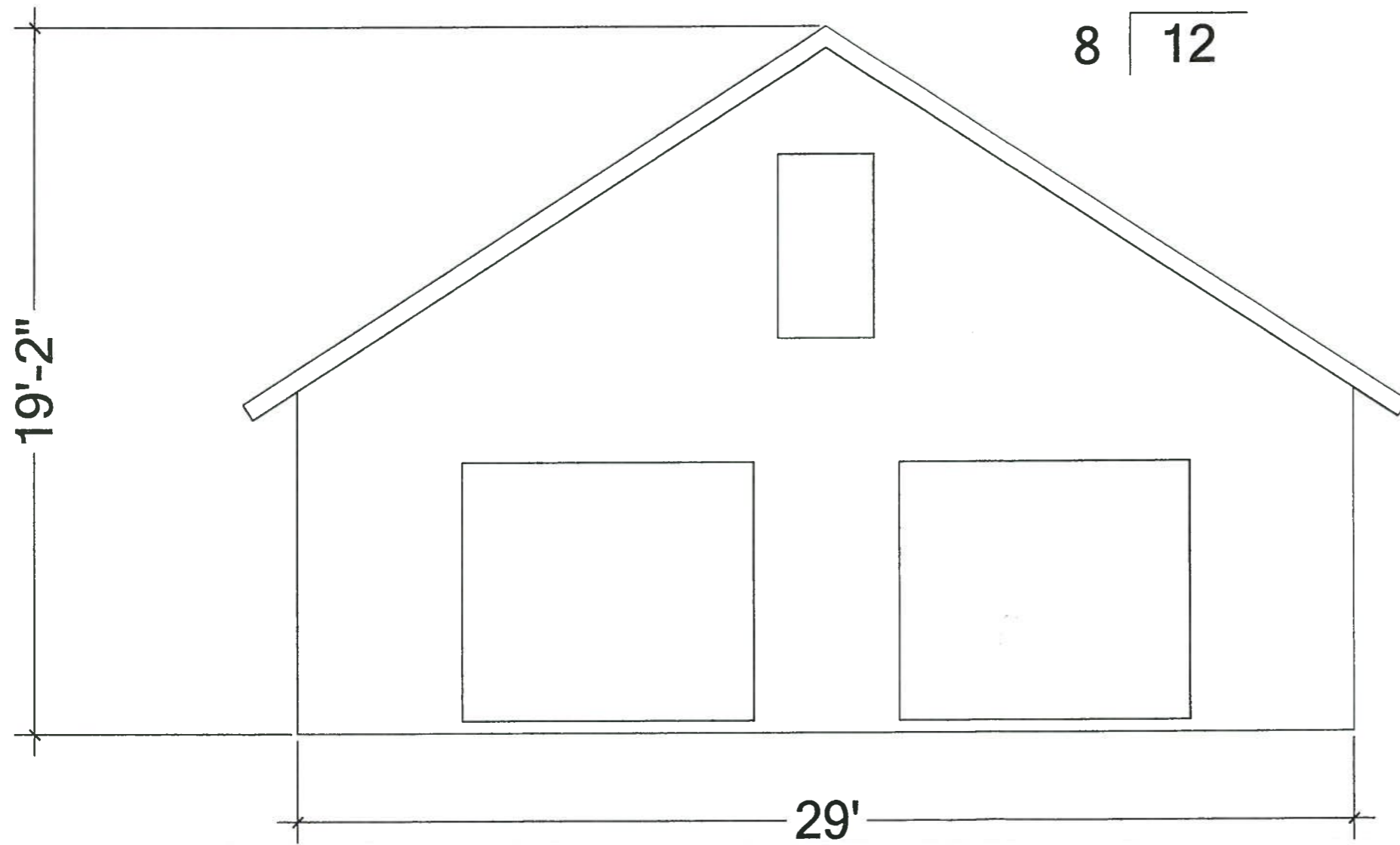
NBA-13



Henry Sanchez

35 Heather Lane

NBA-14



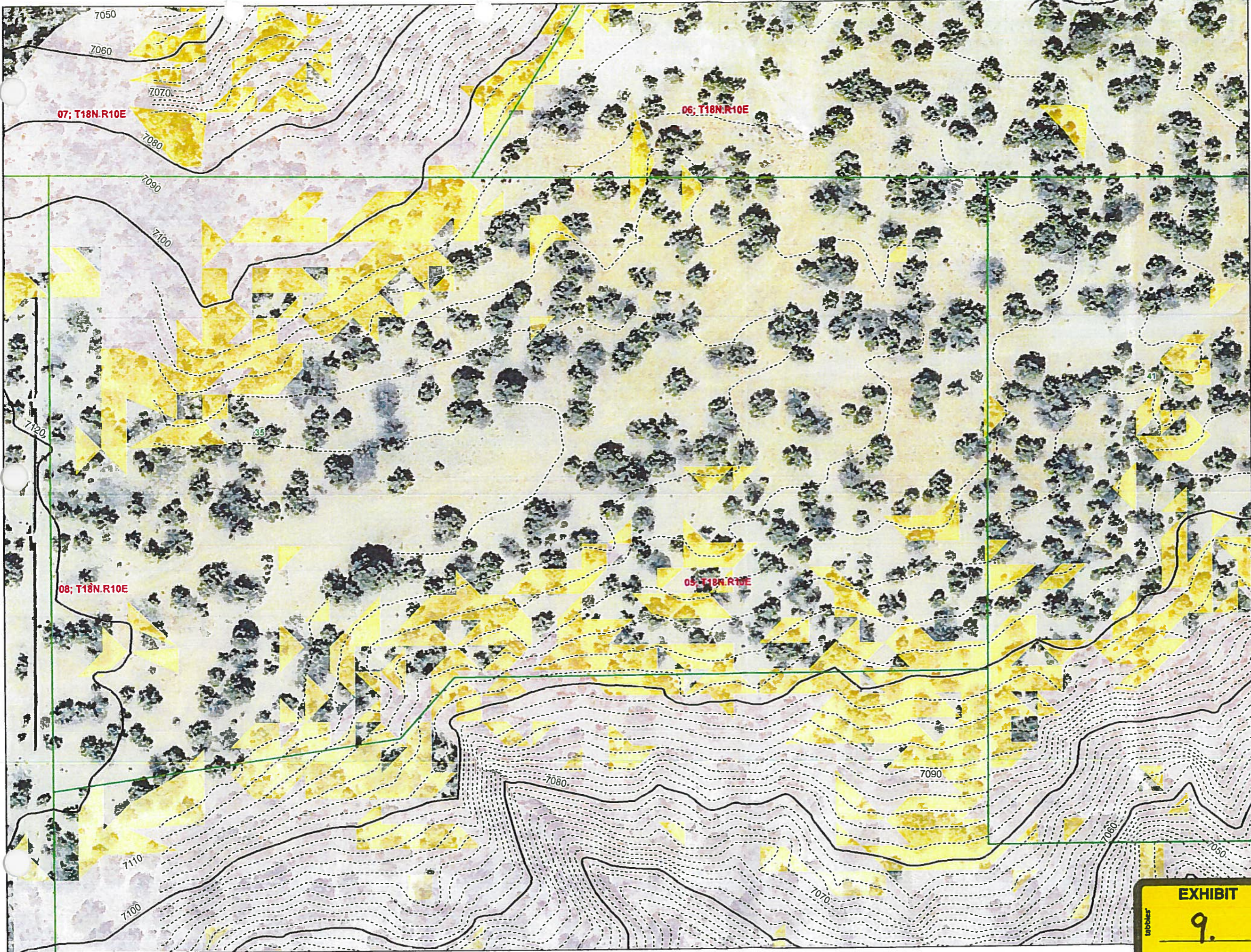
GARAGE ELEVATION

SCALE 1/4" = 1'

EXHIBIT
8.

NBA-

Map of Property in Santa Fe County



Legend

- driveways
- Parcels
- Minor Roads
- Major Roads
- slp181005t polygon**
- PERCENT_SLOPE**
- 0.000000 - 15.000000
- 15.000001 - 30.000000
- 30.000001 - 171.639000
- Section Lines

1:500

1 inch represents 42 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.



March 28, 2012

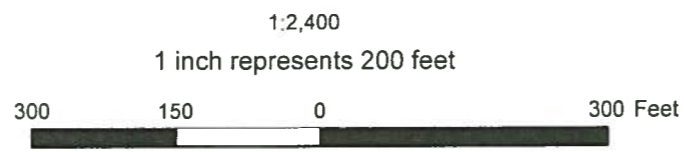
NBA-1

EXHIBIT
9.



Legend

-  ROADS
-  DRIVEWAYS
-  Parcels



2008 Orthophotography
2 FOOT CONTOURS




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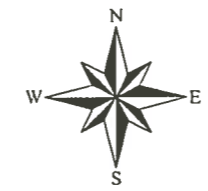
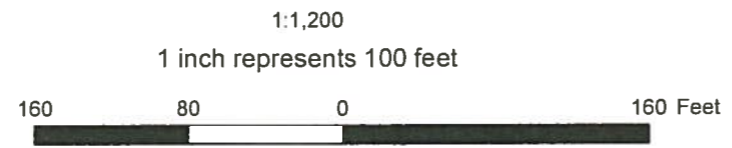


FEBRUARY 13, 2012



Legend

-  ROADS
-  DRIVEWAYS
-  Parcels



2008 Orthophotography
2 FOOT CONTOURS

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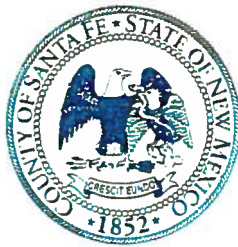


FEBRUARY 13, 2012

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: February 21, 2012
TO: County Development Review Committee
FROM: Wayne Dalton, Building and Development Services Supervisor *WD*
VIA: Penny Ellis-Green, Land Use Administrator *PEG*
Vicki Lucero, Building and Development Services Manager *VL*

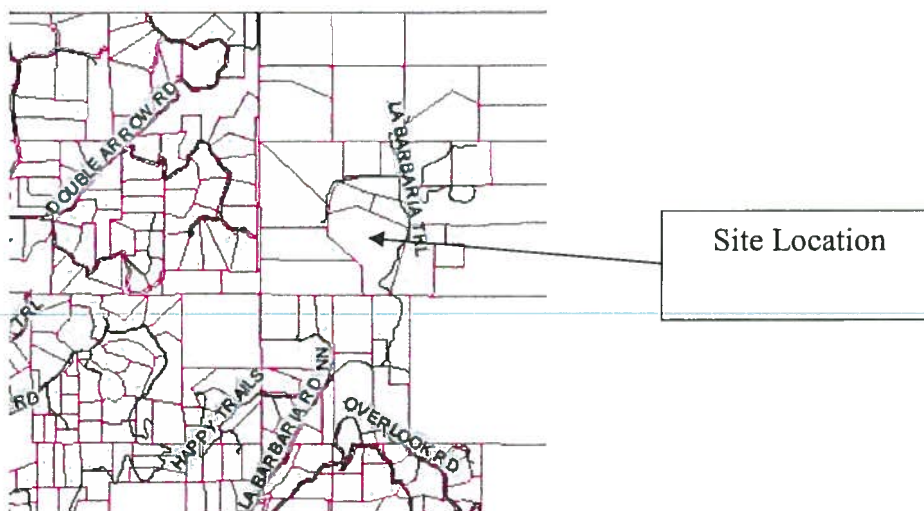
FILE REF.: CDRC CASE # V 12-5111 William Frederick Variance

ISSUE:

William Frederick Wagner, Applicant, (Sommer, Karnes & Associates, LLP), Joseph Karnes, Agent, request a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow a Family Transfer Land Division of 31.824 acres into two lots; one lot consisting of 20.990 acres and one lot consisting of 10.834 acres.

The property is located at 45 La Barbaria Trail, within Section 9, Township 16 North, Range 10 East, (Commission District 4).

Vicinity Map:



NBB-1

SUMMARY:

This case was originally reviewed under Section 9.8 (Mountain Special Review District Standards) of the Extraterritorial Zoning Ordinance (EZO). The Application was denied by the Land Use Administrator and the Applicant appealed that decision to the CDRC. On July 19, 2012, the CDRC met and acted on the case. The decision of the CDRC was to uphold the Land Use Administrator's decision and denied the appeal. After further review of Ordinance No. 2009-1, the Legal Department and staff have determined that Section 9.8 (Mountain Special Review District Standards) of the EZO is no longer in effect and the Application is governed by the County Land Development Code.

The Applicant now requests a variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code to allow a Family Transfer Land Division of 31.824 acres into two lots. The subject lot was created in 1978, and is currently vacant.

Article III, § 10 (Lot Size Requirements) of the Land Development Code allows lot size to be reduced to twenty acres (20) or more with signed and recorded water restrictions and for lots created through Family Transfer, subdivision or land division. A Family Transfer under the Land Development Code is permitted from husband to wife. An immediate family member as defined in the Code is a husband, wife, father, stepfather, mother, stepmother, brother, stepbrother, sister, stepsister, son, stepson, daughter, stepdaughter, grandson, step grandson, granddaughter, step granddaughter, nephew, niece, whether related by natural birth or adoption.

The Applicant intends to gift one of the two proposed lots to his wife. The Applicant states he is unable to have natural children of his own and desires to maintain the property for personal use and for his extended family and desires to create two lots. The Applicant also states, the proposed lot sizes are substantially larger than existing adjacent lots in the immediate vicinity.

Article II, § 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". **(The variance criteria does not consider financial or medical reasons as extraordinary hardships).**

This Application was submitted on January 18, 2013.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request.

NBB-Z

APPROVAL SOUGHT: Approval of a variance from Article III, §10 (Lot Size Requirements) of the Land Development Code to allow a Family Transfer Land Division of 31.824 acres into two lots.

GROWTH MANAGEMENT AREA: El Centro, SDA-3

HYDROLOGIC ZONE: Mountain Hydrologic Zone, minimum lot size per Code is 80 acres per dwelling unit. Lot size can be reduced to 20 acres per dwelling with signed and recorded water restrictions and for lots created through Family Transfer, subdivision or land division.

FIRE PROTECTION: Hondo Fire District.

WATER SUPPLY: Domestic Well

LIQUID WASTE: N/A

VARIANCES: Yes

AGENCY REVIEW:	<u>Agency</u>	<u>Recommendation</u>
	County Fire	Conditional Approval

STAFF RECOMMENDATION: **Denial of a variance from Article III, §10 (Lot Size Requirements) of the Land Development Code.**

If the decision of the CDRC is to recommend approval of the Applicants request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre feet per year per lot. A water meter shall be installed for each lot. 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 (**As per Article III, § 10.2.2 and Ordinance No. 2002-13**).
2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (**As per Article III, § 2.4.2**).
3. Further division of each Tract is prohibited; this shall be noted on the Plat. Only one dwelling unit shall be permitted on each lot (**As per Article III, § 10**).

NBB-3

4. The Applicant shall comply with all Fire Prevention Division requirements at time of Plat review (As per 1997 Fire Code and NFPA Life Safety Code).

EXHIBITS:

1. Letter of request
2. Article III, §10 (Lot Size Requirements)
3. Article II, § 3 (Variances)
4. Site Photographs
5. Proposed Plat of Survey
6. Aerial of Site and Surrounding Area
7. Fire Prevention Memo

SOMMER KARNES & ASSOCIATES LLP

Mailing Address

Post Office Box 2476
Santa Fe, New Mexico 87504-2476

Street Address

200 West Marcy Street, Suite 133
Santa Fe, New Mexico 87501

Telephone: (505) 989.3800

Facsimile: (505) 982.1745

January 18, 2013

Wayne Dalton
Santa Fe County Growth Management Department
102 Grant Avenue
Santa Fe NM 87504

Karl H. Sommer, Attorney at Law
khs@sommer-assoc.com

Joseph M. Karnes, Attorney at Law
jmk@sommer-assoc.com

Mychal L. Delgado, Certified Paralegal
mld@sommer-assoc.com

James R. Hawley, Attorney at Law
Of Counsel
Licensed in New Mexico and California
jrh@sommer-assoc.com

Re: William Frederick Wagner Family Transfer/ Density Variance Application

Dear Wayne:

Per our discussions and on behalf of William Wagner, this letter addresses the application for a family transfer or in the alternative, a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow a family transfer land division of 31.824 acres into lots of 20.99 and 10.83 acres. The property is located at 45 La Barbaria Trail.

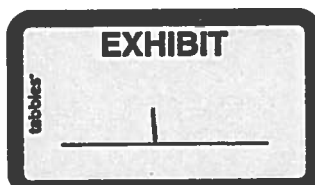
Mr. Wagner acquired the subject property on October 13, 2004. The attached deed confirms that he took the property as a single man. He married Nadine Choppin Wagner on September 6, 2008. He desires to gift one of the two lots to her.

The Wagners are unable to have natural children and desire to maintain the property for use of them and their extended family and desire to create two lots, which lots sizes are substantially larger than existing adjacent lots and lots in the immediate vicinity.

Please let me know if you need any additional information.

Sincerely,


Joseph M. Karnes



NBB-5

TYPE OF USE	NUMBER OF PARKING SPACES
Retail Centers	1 per 1 employee plus per 200 sq. ft.
Restaurants, Bars	1 per 1 employee plus per 150 sq. ft.
Gas Stations	1 per 1 employee plus 1 per 300 sq. ft. of garage space.
Industrial	1 per employee plus 1 per 500 sq. ft.
Small Scale Centers. Home Occupations	1 per 1 employee plus 1 per 400 sq. ft. of commercial space.
Large Scale Residential, Institutional, Residential Resorts	2 per dwelling unit
Churches, auditoriums, theaters, arenas, spaces used for public assembly	1 for each 4 seats
Uses not listed	As determined by the County

- 9.2 Multiple use projects shall calculate cumulative parking needs for each type of use in the project to be developed.
- 9.3 Minimum size of parking space shall be 300 square feet which includes the parking stalls and aisles.
- 9.4 Commercial, industrial, other non-residential and large scale residential uses shall provide for handicap parking.

History. 1980 Comp. 1980-6. Section 9. Parking Requirements was amended by County Ordinance 1990-11 adding requirements for auditorium uses, multiple uses and handicap access.

→ SECTION 10 - LOT SIZE REQUIREMENTS

10.1 Relationship of Lot Sizes to Water Policies

The General Plan sets forth the policy that future population growth in the County should be supported by adequate long term water availability and concentrate population growth in Urban and Metropolitan Areas and Traditional Communities. Development within these areas will generally be served by one or more regional water systems, or community water systems. Development outside of the Urban, Metropolitan Areas and Traditional Communities using domestic wells (Section 72-12-1 wells) should consider estimated long term water availability and protect water resources for existing County residents having domestic wells. Development may also be permitted if the applicant for a development permit demonstrates that he/she has water rights, excluding rights permitted under 72-12-1 NMSA 1978 or 75-11-1 NMSA 1953, recognized and permitted by the Director of Water Resources Department of Natural Resources Division of the State of New Mexico which are approved for transfer by the Director of Natural Resources Division to the site of the Development, and the permitted water rights are sufficient to support the proposed development.

EXHIBIT

tabler

2

NBB-6

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10.1.1 Water Policies Governing Lot Sizes Where the Development will Utilize Permitted Water Rights

Applicants seeking a development permit may base their application on water rights authorized and permitted by the Director of Water Rights Division of the Natural Resources Department of the State of New Mexico, (with the exception of water rights permitted under Section 75-11-1 NMSA 1953 or 75-12-1 NMSA 1978). The applicant shall provide evidence that he/she owns or has an option to purchase the permitted water rights in an amount adequate to meet the needs of the development as shown by Article VII, Section 6.6.2, Water Budgets and Conservation Covenants. Any development permit approved and issued by the County shall be expressly conditioned upon the applicant obtaining final non appealable order or final non appealable approval from the Director of Water Rights Division of the Natural Resources Department of the State of New Mexico authorizing the change in use and change in point of diversion to meet the needs of the proposed development. The minimum lot size permitted by this Section shall be 2.5 acres, unless the proposed development is within an Urban, or Metropolitan Area or a Traditional Community, in which case further adjustments of the lot size shall be permitted as provided by Sections 10.4, 10.5.2 and 10.5.3.

10.1.2 Water Policies Governing Lot Sizes Where Developments Will Not Utilize Permitted Water Rights

BASIN ZONE: Minimum lot size shall be calculated based upon ground water storage only. Water that is in storage beneath the lot in the Basin Zone may be depleted over a 100-year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 100 year supply of water without consideration of recharge of the ground water.

BASIN FRINGE ZONE: Same as Basin Zone.

HOMESTEAD ZONE: Minimum lot size shall be calculated based either upon ground water storage or recharge of ground water, but not both. Water that is in storage beneath the lot in the Homestead Zone may be depleted over a 100 year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 100 year supply of water. Calculation of recharge in any specific case shall be done in a manner approved by the County Hydrologist. Recharge should be sufficient to supply water over a 100 year lifetime. However, applicants should be aware that studies done in the development of the General Plan indicated that in most areas of the Homestead Zone minimum lot sizes based on storage in this zone would be larger than those based on recharge.

MOUNTAIN ZONE: Same as Homestead Zone.

METROPOLITAN AREAS-BASIN AND BASIN FRINGE: For Basin and Basin Fringe zones within a Metropolitan Area as shown on Code Maps 12, 14 and 15, it is anticipated that regional water systems will eventually be developed. Therefore, water that is in storage beneath a lot within a Metropolitan Area may be depleted over a 40 year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 40 year supply of water without consideration of recharge of the ground water.

METROPOLITAN AREAS-HOMESTEAD AND MOUNTAIN ZONE: For Homestead and Mountain Zones within a Metropolitan Area, the minimum lot size shall be calculated based either upon ground water storage or recharge of ground water, but not

NBB-7

both. Water that is in storage beneath the lot in the Homestead Zone may be depleted over a 40 year lifetime. The lot must be large enough to have a ground water in storage beneath the lot for a 40 year supply of water. Calculation of recharge in any specific case shall be done in a manner approved by the County Hydrologist. Recharge should be sufficient to supply water over a 40 year lifetime. However, applicants should be aware that studies done in the development of the General Plan indicated that in most areas of the Homestead and Mountain Zones, minimum lot sizes based on storage in these zones would be larger than those based on recharge.

10.2 Calculation of Minimum Lot Size

Calculation of the minimum lot size under Section 10.1.2 shall be determined by the formula:

$$\frac{\text{Acre Feet}}{\text{Use (Year) x acres}}$$

Minimum Lot Size (Acres)=Water Available in acre feet per acre/year

$$\text{MLS} = \frac{\text{U x acres}}{\text{A}}$$

Where:

MLS is the minimum lot size in acres; it is the size of a lot needed to supply anticipated water needs.

U is the anticipated water needs for the lot; it is the use of water which will occur from the intended development of the lot, measured in acre-feet per year. The standard values listed for A were derived using the procedures set forth in the water appendix of the Code. The standard value for U is set forth in Section 10.2.2. A is the amount of water available in the aquifers which are beneath the lot, measured in acre-feet per acre per year using recharge or storage as described in 10.1.2.

10.2.1 Standard Values for A and Adjustments. The standard values for A shall be as follows:

<u>BASIN ZONE:</u>	0.1 acre-feet per acre per year
<u>BASIN FRINGE ZONE:</u>	.02 acre-feet per acre per year
<u>MOUNTAIN ZONE:</u>	.0125 acre-feet per acre per year
<u>HOMESTEAD ZONE:</u>	.00625 acre-feet per acre per year

The minimum lot sizes which result from the use of these standard values are as follows:

<u>BASIN ZONE:</u>	10 acres
<u>BASIN FRINGE ZONE:</u>	50 acres
<u>MOUNTAIN ZONE:</u>	80 acres
<u>HOMESTEAD ZONE:</u>	160 acres

The standard values of A may be adjusted if the applicant submits a hydrology report, either a detailed report (see Section 6.4 of Article VII), or a reconnaissance report (see Section 6.7 of Article VII). Values of A determined in such reports shall be reviewed by the County Hydrologist, who shall recommend to the Code Administrator whether or not

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the value is reasonable, and if not, shall recommend a value appropriate for the use in determining minimum lot size.

The actual value of A used shall be based on the information submitted by the applicant, by the County Hydrologist or by others submitting information. If water conservation measures are used, as provided in Section 10.2.4b, and an actual value of A is determined, in most cases minimum lot sizes will be reduced below those listed in Section 10.2.1. However, applicants are advised that because of varying geologic conditions in Santa Fe County there is no assurance that a hydrology report will determine that the water supply in an area is more abundant than indicated by the standard value of A. In cases where the actual study shows a value of A which is less than the standard value (that is, there is less water available than assumed by the standard value), minimum lot size requirements may be increased beyond those indicated in this Section.

10.2.2 Calculation of Use

U shall have a standard value of 1.0 acre feet per year per dwelling unit for residential use. For all other uses U shall be equal to the actual anticipated consumptive use for the development. The standard value for residential use may be adjusted if an applicant proposes to utilize water conservation measures. There shall be no adjustments for conservation in Urban, Traditional Community and Agricultural Valley Areas.

The Code Administrator shall maintain an application form upon which are listed potential water conservation measures. This form shall indicate the effect of each conservation measure of the value of U. As a minimum, the measures shall include: restrictions on use of water for irrigation purposes (including watering of lawns, gardens and shrubbery); restrictions on use of water for swimming pools; restrictions on the number of bathrooms per dwelling unit; restrictions on garbage disposal units; devices which reduce the utilization of water by appliances, kitchen fixtures, and bathroom fixtures; and pressure-reduction devices on in-coming water lines.

Any applicant who uses the application form as a basis for proposing conservation measures shall be allowed to reduce U in accordance with the effectiveness of the measures proposed. The maximum reduction in U which shall be considered achievable using this approach shall be a reduction of U to no less than 0.25 acre feet per year per dwelling unit. An applicant who proposes water conservation measures sufficient to reduce U to less than 0.25 acre feet per year per dwelling unit shall be required to prepare a water conservation report: See Section 6.6 of Article VII.

The actual value of U, and the minimum lot sizes which result, will depend on the conservation measures proposed by the applicant. In general, applicants who substantially restrict the use of irrigation (lawn and garden) water will be assumed to have a U of 0.5 acre feet per year per dwelling unit, while those who further restrict other types of water use will be assumed to require even less water. For reference purposes, the following lot sizes would be allowed if U is equal to 0.5 acre feet per year per dwelling unit.

<u>BASIN ZONE:</u>	5 acres
<u>BASIN FRINGE ZONE:</u>	25 acres
<u>MOUNTAIN ZONE:</u>	40 acres
<u>HOMESTEAD ZONE:</u>	80 acres

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For reference purposes, the following lot sizes would be allowed if U is equal to 0.25 acre feet per year per dwelling unit.

<u>BASIN ZONE:</u>	2.5 acres
<u>BASIN FRINGE ZONE:</u>	12.5 acres
<u>MOUNTAIN ZONE:</u>	20 acres
<u>HOMESTEAD ZONE:</u>	40 acres

10.2.3 Special Standards for Calculation of Use for Small Scale Commercial Development

Special standards which set forth specific limitations on use for small scale commercial developments are set forth in this subsection. Applicants who propose small scale commercial development are required to prepare a written estimate of water use. The value of U shall be determined by that estimate unless otherwise determined by the Code Administrator. The Code Administrator shall have on file, a list of standard water consumption requirements for commercial activities. The applicant may use these figures in lieu of the written estimate of water use. Applicants may use standardized values for A as set forth in Section 10.2.2, or they may submit a hydrology report which contains an actual estimate of A for the land which is to be developed.

10.2.4 Special Standards for Calculation of Water Availability for Metropolitan Areas

Special standards which set forth limitations on water availability for metropolitan areas shown in Code Map 12, 14, and 15 are set forth in this Sub-section.

a. Standard Values of Water Availability

Because the policy for water management in Metropolitan areas allows for depletion of storage over a 40 year period, standard values for A are as follows:

<u>BASIN ZONE:</u>	.25 acre feet per acre per year
<u>BASIN FRINGE ZONE:</u>	.05 acre feet per acre per year
<u>MOUNTAIN ZONE:</u>	.0125 acre feet per acre per year

The minimum lot sizes which result from the use of these standard values are as follows:

<u>METRO BASIN ZONE:</u>	4 acres
<u>METRO BASIN FRINGE ZONE:</u>	20 acres
<u>METRO MOUNTAIN ZONE:</u>	80 acres

b. Adjustments for Water Conservation

For the division of land into four (4) or less lots, the minimum lot size may be adjusted using the procedures set forth in Section 10.2.2. For reference purposes, the minimum lot sizes which result if U = 0.25 acre feet per year per dwelling unit or commercial use are:

<u>BASIN ZONE:</u>	2.5 acres
<u>BASIN FRINGE ZONE:</u>	5 acres
<u>MOUNTAIN ZONE:</u>	20 acres

10.3 Exceptions to Minimum Lot Size Requirements

The minimum lot sizes calculated under Sections 10.1 and 10.2 shall not apply to the areas described in this Section and the minimum lot size contained in this Section shall control.

NBB-10

10.3.1 Metropolitan Area - Community Water Systems

Where a community water system provides water service to a development within the Metropolitan Areas, as shown on Code Maps 12, 14 and 15, the minimum lot sizes shall be:

<u>BASIN ZONE:</u>	1 acre
<u>BASIN FRINGE ZONE:</u>	2.5 acres
<u>MOUNTAIN ZONE:</u>	5 acres

10.3.2 Agricultural Areas

In the Estancia Valley Agricultural Area, minimum lot sizes shall be 50 acres for the Basin Fringe Zone and 10 acres for the Basin Zone. Adjustments for water conservation and water availability will not be allowed. In the Northern Valley Agricultural Area, the minimum lot size for lands with permitted water rights shall be five (5) acres. Adjustments to lot sizes in these areas are conditioned on the finding in each case by the County Development Review Committee that it is in the best interest of the County to convert water rights from agricultural to commercial or residential use.

10.3.3 Traditional Communities

The minimum lot size in traditional communities as shown on Code Maps 40-57, shall be .75 acres, except as follows:
14,000 sq. ft. - Where community water service and community sewer service systems are utilized, or a Local Land Use and Utility Plan is adopted.

10.3.4 Urban Areas

The minimum lot size in Urban Areas shall be 2.5 acres, except as follows:
1 acre - Where community water or community liquid waste disposal systems are utilized.
.50 acre - Where community water and community sewer systems are utilized.

10.4 Density Transfer

The minimum lot sizes specified in this Section 10 shall be taken as gross figures for the purposes of determining the total number of dwellings allowed in a particular development. The arrangement of dwellings in clusters or in such locations as to take advantage of topography, soil conditions, avoidance of flood hazards, access and reduced cost of development, shall not violate the lot size requirements of the Code so long as the total number of acres per lot conforms with the requirements of the Code.

SECTION 11 - IMPORTING OF WATER

11.1 Location Requirements

Developments which import water from the surface Rio Grande or other locations outside Santa Fe County to any location in Santa Fe County designated in the Development Code as other than urban or metropolitan locations are permitted to locate anywhere in the County provided they meet all requirements of the Code, except that in lieu of the density requirements as specified in Article III, Section 10, the proposed development shall meet the following criteria.

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III - 93

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

tabbles

3

NBB-12

II-9



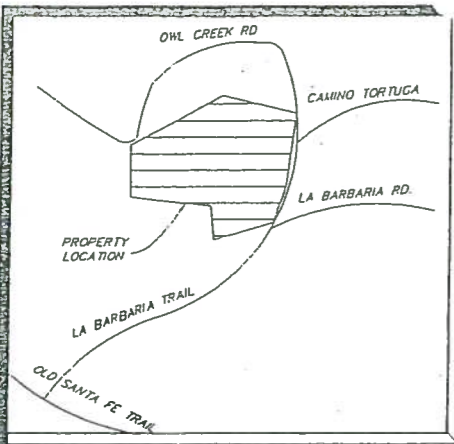
NBB-13



NBB-14



NBB-15



VICINITY MAP



SCALE: 1"=100'

LEGEND

- USGLO Brass Caps found and used
- Points found and used as noted
- 1/2" Capped Iron pin set this survey
- Power poles
- Fences
- Walls
- Concrete

NOTES

1. BASE OF BEARINGS: GPS OBSERVATION OF THE EAST BOUNDARY OF SUBJECT TRACT (S 1639'06" W), NGS 84, GEODETIC, LOCAL
2. THIS SURVEY IS BASED ON A PLAT OF SURVEY FOR ALFRED DASBURG & DEAN HAGGARD BY CIPRIANO MARTINEZ, PS 3995, DATED MAY 4, 1978, RECORDED IN PLAT BK. 65, P. 11, RECORDS OF SANTA FE COUNTY, NM. ROAD EASEMENT DATA IS FROM SAID PLAT. BEARINGS AND DISTANCES IN () ARE FROM SAID PLAT. REFERENCE DEED: W.D. INSTRUMENT No. 1350237 REFERENCE PLAT: PLAT OF SURVEY FOR DEAN HAGGARD BY PHILIP WIEGEL PS 6758, DATED 7/20/91, (UNRECORDED).

AFFIDAVIT

THE FOREGOING SURVEY AND FAMILY TRANSFER WERE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S). EASEMENTS ARE HEREBY GRANTED AS DESIGNATED HEREON WHERE LABELED "CREATED THIS INSTRUMENT" ONLY. SUBJECT PROPERTIES LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF SANTA FE COUNTY.

WILLIAM FREDERICK WAGNER DATE

STATE OF NEW MEXICO SS
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2012

NOTARY PUBLIC MY COMMISSION EXPIRES _____



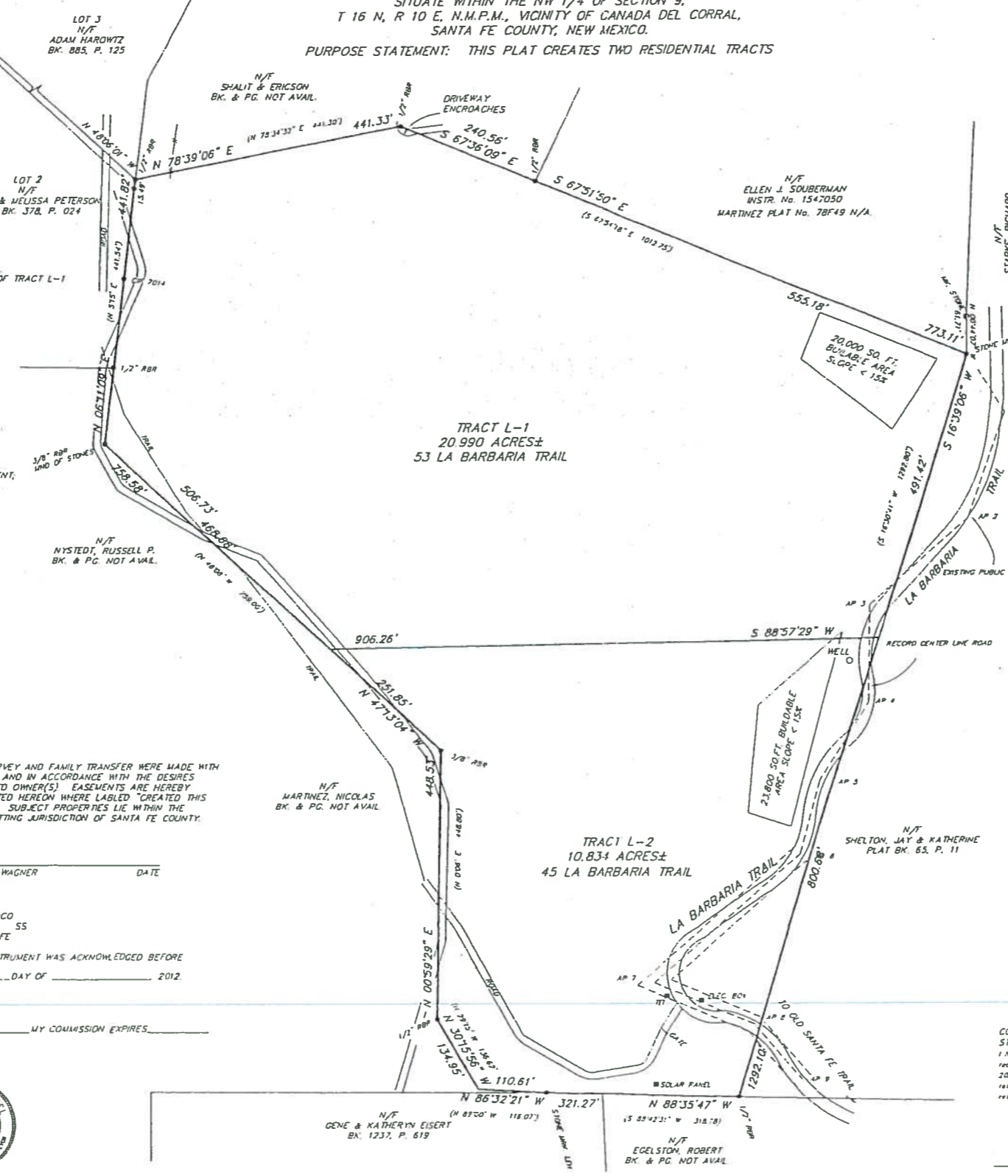
PRELIMINARY
Philip B. Wiegel P.S. No. 9758
P.O. Box 22773 Santa Fe, NM

PLAT OF FAMILY TRANSFER FOR

WILLIAM FREDERICK WAGNER

CREATING TRACT L-1 AND TRACT L-2 FROM TRACT L, SITUATE WITHIN THE NW 1/4 OF SECTION 9, T 16 N, R 10 E, N.M.P.M., VICINITY OF CANADA DEL CORRAL, SANTA FE COUNTY, NEW MEXICO.

PURPOSE STATEMENT: THIS PLAT CREATES TWO RESIDENTIAL TRACTS



SANTA FE COUNTY APPROVAL NOTES AND CONDITIONS

APPROVALS:

COUNTY LAND USE ADMINISTRATOR DATE COUNTY FIRE MARSHAL DATE

RURAL ADDRESSING DATE COUNTY TREASURER DATE

DEVELOPMENT PERMIT No. 11-3090

THE LANDS SHOWN HEREON LE WITHIN THE PLANNING AND PLATTING JURISDICTION OF SANTA FE COUNTY.

MAINTENANCE OF PRIVATE ACCESS EASEMENTS, UTILITY EASEMENTS AND/OR PRIVATE ROADWAYS IS NOT THE RESPONSIBILITY OF SANTA FE COUNTY, UNLESS DEDICATED AND ACCEPTED FOR MAINTENANCE BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS, ALL STANDARD COUNTY PERMITS AND FEES MUST BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY OF ANY KIND. DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION, TERRAIN MANAGEMENT, AND DRAINAGE ARE COMPLETED AND APPROVED.

ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL No. 35049C1750, DATED JUNE 17, 2009, THIS PROPERTY LIES OUTSIDE THE LIMITS OF THE 100 YEAR (1X) FLOODPLAIN, IN ZONE X. THIS DESIGNATION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES.

BUILDABLE AREAS ARE DEPICTED HEREON, THE BUILDABLE AREAS INDICATED HAVE SLOPES OF LESS THAN 15%.

THE TRACTS, PARCELS AND/OR LOTS SHOWN HEREON LIE INSIDE THE EXTREME HAZARDOUS AREA OF THE URBAN WILDLAND INTERFACE ZONE AS DEFINED BY THE SANTA FE COUNTY FIRE DEPARTMENT. FIRE SPRINKLERS AND/OR FIRE STORAGE MAY BE REQUIRED.

WATER USE AND/OR WELL WITHDRAWAL ON THESE TRACTS, PARCELS AND OR LOTS SHOWN HEREON IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT No. _____ ANNUAL WATER USE ON TRACT L-1 & TRACT L-2 IS RESTRICTED TO _____ ACRE FEET.

THE SHARED WELL AGREEMENT REGARDING THESE LOTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT No. _____

SPECIAL BUILDING PERMIT CONDITIONS

THE TRACTS, PARCELS OR LOTS PLATED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 1 AND ORDINANCE 2008-10, AS WELL AS ALL PERTINENT COUNTY CODE AND ORDINANCES AT THE TIME OF DEVELOPMENT.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR DEVELOPMENT PERMIT.

NEW DRIVEWAY / ROADWAY ACCESS FROM LA BARBARIA TRAIL IS SUBJECT TO APPROVAL BY THE COUNTY PUBLIC WORKS DIRECTOR.

THE INSTALLATION OF AN AUTOMATIC FIRE SUPPRESSION SYSTEM IS HIGHLY RECOMMENDED FOR ALL HOMES ON ALL LOTS.

DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROAD AND EMERGENCY TURN-AROUND ARE COMPLETED AND APPROVED BY STAFF.

COUNTY OF SANTA FE STATE OF NEW MEXICO

I, _____, County Clerk, do hereby certify that this instrument was filed for record on the _____ day of _____, A.D. 20____, at _____ o'clock _____ m., and was duly recorded in Book _____ Page _____ of the records of Santa Fe County.

Witness my Hand and Seal of Office
VALERIE ESPINOZA
County Clerk, Santa Fe County, New Mexico

INDEXING INFORMATION FOR COUNTY CLERK
FAMILY TRANSFER SURVEY

OWNER: WILLIAM FREDERICK WAGNER
LOCATION: LA BARBARIA TRAIL SECTION 9, T 16 N, R 10 E, N.M.P.M.
LPC: 1-057-095-200-355

SANTA FE COUNTY, N.M.
DEL RIO SURVEYS, INC.






PO BOX 22773	SANTA FE, NM	820-9200
Project No. 11010022	Dwg. PW	Date 10/10/11
	CHK. DV	REV. 1



NBB-16





Map of Property in Santa Fe County

Legend

-  driveways
-  Minor Roads
-  Major Roads
-  Parcels_sde
-  Section Lines

2011 FEMA Data

Draft Fema Data 2'

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

2008 FEMA Data

-  500 Year
-  100 Year

1:3,000

1 inch represents 250



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.

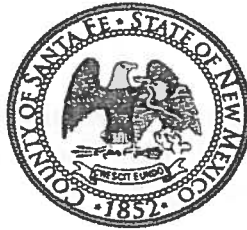


EXHIBIT
6

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

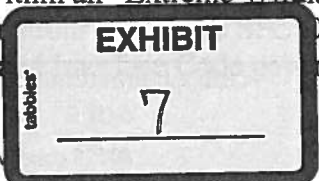
Official Submittal Review

Date	July 12, 2012		
Project Name	Wagner, William Frederick		
Project Location	La Barbara Trail T16; R10; S9 " Extreme Wildland-Urban Hazard Area"		
Description	Small lot family transfer land division	Case Manager	V. Archuleta
Applicant Name	William Frederick Wagner	County Case #	11-3090
Applicant Address	304 Lomita St. Santa Fe, NM 87505	Fire District	Hondo
Applicant Phone	Agent; 820-9200 Phillip Weigel		
Review Type	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input type="checkbox"/>
	Wildland <input checked="" type="checkbox"/>	Variance <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
			Inspection <input type="checkbox"/>
			Lot Split <input checked="" type="checkbox"/>
Project Status	Approved <input type="checkbox"/>	Approved with Conditions <input checked="" type="checkbox"/>	Denial <input type="checkbox"/>

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*) :

Summary of Review

- Per submitted plat, Special Building Permit Conditions; Development permits for building construction will not be issued until required improvements for road and emergency turn-around are completed and approved. Final acceptance based upon the Fire Marshal's approval. (page #2)
- Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process. (page #2)
- The minimum 14' wide driveway/fire access driving surface shall not exceed 11% slope and shall have a minimum 28' inside radius on curves. (page #3)
- This development location is rated within an "Extreme Wildland-Urban Hazard Area" and shall comply with all applicable regulations, Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface, including such areas. (page #3)



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- Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes. (page #4)

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

- **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

Per submitted plat, Special Building Permit Conditions; Development permits for building construction will not be issued until required improvements for road and emergency turn-around are completed and approved. Final acceptance based upon the Fire Marshal's approval.

Roads and driveways shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Driveway, turnouts and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted basecourse or equivalent. Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

Any required turnarounds shall incorporate an area for emergency vehicle purposes such as a cul-de-sac or K-type or hammerhead type turnaround conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

- **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

Section 901.4.5 Street or Road Signs. (1997 UFC) When required by the Chief, streets and roads shall be identified with approved signs.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process.

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- **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

The minimum 14' wide driveway/fire access driving surface shall not exceed 11% slope and shall have a minimum 28' inside radius on curves.

- **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

To prevent the possibility of emergency responders being locked out, all access gates shall be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

Fire Protection Systems

Automatic Fire Protection/Suppression

Due to the remote location, the lack of water and the possibility of a residence being made inaccessible due to the condition of the single road access in inclement weather, for life safety and property protection this office highly recommends the installation of an Automatic Fire Suppression system meeting NFPA 13D requirements in any future construction.

It is also recommended that the homeowner and/or property owner contact their home insurance carrier to find out more information on minimum requirements for coverage.

Assistance in details and information are available through the Fire Prevention Division.

Urban-Wildland Interface

SFC Ordinance 2001-11, Urban Wildland Interface Code

This development location is rated within an "Extreme Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.

- **Building Materials**

Buildings and structures located within urban wildland interface areas, not including accessory structures, shall be constructed in accordance with the Fire Code, the Building Code and the Urban Wildland Interface Code.

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▪ **Location/Addressing/Access**

Per SFC 2001-11/EZA 2001-04, addressing shall comply with Santa Fe County Rural addressing requirements.

Per SFC 2001-11 / EZA 2001-04 Chapter 4, Section 3.2 Roads and Driveways: Access roads, driveways, driveway turnarounds and driveway turnouts shall be in accordance with provisions of the Fire Code and the Land Development Code. Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development.

▪ **Vegetation Management**

It is recommended that the development also have a vegetation management plan to establish fire-safe areas and to minimize the threat and occurrence of fire in the urban wildland interface areas. Assistance in details and information are available through the Fire Prevention Division

General Requirements/Comments

▪ **Inspections/Acceptance Tests**

Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

▪ **Permits**

As required

Final Status

Recommendation for Final Development Plan approval with the above conditions applied.

Name, Inspector


Code Enforcement Official

7-18-12
Date

Through: David Sperling, Chief/Fire Marshal

File: DevRev/H/Wagner/071212

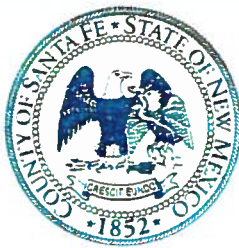
Cy: Applicant
Hondo District Chief
Buster Patty, Capt., Fire Prevention Div. *BP*

NBB-21

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: February 21, 2013

TO: County Development Review Committee

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

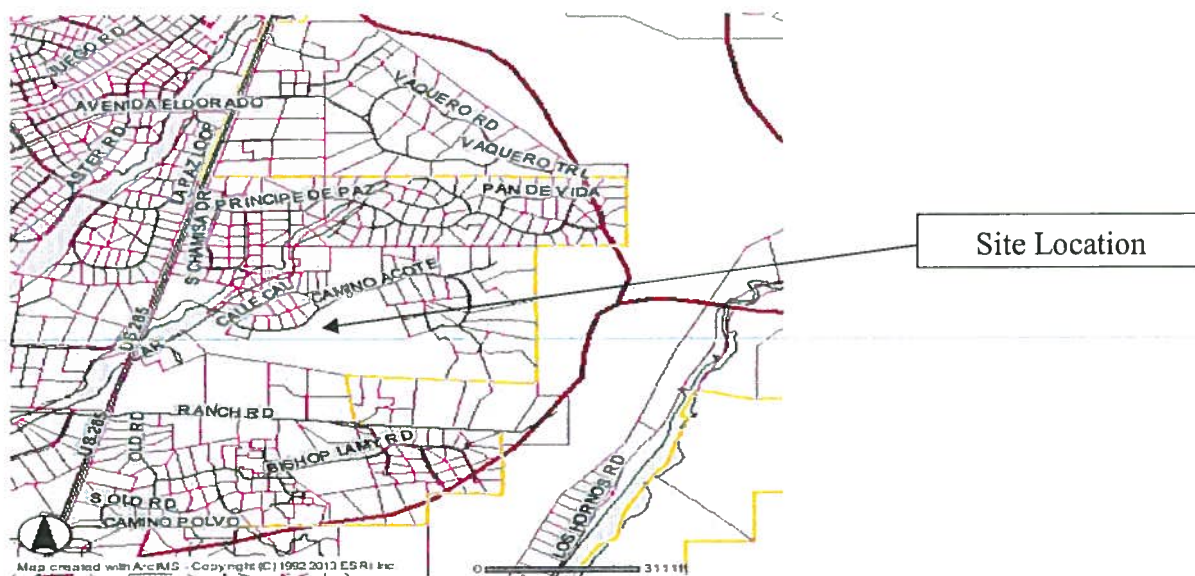
VIA: Vicki Lucero, Building and Development Services Manager *VL*
Wayne Dalton, Building and Development Services Supervisor *WD*
Penny Ellis-Green, Land Use Administrator *PEG*

FILE REF.: CDRC CASE # Z/S 12-5450 Cielo Colorado Subdivision

ISSUE:

Cielo Colorado, LLC, Applicant, Jim Siebert, Agent, requests Master Plan Zoning approval for a 67-lot residential subdivision on 257.16 Acres \pm within Tract 15A-2 of the Eldorado at Santa Fe Subdivision. The Applicant also requests approval to allow four cul-de-sacs (dead end roads) to exceed 500 feet in length. The property is located on the east side of US 285, off Camino Acote, within Sections 21 & 22, Township 15 North, Range 10 East (Commission District 5).

Vicinity Map:



SUMMARY:

Tract 15 A-2 was created as part of the Eldorado at Santa Fe Subdivision. A Master Plan for Cielo Colorado was approved by the Board of County Commissioners in 1995. The Master Plan included 91 lots with an average density of 3.79 acres on 344.58 acres. 25 of the 91 proposed lots were platted in 1995. An amended Master Plan, recorded in 2000, eliminated 4 lots totaling 12.5 acres. In 2002, the Master Plan was vacated to allow the platting of larger lots at the east end of Tract 15A-2. This Application for Master Plan includes the remainder of the property that has not been platted within Tract 15A-2.

The Applicant requests Master Plan Zoning for a 67 lot residential subdivision with the lot size ranging in size between 2.50 and 7.29 acres on 257.16 acres. The proposed subdivision will be developed in 9 phases over a 9 year period with an anticipated start date of 2015.

Article V, § 5.2.1.b states: "a Master Plan is comprehensive in establishing the scope of a project, yet is less detailed than a Development Plan. It provides a means for the County Development Review Committee and the Board to review projects and the sub-divider 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".

The Applicant also requests that the CDRC allow four cul-de-sacs (dead end roads) to exceed 500 feet in length. The four dead end roads range from 602 feet in length to 799 feet in length. The closed end roads will have a cul-de-sac with a minimum driving surface radius of fifty (50) feet.

Article V, § 8.2.1d (Cul-de-sacs) states: "cul-de-sacs (dead end roads) shall not be longer than five hundred (500) feet. At the closed end there shall be a turn around having a minimum driving surface radius of at least forty-two (42) feet for roads under 250 feet long and of at least fifty (50) feet for roads 250 feet and longer. A suitable alternative, such as a hammerhead turn around, may be acceptable if approved by the Code Administrator and the Fire Marshal. All turn around areas shall be designed to protect existing vegetation and steep terrain. There shall be a minimum right-of-way diameter at the closed end of one hundred (100) feet. In low density residential areas the length of cul-de-sacs may be adjusted by the County Development Review Committee with the changes consistent with public safety factors. For local roads designated as a lane or place and designed to a twenty foot (20') width, the turn-around area remains the same as specified above".

This Application was submitted on December 7, 2012.

Building and Development Services staff has reviewed this project for compliance with pertinent Code requirements and has found that the following facts presented support the request for Master Plan Zoning: the Application is comprehensive in establishing the scope of the project; the review comments from State Agencies and County staff has established that this Application, for Master Plan, is in compliance with State requirements, Ordinance No. 2005-8 (US 285 South Highway Corridor Zoning District) and Article V, § 5, Master Plan Procedures of the Land Development Code.

APPROVAL SOUGHT: Master Plan Zoning Approval for a 67 lot residential subdivision on 257.16 Acres \pm .

CDRC approval to allow four cul-de-sacs (dead end roads) to exceed 500 feet in length.

GROWTH MANAGEMENT AREA:

Galisteo, SDA-2.

HYDROLOGIC ZONE:

Basin Fringe, minimum lot size per Code is 12.5 acres per dwelling unit with a 0.25 acre foot per year per lot water restriction; lot size can be further reduced if water availability is proven to support increased density or community water is available.

ARCHAEOLOGIC ZONE:

Medium Potential, archeological report required for development of more than 10 acres. An archaeological report has been submitted for review.

ACCESS AND TRAFFIC:

The site will be accessed directly off US 84-285 via Camino Acote.

FIRE PROTECTION:

Eldorado Fire District; the EAWSD will provide the water source for fire protection; fire hydrants will be located within 1,000 feet of all buildable areas.

WATER SUPPLY:

EAWSD, a ready, willing and able to serve letter has been provided by EAWSD.

The County Hydrologist review concludes there is sufficient information submitted for Master Plan but requests submission of additional information, as outlined below, for review prior to preliminary and final approval.

- Submission of a detailed water budget and water restrictive covenants for phase I for review prior to master plan approval
- An analysis of appropriate liquid waste disposal setback is required for the first sustainable phase of this development for review prior to master plan approval.

It is recommended county staff work with the applicant to outline necessary submittals to meet code requirements. This can be handled administratively as a condition of master plan approval.

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LIQUID WASTE:

Individual on-site septic systems

SOLID WASTE:

Individual lot owners will be responsible for contracting with a licensed solid waste disposal service for pick up on a weekly basis. Individual lot owners may also dispose of solid waste on their own at a local solid waste transfer station. This must be noted in the Subdivision Disclosure Statement.

FLOODPLAIN & TERRAIN MANAGEMENT:

The site consists mainly of slopes of 8%-12% or less and there are limited areas with slopes of 20%. The proposed grading and drainage plan contains pre and post development drainage calculations. The project site contains six (6) detention ponds throughout the subdivision with a total of 55,737 CF needed for detention per proposed plan Sheet C-2 prepared by George Gonzales registered PE. Sheet C-2 indicates the total retainage available will be 187,441 CF.

The Applicant proposes to reduce the setback required per Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The minimum required setback is 75' from all unstudied SFHA. Setbacks may be reduced if a detailed analysis is provided and approved by the Floodplain Administrator. The Applicant proposes to provide an engineered detailed drainage analysis at preliminary and final plat approval. The Submittal is in conformance with Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance for Master Plan requirements.

SIGNAGE AND LIGHTING:

No private subdivision signage or lighting has been proposed at this time.

EXISTING DEVELOPMENT:

The project site is currently vacant. Eldorado water lines, natural gas lines and electric lines are on site which service existing platted lots.

ADJACENT PROPERTY:

The site is bordered to the west by US 285. The Cimarron Subdivision, The Ridges Subdivision and residential lots approved in the original Cielo Colorado Subdivision border the site to the north. Residential lots platted after the 1995, Cielo Colorado Master Plan was vacated border the site to the east. The Santa Fe County Solid Waste Transfer Station, Eldorado Fire Station #3 and the Eldorado Old Ranch Road Subdivision border the site to the south.

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OPEN SPACE:

An 11.41 acre tract of land was set aside as a park/open space area as part of the original 1995 Master Plan. The proposed Master Plan provides for a 10 foot pedestrian easement from a cul-de-sac to the existing 10 foot pedestrian easement, allowing for pedestrian access from the proposed Master Plan site to the park area.

AFFORDABLE HOUSING:

The number of market rate lots is 63 with four affordable units. At 15% percent the number of affordable units is 9.45. The developer of Cielo Colorado is proposing to provide four affordable dwelling units in ranges 3 and 4. A fee in-lieu-of the remaining 5.45 units is proposed.

PHASING:

The project will be completed in 9 phases. The subdivision is to be completed over a nine year period, with the first phase to begin in 2015 and the final phase to be completed in the year 2023.

AGENCY REVIEW:

<u>Agency</u>	<u>Recommendation</u>
County Fire	Approval with Conditions
County Utilities	Approval with Conditions
NMDOT	Approval with Conditions
County Open Space	Approval with Conditions
County Public Works	Approval with Conditions
OSE	No Opinion on Master Plans
SHPO	Approval
NMED	Approval
Public Schools	Approval
County Planning	Approval
Santa Fe Soil & Water Conservation District	Approval
Affordable Housing Administrator	Approval with Conditions
County Hydrologist	Approval with Conditions

STAFF RECOMMENDATION:

Approval, by the County Development Review Committee, to allow four cul-de-sacs (dead end roads) to exceed 500 feet in length.

1. The Applicant shall comply with design standards set forth in **Article V, § 8.2.1d.**

Conditional approval for Master Plan Zoning for a 67-lot residential subdivision on 257.16 Acres ± within Tract 15A-2 of the Eldorado at Santa Fe Subdivision subject to the following staff condition:

1. Master Plan with appropriate signatures shall be recorded with the County Clerk, as per **Article V, § 5.2.5.**

EXHIBITS:

1. Master Plan Report
2. Proposed Plans
3. Request to allow dead end roads
4. Reviewing Agency Responses
5. Letter from EAWSD
6. Letter from County Fire on Dead End Road
7. Response to Public Works Comments
8. Aerial Photo of Site
9. Applicant Response to Review Comments
10. Article V, § 8.2.1d.
11. Article V, § 5.2.5.

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MASTER PLAN REPORT

CIELO COLORADO

PREPARED

FOR

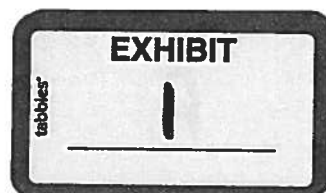
CIELO COLORADO LLC.

PREPARED

BY

JAMES W. SIEBERT & ASSOCIATES, INC.

DECEMBER 7, 2012



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APPENDICES

Appendix A	1995 Original Master Plan
Appendix B	2000 Amended Master Plan
Appendix C	Warranty Deed
Appendix D	Reduction of Legal Lot of Record Plat
Appendix E	School Impact
Appendix F	EAWSD Request for Development Agreement
Appendix G	Conceptual Affordable Housing Plan

FIGURES

Figure 1	Vicinity Map
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BACKGROUND INFORMATION

HISTORY OF ENTITLEMENTS

Tract 15 was created as part of the Eldorado at Santa Fe Subdivision. AMREP, the developer of the Eldorado at Santa Fe Subdivision intended to further subdivide the property based on the demand for lots in the area. A master plan was prepared for Red Sky LLC in 1995. The master plan included the layout for lots within Tract 15 with 91 lots proposed for the master plan with an average density of 3.79 acres. The reproduction of the master plan is found in Appendix A. An amended master plan was recorded in 2000. The amended plan is attached to this report as Appendix B. A 25 lot subdivision with approximate 2.5 acre lots was recorded with the Santa Fe County Clerk on June 30th, 1995. This subdivision is served by the Eldorado Area and Water and Sanitation District. In 2002 the master plan was vacated in order to allow the platting of larger lots at the east end of 15A -2.

This application for master plan includes the remainder of the property that has not been platted within Tract 15A -2.

DEVELOPMENT REQUEST

A request is submitted for master plan review on 257.16 acres within Tract 15A-2 of the Eldorado at Santa Fe Subdivision. Figure 1 is a vicinity map showing the location of the property overlaid on a USGS map.

The request is submitted in conformance with regulatory standards for master plan review set forth in the Santa Fe County Land Development Code. This request will be heard by the County Development Review Committee which makes a recommendation to the Board of County Commissioners. The Board of County Commissioners takes final action on the request unless it is appealed to the District Court.

OWNERSHIP AND LEGAL LOT OF RECORD

The property is owned by Cielo Colorado LLC. The warranty deed for the property is found in Appendix C of the report. The plat for the subject land is provided in Appendix D of the report. The plat serves as the legal lot of record for the master plan and the basis of the survey work for the site planning on the property.

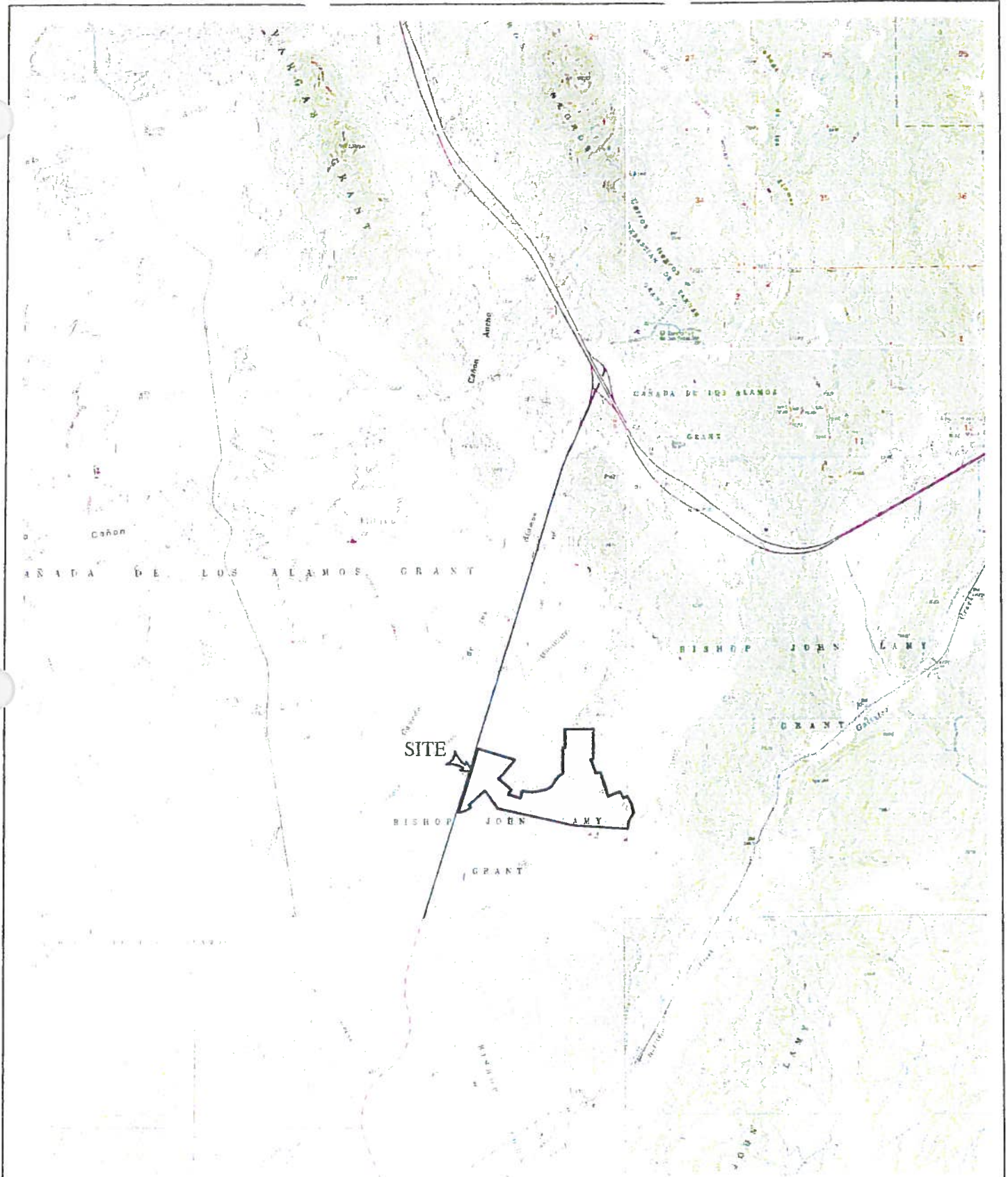




FIGURE 1

<p>JAMES W. SIEBERT AND ASSOCIATES INC</p>	<p>CIELO COLORADO</p>	<p>NORTH</p> 
<p>915 MERCER STREET • SANTA FE NEW MEXICO 87505</p>	<p>VICINITY MAP</p>	<p>SCALE</p>
<p>(505) 983-5588</p>  <p>FAX (505) 989-7313</p>	<p>1" = 5000'</p>	<p>5000'</p>

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SUMMARY DESCRIPTION

Total Acres:	257.16 Acres
Dedicated Park and Open Space total:	11.411 Acres
Number of Lots:	67
Affordable Lots:	4
Average Lot Size:	3.84 Acres
Smallest Lot:	2.50 Acres
Largest Lot:	7.29 Acres

EXISTING CONDITIONS

UTILITIES

Water

Eldorado Area Water has been extended into the property to serve the 25 lot Subdivision. The existing 8 inch line extends further to the east along the platted Camino Acote roadway. Fire hydrants have been installed on this line and have been tested to determine the flow capacity of the hydrant. The Existing Utilities Plan in the plan set describes the location and size of the water lines and the location of the fire hydrants that are on this system.

Wastewater

There is no community wastewater system in the Eldorado area. Conventional septic systems are proposed for the lots within the master plan. Each lot has been designed to provide a minimum of .75 acre of land outside steep slope areas and outside flood plain limits. The Eldorado Area Water and Sanitation District does not currently have any plans to construct a community wastewater system in the Eldorado Area.

Electric

There is an overhead three phase electric line located on the east side of US 285. There is an existing overhead electric line running north-south through the midsection of Tract 15.

Electric service lines have been extended into the subdivision to serve the 24 lot subdivision and the larger lots to the east. All electric lines which serve the developed lots within Tract 15 have been constructed below ground.

Telephone

Telephone lines exist on the overhead electric lines that run parallel and adjacent to US 84-285. Telephone lines are located within Tract 15 coincident with the electric lines. An older overhead telephone line that traversed Tract 15 from the north to the south has been removed and the easement has been abandoned. There is a telephone line that runs coincident with the overhead electric line located towards the central part of Tract 15.

Natural Gas

Natural gas has not been extended into the subdivision. Natural gas is available in the subdivision to the north in Rey de Reyes road and to the south in the Old Road Ranch Subdivision. There has been an investigation on the extension of natural gas to the property and it has been determined that existing utility easements would permit the extension of natural to the master plan.

SLOPES

Slopes are relatively gentle throughout the master plan with typical slopes in the 8%-12% range. There are limited areas within the master plan that have slopes in excess of 20%, with the greatest occurrence of the steeper slopes taking place along the north and east side of the tract. There is no evidence of areas with significant erosion on the site. Suitable building sites on slopes of less than 20% are available for all lots as proposed on the master plan.

VEGETATION

The vegetation is typical of the Eldorado area. A variety of grasses have established themselves within the master plan. Typical plants that were observed on the property consist of:

Grasses

Blue Grama
Galleta
Dropseed
Muhly

Forbs

Snakeweed
Verbena
Purple Coneflower
Indian Paintbrush
Russian Thistle

Threadleaf Sagewort
Wolfberry
Buffalo Guard
New Mexico Sunflower
Globemallow
Purple Aster
Winterfat
White Evening Primrose
Narrow Leaf Yucca
Prickly Pear
Cholla Cactus
Datil Yucca

Trees

One Seed Juniper
Pinon

ARCHAEOLOGY

A Cultural Resource Survey was prepared by Sandra Marshall for a tract larger than the master plan, but including all the land area within the master plan. Sixty isolated occurrences were observed within the investigated tract that were not worthy of preservation. Two sites, LA 104986 and LA 104987 were recorded with the State Historic Preservation Office, considered worthy of preservation. The location of the two LA sites is shown on the existing conditions map and on the Master Plan.

As the development proceeds to subdivision of the land, a preservation easement will be proscribed on the plat, prohibiting any grading activity within the easement without first consulting the County Land Use Administrator and SHPO. The Disclosure Statement for the subdivision will also include a statement under "Unusual Conditions" mandating the protection of these two archaeological sites.

Two copies of the Cultural Resource Survey are included in the submittal packet to Santa Fe County.

EXISTING PARKS AND OPEN SPACE

An 11.47 acre lot was set aside as a park site. This lot is not contiguous with any portion of the boundary for Cielo Colorado. A 10 foot pedestrian easement was previously granted by Red Sky Partners providing access from the undeveloped parcel to the park. This 11.47 acre parcel is owned by Cielo Colorado LLC and will eventually be owned by the homeowners association as part of the documents associated with the future subdivision of the property. There are currently no improvements on this tract of land. To utilize this as an active park site will require at least an emergency access for Fire Department vehicles. Further investigation will occur as part of the subdivision review to determine if it is possible to acquire an easement for emergency vehicle access to the park from an adjoining land owner.

DRAINAGE

At the western side of the property, drainage flows from the northeast to the southwest. This drainage has been demarcated as a 100 year flood plain. The 2008 flood plain panel from FEMA is 35069C00550D.

Towards the north and central section of the master plan the drainage flows from the east to the west intersecting with the drainage located in the flood plain. At the very south end of the property there are several smaller channels that run north to south. The drainage channels are typically wide and shallow without well-defined banks. Vegetation is well established within the drainage channels indicating the lack of heavy, scouring rains that strip the drainage of grasses and plants within the drainage channel.

SOILS

Utilizing the USDA Natural Resources Conservation Mapping, the soils identified on the property are:

<u>Classification Name</u>	<u>Soils Number</u>
Dumps, Sanitary Landfill	106
Tanoan-Encantado Complex	201
Alire Loam	202
Buckhorse-Altanzano Complex	203
Altazano Loamy Sand	204
Nazario Gravelly Loam	205
Alire-Urban Land Complex	208
Predawn-Urban land complex	215
Dondiego Loam	216

105—Dumps, sanitary landfill

Map Unit Setting

Elevation: 5,700 to 7,500 feet

Mean annual precipitation: 10 to 15 inches

Mean annual air temperature: 46 to 52 degrees F

Frost-free period: 140 to 170 days

Map Unit Composition

Dumps: 80 percent

Description of Dumps Setting

Landform: Eroded fan remnants

Landform position (two-dimensional): Summit

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Mine spoil or earthy fill

Typical profile

0 to 15 inches: Gravelly coarse sandy loam
15 to 21 inches: Gravelly sandy loam
21 to 29 inches: Gravelly coarse sandy loam
29 to 99 inches: Gravelly variable

201—Tanoan-Encantado complex, 5 to 25 percent slopes

Map Unit Setting

Elevation: 5,500 to 7,500 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 47 to 50 degrees F
Frost-free period: 140 to 160 days

Map Unit Composition

Tanoan and similar soils: 45 percent
Encantado and similar soils: 40 percent

Description of Tanoan Setting

Landform: Eroded fan remnants
Landform position (two-dimensional): Shoulder
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Alluvium derived from granite, gneiss, schist, and loess over residuum weathered from basaltic tuff or granitic sandstone

Properties and qualities

Slope: 5 to 15 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline (0.0 to 1.0 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Low (about 5.1 inches)

Typical profile

0 to 3 inches: Gravelly sandy loam
3 to 7 inches: Loam
7 to 24 inches: Loam
24 to 32 inches: Sandy loam
32 to 57 inches: Loam
57 to 70 inches: Gravelly loamy coarse sand

70 to 84 inches: Gravelly coarse sandy loam

Description of Encantado Setting

Landform: Eroded fan remnants

Landform position (two-dimensional): Backslope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Colluvium and slope alluvium derived from granite, gneiss, and schist over residuum weathered from granitic conglomerate and sandstone

Properties and qualities

Slope: 10 to 25 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 30 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 4.0 mmhos/cm)

Sodium adsorption ratio, maximum: 4.0

Available water capacity: Very low (about 2.5 inches)

Typical profile

0 to 3 inches: Very gravelly sandy loam

3 to 9 inches: Very gravelly loam

9 to 22 inches: Very gravelly coarse sandy loam

22 to 33 inches: Gravelly loamy coarse sand

33 to 45 inches: Very gravelly loamy coarse sand

45 to 54 inches: Very gravelly loamy coarse sand

54 to 63 inches: Gravelly loamy sand

63 to 85 inches: Very gravelly loamy sand

202—Alire loam, 2 to 6 percent slopes

Map Unit Setting

Elevation: 6,100 to 7,400 feet

Mean annual precipitation: 13 to 15 inches

Mean annual air temperature: 47 to 50 degrees F

Frost-free period: 140 to 160 days

Map Unit Composition

Alire and similar soils: 90 percent

Description of Alire Setting

Landform: Eroded fan remnants

Landform position (two-dimensional): Summit

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium derived granite, gneiss, schist, loess, and volcanic ash

Properties and qualities

Slope: 2 to 6 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 40 percent

Gypsum, maximum content: 1 percent

Maximum salinity: Nonsaline to slightly saline (2.0 to 8.0 mmhos/cm)

Sodium adsorption ratio, maximum: 13.0

Available water capacity: High (about 9.7 inches)

Typical profile

0 to 2 inches: Loam

2 to 8 inches: Clay loam

8 to 15 inches: Clay loam

15 to 28 inches: Clay loam

28 to 45 inches: Loam

45 to 57 inches: Gravelly loam

57 to 71 inches: Gravelly sandy loam

71 to 105 inches: Gravelly sandy loam

203—Buckhorse-Altazano complex, 2 to 8 percent slopes, flooded

Map Unit Setting

Elevation: 5,700 to 7,500 feet

Mean annual precipitation: 13 to 15 inches

Mean annual air temperature: 47 to 50 degrees F

Frost-free period: 140 to 160 days

Map Unit Composition

Buckhorse and similar soils: 55 percent

Altazano and similar soils: 35 percent

Description of Buckhorse Setting

Landform: Eroded fan remnants

Landform position (two-dimensional): Toeslope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Slope alluvium derived from granite, gneiss, schist, granitic sandstone, fanglomerate, and mudstone

Properties and qualities

Slope: 2 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 4.0

Available water capacity: Moderate (about 6.3 inches)

Typical profile

0 to 4 inches: Coarse sandy loam

4 to 11 inches: Coarse sandy loam

11 to 22 inches: Loam

22 to 37 inches: Loam

37 to 49 inches: Fine sandy loam

49 to 61 inches: Sandy loam

61 to 83 inches: Gravelly coarse sand

Description of Altazano Setting

Landform: Inset fans on eroded fan remnants

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Slope alluvium derived from granite, gneiss, schist, granitic sandstone, fanglomerate, and mudstone

Properties and qualities

Slope: 2 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: Frequent

Frequency of ponding: None

Calcium carbonate, maximum content: 20 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 4.0

Available water capacity: Low (about 5.7 inches)

Typical profile

0 to 2 inches: Gravelly sandy loam
2 to 8 inches: Gravelly coarse sandy loam
8 to 19 inches: Very gravelly loamy coarse sand
19 to 29 inches: Gravelly sandy loam
29 to 46 inches: Loam
46 to 65 inches: Loam
65 to 74 inches: Gravelly coarse sandy loam
74 to 90 inches: Gravelly loamy coarse sand

204—Altazano loamy sand, 0 to 2 percent slopes, flooded

Map Unit Setting

Elevation: 6,100 to 7,400 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 47 to 50 degrees F
Frost-free period: 140 to 160 days

Map Unit Composition

Altazano and similar soils: 85 percent

Description of Altazano Setting

Landform: Flood plains on valley floors
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite, gneiss, schist, granitic sandstone, fanglomerate, and mudstone

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: 22 to 30 inches to abrupt textural change; 22 to 30 inches to strongly contrasting textural stratification
Drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Occasional
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline (0.0 to 1.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water capacity: Very low (about 2.2 inches)

Typical profile

0 to 3 inches: Loamy sand
3 to 8 inches: Fine sandy loam
8 to 12 inches: Loamy sand
12 to 18 inches: Stratified sandy loam to loam
18 to 26 inches: Gravelly loamy coarse sand
26 to 29 inches: Loam
29 to 36 inches: Loam
36 to 58 inches: Loam
58 to 76 inches: Gravelly coarse sandy loam
76 to 92 inches: Gravelly coarse sand

205—Nazario gravelly loam, 2 to 8 percent slopes

Map Unit Setting

Elevation: 6,200 to 7,400 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 47 to 50 degrees F
Frost-free period: 140 to 160 days

Map Unit Composition

Nazario and similar soils: 90 percent

Description of Nazario Setting

Landform: Eroded fan remnants
Landform position (two-dimensional): Summit
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Alluvium derived from granite, gneiss, schist, and loess over residuum weathered from granitic fanglomerate and sandstone

Properties and qualities

Slope: 2 to 8 percent
Depth to restrictive feature: 20 to 28 inches to strongly contrasting textural stratification
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Very low (about 2.7 inches)

Typical profile

0 to 2 inches: Gravelly loam
2 to 7 inches: Gravelly loam
7 to 15 inches: Gravelly loam
15 to 24 inches: Gravelly loam
24 to 43 inches: Very gravelly loamy coarse sand
43 to 52 inches: Gravelly loamy coarse sand
52 to 67 inches: Coarse sand
67 to 94 inches: Gravelly coarse sand

208—Alire-Urban land complex, 2 to 8 percent slopes

Map Unit Setting

Elevation: 6,400 to 7,400 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 47 to 50 degrees F
Frost-free period: 140 to 160 days

Map Unit Composition

Alire and similar soils: 50 percent
Urban land: 40 percent

Description of Alire Setting

Landform: Eroded fan remnants
Landform position (two-dimensional): Summit
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite, gneiss, schist, and loess

Properties and qualities

Slope: 2 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 40 percent
Gypsum, maximum content: 1 percent
Maximum salinity: Nonsaline to slightly saline (2.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 13.0
Available water capacity: High (about 9.3 inches)

Typical profile

0 to 4 inches: Loam
4 to 11 inches: Clay loam
11 to 20 inches: Clay loam
20 to 27 inches: Loam
27 to 42 inches: Loam
42 to 51 inches: Gravelly loam
51 to 69 inches: Gravelly loam
69 to 95 inches: Gravelly loam
95 to 99 inches: Gravelly sandy loam

Description of Urban Land Setting

Landform: Eroded fan remnants
Down-slope shape: Linear
Across-slope shape: Linear

215—Predawn-Urban land complex, 1 to 4 percent slopes

Map Unit Setting

Elevation: 6,400 to 7,300 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 47 to 50 degrees F
Frost-free period: 140 to 160 days

Map Unit Composition

Predawn and similar soils: 60 percent
Urban land: 30 percent

Description of Predawn Setting

Landform: Eroded fan remnants
Landform position (two-dimensional): Summit
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite, gneiss, schist, loess, and volcanic ash

Properties and qualities

Slope: 1 to 4 percent
Depth to restrictive feature: 4 to 6 inches to abrupt textural change; 4 to 6 inches to strongly contrasting textural stratification
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None

Calcium carbonate, maximum content: 50 percent
Gypsum, maximum content: 1 percent
Maximum salinity: Nonsaline to slightly saline (2.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 13.0
Available water capacity: Very low (about 0.8 inches)

Typical profile

0 to 5 inches: Loam
5 to 10 inches: Clay
10 to 16 inches: Clay loam
16 to 23 inches: Clay loam
23 to 28 inches: Loam
28 to 34 inches: Loam
34 to 48 inches: Loam
48 to 73 inches: Loam
73 to 88 inches: Loam
88 to 100 inches: Sandy loam

Description of Urban Land Setting

Landform: Eroded fan remnants
Down-slope shape: Linear
Across-slope shape: Linear

216—Dondiego loam, 1 to 3 percent slopes

Map Unit Setting

Elevation: 6,100 to 7,400 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 47 to 50 degrees F
Frost-free period: 140 to 160 days

Map Unit Composition

Dondiego and similar soils: 85 percent

Description of Dondiego Setting

Landform: Stream terraces on valley floors
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite, gneiss, schist, and loess

Properties and qualities

Slope: 1 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: Very rare

Frequency of ponding: None

Calcium carbonate, maximum content: 3 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 1.0

Available water capacity: Moderate (about 8.2 inches)

Typical profile

0 to 2 inches: Loam

2 to 9 inches: Loam

9 to 22 inches: Loam

22 to 28 inches: Loam

28 to 36 inches: Sandy loam

36 to 48 inches: Loam

48 to 59 inches: Loam

59 to 69 inches: Gravelly sandy loam

69 to 85 inches: Gravelly loamy coarse sand

85 to 102 inches: Stratified gravelly loamy coarse sand to sandy loam

EXISTING ACCESS AND TRAFFIC CIRCULATION

The principal access to the subdivision is from US 84-285. The New Mexico Department of Transportation provided for an improved intersection access as part of the widening improvements for US 84-285. The Acote roadway aligns with Jacinto Road on the west side of US 84-285. Camino Acote has been constructed as a 24 foot asphalt surfaced roadway through a portion of Tract 15A-2. The paved section of the road terminates at the eastern end of the master plan where shown on the Master Plan, sheet P-6 of the plan set. There is a platted easement that connects the end of the asphalt with Camino Acote creating a loop within the larger Cielo Colorado subdivision. This platted loop has not been improved.

The location of this connecting loop has been relocated on the Master Plan, making the loop larger than was previously platted. At the time the subdivision is approved the existing easement will be vacated.

PROJECT DESCRIPTION

SITE INFORMATION

Size of parcel:	257.716 (Includes open space tract)
Total number of lots:	67
Largest lot:	7.29 acres
Smallest lot:	2.5 acres
Average lot size:	3.80 includes area of park
Number of affordable units:	4 to be constructed with project
Number of development phases:	9
Marketing-sell-out period:	9 years
Building setbacks:	per covenants, 50 feet from lot line.
Source of Water:	Eldorado Area Water and Sanitation District
Wastewater systems:	Individual on-site septic and leach field

PHASING

The subdivision is to be completed over a nine year period, with the first phase to begin in 2015 and the final phase to be complete in the year 2023. The detailed phasing plan can be found in sheet P-7 of the plan set.

RELATIONSHIP TO US 84/285 HIGHWAY CORRIDOR ORDINANCE

The US 285 South Central Highway Corridor Zoning Ordinance calls for five foot setbacks from interior side and rear side. All lots have a fifty foot setback from property lines to comply with recorded covenants (submitted under a separate cover) for the Cielo Colorado property. This same 50 foot setback is consistent with the setback from the right-of-way along US 285.

The US 285 South Highway Corridor Zoning Ordinance pertains mostly to commercial and mixed use developments. Lot sizes are based on Section 8.7 of the Highway Corridor Zoning Ordinance utilizing Water from EAWSD community water system.

FLOODPLAIN SETBACKS

A fifty foot setback has been provided from the top of bank of the floodplain located on the property. The current Terrain Management Regulations require a 75 foot building setback from the flood plain limit. An engineering report will be prepared as part of the subdivision review process to determine if the 75 foot setback can be reduced to 50 feet.

The draft of the SLDC contains less restrictive standards for setbacks from flood plains. This issue will be addressed at the subsequent subdivision application.

FUTURE Park and Open Space

An 11.47 acre tract of land was set aside as a park/open space area as part of the original master plan. This 11.47 acre tract of land is not contiguous with the master plan although it was always intended as a park site for the development of all land within tract 15A-2. This park parcel is exceptionally flat with slopes less than three percent. Outside the park site to the south of the park land within the existing 24 lot Cielo Colorado Subdivision there are steeper slopes in the range of 12-15 percent. The Master Plan provides for a 10 foot pedestrian easement from the cul-de-sac to the existing 10 foot pedestrian easement, allowing for pedestrian access from the Master Plan to the park site.

The County Code requires 10 acres of park land per 1000 residences. An average household size for this area of the County is 2.4 people per household. The anticipated residents within the Master Plan are 161 based on 2.4 persons per household. The required park land would be 1.61

acres. The park is sufficient in size to accommodate the dwellings in the Master Plan and all the potential housing units that will occur on Tract 15A-2.

The Eldorado Wilderness adjoins the eastern boundary of Tract 15A 2-. A 10 foot pedestrian easement has been platted creating pedestrian, non-motorized access from Camino Acote to the Wilderness. Currently only the owners of land within the platted smaller lots west of US 84-285 have the right to use the Eldorado Wilderness. Larger lots on the east side of the US 84-285 do not have the right to use the Eldorado Wilderness. There is the likelihood that in the future an agreement will be worked out allowing for access to the Wilderness from the larger lots east of US 84-285, in which case the easement is available to permit that pedestrian access.

School Impact

There is currently an elementary and middle school in Eldorado on Avenida Vista Grande and Avenida Torreon. This public school serves the larger Eldorado area and other lands to the south. Cielo Colorado would be served by Santa Fe High School. The number of public school age children is estimated below based on the 67 residential lots. The formula for students per household was provided by Architectural Research Consultants which is the demographic consultant to the Santa Fe Public Schools.

School level	Students per Household	No. of Lots	Number of Students
Elementary	.42	67	28
Middle school	.12	67	8
High School	.19	67	<u>13</u>
		Total	49

A letter to the Santa Fe Public Schools has been prepared to comply with the County requirement to notify the Public Schools of future residential developments. The impact report for the Public Schools is attached as Appendix E.

FUTURE UTILITIES

Water

This master plan is located within the service area of the Eldorado Area Water and Sanitation District. Water was extended into tract 15A-2 to serve the 25 lot subdivision created in 2002-. Since that time water has been extended into the larger lot area with the 8 inch water line terminating on Camino Acote at the eastern boundary of the property. The 8 inch line originated from a water line located in US 285.

The water line will be extended from its present terminus back to Camino Acote creating a loop line throughout the majority of the subdivision, allowing for a redundancy in service within Lot 15A-2.

The eight inch line transitions to a 6 inch line just outside the eastern boundary of the master plan. The six inch line is fed by a six inch line extending from Alma Drive located in the Cimmaron Subdivision. There is, therefore, some redundancy in the water system currently. The Eldorado Area Water and Sanitation District will have to determine the line size to connect the existing water line at the southeast end of the property to the existing 8 inch line in Camino Acote.

Cielo Colorado LLC currently pays for three meters that are located within the subject tract of land. This reduces the number of water meters needed for the development to 64. A request for a Water Service Development Agreement application has been submitted to Eldorado Area Water and Sewer District. The request is included in this report as Appendix F. A "ready, willing and able" to serve letter from the Eldorado Area Water and Sanitation District is submitted under a separate cover. EAWSD states in the letter that they have capacity to serve this lots proposed by the Master Plan

Wastewater

A central wastewater system does not exist in Eldorado for the residential development. Private on-site liquid waste systems are proposed for Cielo Colorado. Conventional septic tanks and leach fields will be used as the collection, treatment and disposal system.

Every lot within the Master Plan has an area for the leach field with slopes 15 percent of less. The soils are adequate to accommodate a conventional wastewater treatment system.

The size of the septic tank and area for the leach field will be determined as part of the review for issuance of a building permit on each lot. The New Mexico Environment Department will issue the permit for the septic tank and leach field.

Electric

There is single phase underground electric line located within the developed section of Camino Acote. This underground line will be extended to complete the loop back to Camino Acote. According to information provided by PNM there is sufficient capacity in the electrical system to adequately provide service to the 67 lots within the Master Plan. PNM Electric will determine at the time of the construction of the subdivision whether a switch gear is required in order to serve the additional lots.

Natural Gas

The existing lots within the Cielo Colorado subdivision are not served by natural gas. Natural gas is available in the Ridges and Cimmaron Subdivisions to the north.

Easements are available that would allow for the extension of natural gas to the Master Plan. As part of the future subdivision a utility easement will be platted for the north side of the property to the road system where natural gas can be made available to each lot.

There is sufficient capacity in the Gas Company of New Mexico lines in this area to accommodate 67 additional lots to the system. The size of the lines will be determined as part of the review process for the subsequent subdivision.

Telephone

There is an existing overhead telephone line that runs north-south through the approximate mid-section of the Master Plan. One or more drop lines will be required from this overhead line to serve the Master Plan. These drop lines will then be extended underground to the individual lots within the development. There is capacity in the telephone system to satisfy the demand estimated for residential development within the Master Plan.

Design drawings for the telephone system are not prepared until the subdivision is ready for construction. The exact method and location for the future telephone system is not currently available.

Comcast

Comcast is available within Eldorado. The line would have to be extended from off site for some distance to service the Master Plan. A cost estimate has been provided for the developer and a determination at the final plat phase of the project if it is cost effective to bring in this communication line to the property.

WATER BUDGET

Each lot will be limited to a maximum annual water use of .25 acre-feet. This provision will be specified in the Restrictive Covenants, Disclosure Statement and will be recorded with the Subdivision plat.

The total estimated annual water use is shown below:

$$67 \text{ lots} \times .25 \text{ ac. ft. /yr.} = 16.75 \text{ acre feet per year}$$

Water Conservation

Santa Fe County has aggressively pursued water conservation measures in the County, beginning in 2002. The water conservation regulations the County has adopted consist of the following:

- 2002 Mandates indoor and outdoor conservation, including water conserving plumbing fixtures (Ordinance 2002-13).
- 2003 Mandates water harvesting for residential dwellings with passive or active systems depending on size of dwelling (Ordinance 2003-6).
- 2006 The 2003 ordinance was amended to include mandatory water re-circulation hot water systems and insulation for hot water pipes (Ordinance 2006-8)

Santa Fe County has one of the more aggressive water conservation standards of any county in New Mexico. While water conservation was previously enforced through covenants imposed on residents within the subdivision the County has now mandated water conservation by law enforced at the time of building permit review.

FIRE PROTECTION

There is a fire sub-station located at the intersection of the US 285 and the access road to the Transfer Station. The distance from the fire sub-station to the entrance of the proposed subdivision is 1,000 feet. There are three volunteer fire stations located in Eldorado. Station 1 is located on Avenida Vista Grande near Avenida Torreon and is equipped with two fire engines and 2 ambulances. Station 2 is located at Avenida Vista Grande and Casa del Oro and is equipped with two engines and one tanker. Station 3 is located off of Old Road North and US/285 at the Santa Fe County Transfer Station and is equipped with four engines.

DRAINAGE REGULATIONS

Ordinance 2008-10 of the County Land Development Code requires that certain drainage studies be conducted as part of the application. Jorge Gonzalez, PE has prepared the studies consistent with the Code requirements for Master Plan application. The report prepared by Jorge Gonzales, PE is submitted with the Master Plan application under a separate cover.

AFFORDABLE HOUSING

The current affordable housing regulations require that 15 percent of the market rate lots be constructed in the affordable ranges specified in the affordable housing ordinance. The number of market rate lots is 63 with four affordable units. At 15 percent the number of affordable units is 9.45. The developer of Cielo Colorado is proposing to provide four affordable dwelling units in ranges 3 and 4. A fee-in-lieu of will be offered to the County for the 5.4 lots in the income ranges 1 and 2.

There is the option of offering larger homes in the income ranges 3 and 4 with more bedrooms to satisfy the 4.45 affordable home requirements, leaving 5 affordable units to resolve in the lower income ranges.

The fee in-lieu-of is considered a reasonable offer since the lower income range of the affordable housing may not have an automobile or if an automobile is available the cost of commuting to Santa Fe becomes a factor in the consideration of lower range affordable homes for this area.

The County is currently working on additional changes to the affordable housing regulations. At the time of final plat approval the proposal for affordable housing will have to be re-evaluated in light of the most recent regulations governing affordable housing. The conceptual affordable housing plan can be found in Appendix G

FUTURE ACCESS AND TRAFFIC CIRCULATION

The only access to the Master Plan is from US 285, which is a federal highway facility, managed by the New Mexico Department of Transportation. The US 285 and Camino Acote/San Jacinto intersection was improved as part of the widening of US 285. There are two protected left turn lanes with a substantial amount of stacking capacity.

There are a few cul-de-sacs off Camino Acote and one loop road within the existing 25 lot subdivision. Within the platted portion of Tract 15A-2 Camino Acote consists of a 24 foot asphalt road located within a 50 foot easement. As part of the master plan design Camino Acote will be improved from its present terminus to the intersection with Camino Acote and Calle Cal completing the Camino Acote loop road.

A Traffic Impact Assessment has been prepared by Jorge Gonzalez, PE and is submitted under a separate cover with this application. The TIA determined that additional improvements to the US 285 and Camino Acote intersection were not warranted.

APPENDIX A
1995 ORIGINAL MASTER PLAN

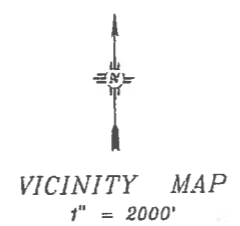
NBC-33

CIELO COLORADO ESTATES MASTER PLAN

309035



SITE LOCATION



INDEX TO SHEETS

LIST OF SHEET	SHEET NUMBER
COVER SHEET	1.
SITE DATA MAP	2.
SOILS MAP	3.
SLOPE MAP	4.
TOPOGRAPHY & EXISTING DRAINAGE	5.
MASTER DEVELOPMENT PLAN	6.
CONCEPT DRAINAGE PLAN	7.
CONCEPT UTILITY & FIRE PROTECTION PLAN	8.
PHASING PLAN	9.

DEVELOPER
RED SKY LAND & CATTLE COMPANY
670 RON VAN AMBERG
347 EAST PALACE AVE
SANTA FE, NM 87504
(505) 988-8974

CONSULTANTS:

JAMES W. SIEBERT AND ASSOCIATES, INC. PLANNING CONSULTANT 915 MERCER STREET SANTA FE, NM 87501 (505) 833-5588	SUN & WATER WEST, INC. SOIL SCIENTIST 1700 SOUTHERN BLVD. RIO RANCHO, NM 87124 (505) 891-9472
HIGH DESERT CONSULTING ENGINEERING CONSULTANTS P.O. BOX 5856 SANTA FE, NM 87502-5956 (505) 438-8986	SANDRA MARSHALL ARCHAEOLOGIST 408 ROSARIO BLVD SANTA FE, NM 87501 (505) 988-8713
G. DAWSON SURVEYS LICENSED SURVEYOR P.O. BOX 15817 SANTA FE, NM 87506 (505) 471-6660	THOMAS R. MANI & ASSOCIATES, INC. PHOTOGRAMMETRIST 5115 COPPER, NE ALE, NM 87108 (505) 266-7757

Betsy Potts 6-30-95
BOARD OF COUNTY COMMISSIONERS, RES. CHAIRMAN DATE

Christine Calver 6-30-95
TESTIFIED BY COUNTY CLERK DATE

Michael Spence 6-29-95
COUNTY DEVELOPMENT REVIEW COMMITTEE DATE

Orlando T. Sun 6-30-95
LAND USE ADMINISTRATOR DATE

John S. ... 6-29-95
COUNTY FIRE MARSHALL DATE

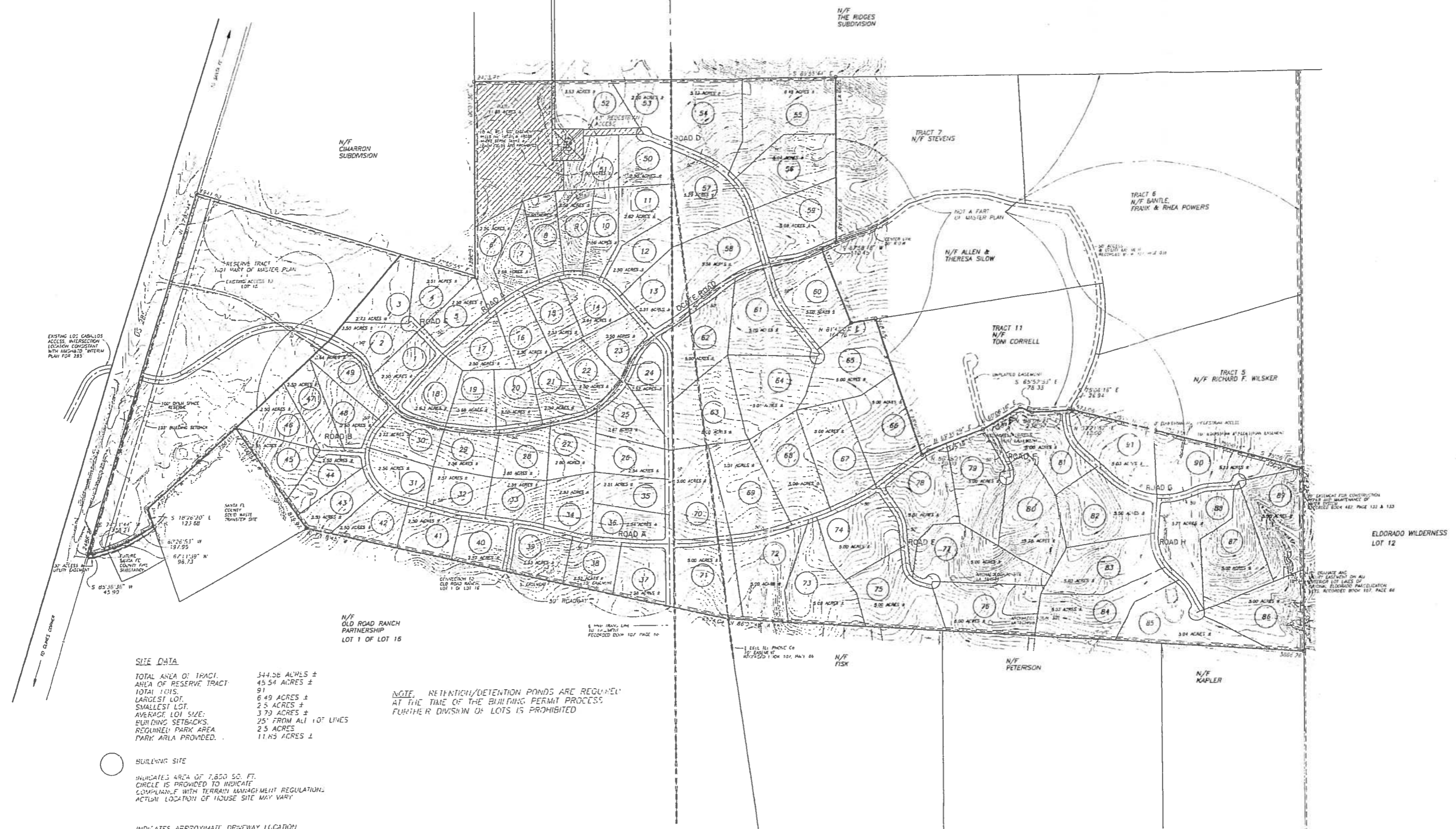
James ... 6-30-95
PUBLIC WORKS DIRECTOR DATE



909-938
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 30 day of June A.D.
19 95 at 2:28 o'clock P.M.
and was duly recorded in book 308
page 033-048 of the records of
Santa Fe County,
New Mexico.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk Santa Fe County, N.M.
Jona G. Armijo
Deputy

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET - SANTA FE, NEW MEXICO 87501 1525, 983 5588 FAX (505) 988 7313	CIELO COLORADO ESTATES MASTER PLAN	SCALE 1" = 2000'	DATE JUNE 1994	NORTH
	COVER SHEET	DRAWN BY: C. H.	CHECKED BY:	
		REVISION 00/00/00	FILE NAME LOT15\	
		WORKED ON 1/23/95	L15COVER	

NBC-34



SITE DATA

TOTAL AREA OF TRACT	344.56 ACRES ±
AREA OF RESERVE TRACT	45.54 ACRES ±
TOTAL LOTS	91
LARGEST LOT	6.49 ACRES ±
SMALLEST LOT	2.5 ACRES ±
AVERAGE LOT SIZE	3.79 ACRES ±
BUILDING SETBACKS	25' FROM ALL 100' LINES
REQUIRED PARK AREA	2.5 ACRES
PARK AREA PROVIDED	11.83 ACRES ±

NOTE: RETENTION/DETENTION PONDS ARE REQUIRED AT THE TIME OF THE BUILDING PERMIT PROCESS. FURTHER DIVISION OF LOTS IS PROHIBITED.

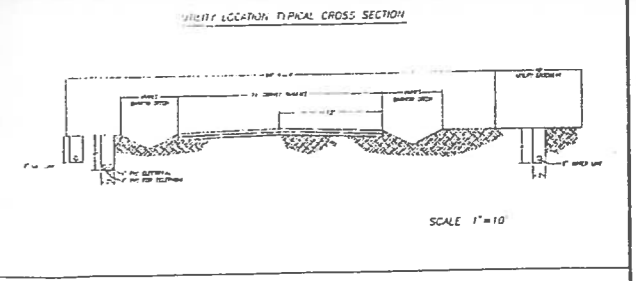
BUILDING SITE

INDICATES AREA OF 7,850 SQ. FT. CIRCLE IS PROVIDED TO INDICATE COMPLIANCE WITH TERRAIN MANAGEMENT REGULATIONS. ACTUAL LOCATION OF HOUSE SITE MAY VARY.

INDICATES APPROXIMATE DRIVEWAY LOCATION

JAMES W. SILLIERTI AND ASSOCIATES, INC. 815 WHEELER STREET • SANTA FE, NEW MEXICO 87501 (505) 987-5568	CIELO COLORADO ESTATES		SCALE 1" = 300'	DATE JUNE 1994	NORTH
	MASTER DEVELOPMENT PLAN		DRAWN BY D.R.S.	CHECKED BY [Signature]	
			REVISED 00/00/00	FILE NAME CIELOCOL\ L15DEV5	
			WORKED ON 6/7/95		

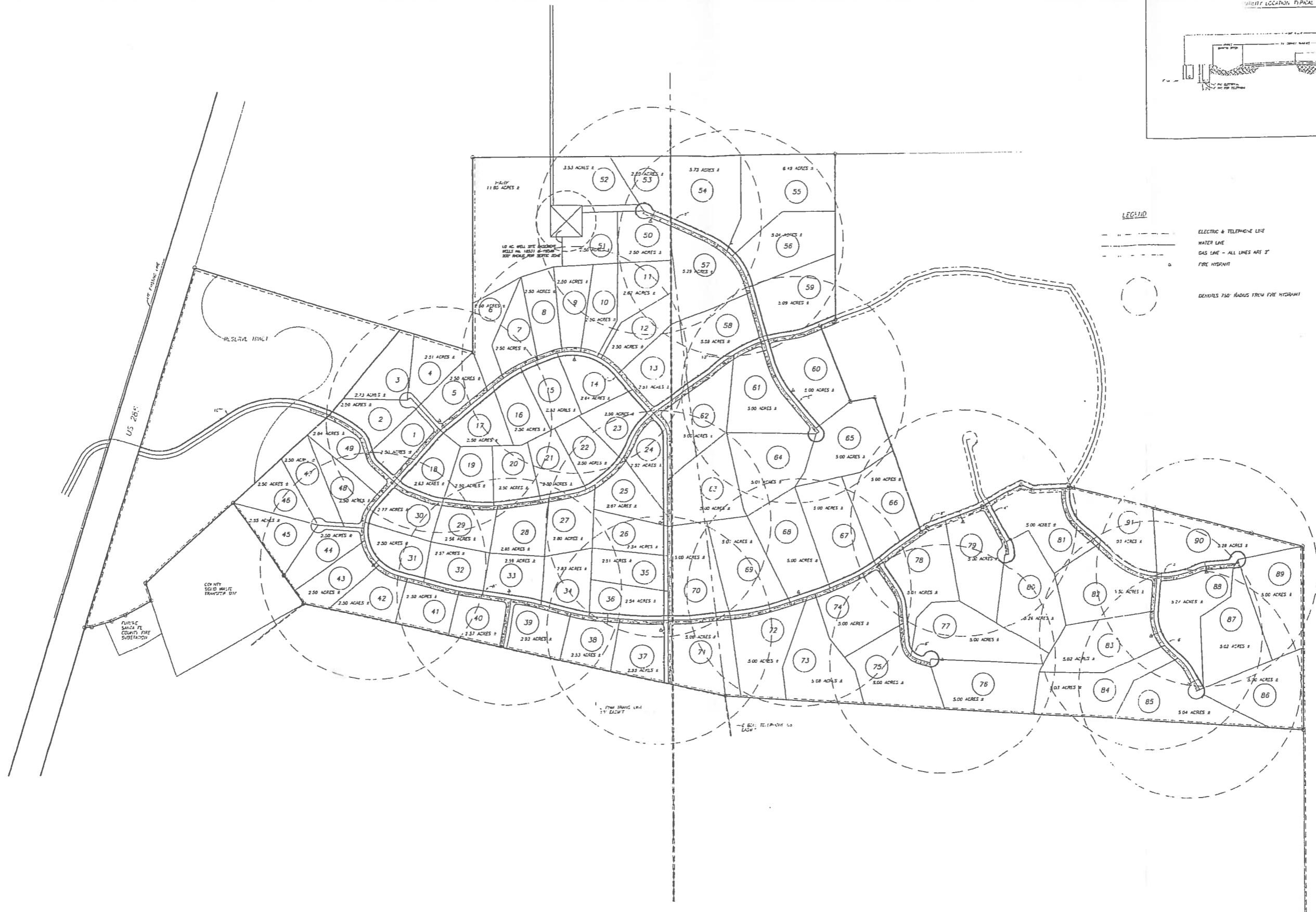
NBC-35



308042

LEGEND

- ELECTRIC & TELEPHONE LINE
- WATER LINE
- GAS LINE - ALL LINES ARE 2"
- FIRE HYDRANT
- DENOTES 750' RADIUS FROM FIRE HYDRANT



JAMES W. SIEBERT <small>ARCHITECT</small>	CIELO COLORADO ESTATES	SCALE	DATE	
		1"=300'	JUNE 1994	
<small>315 WILCOX STREET NEW MEXICO 87101</small>	UTILITIES & FIRE PROTECTION PLAN	DRAWN BY	CHECKED BY	SHEET 8 OF 9
		C.H.		
<small>(505) 983-3000 FAX (505) 983-1313</small>		REVISED	FILE NAME	
		03/00/00	CIELOCDL	
		WORKED ON	L15UT	
		11/21/94		

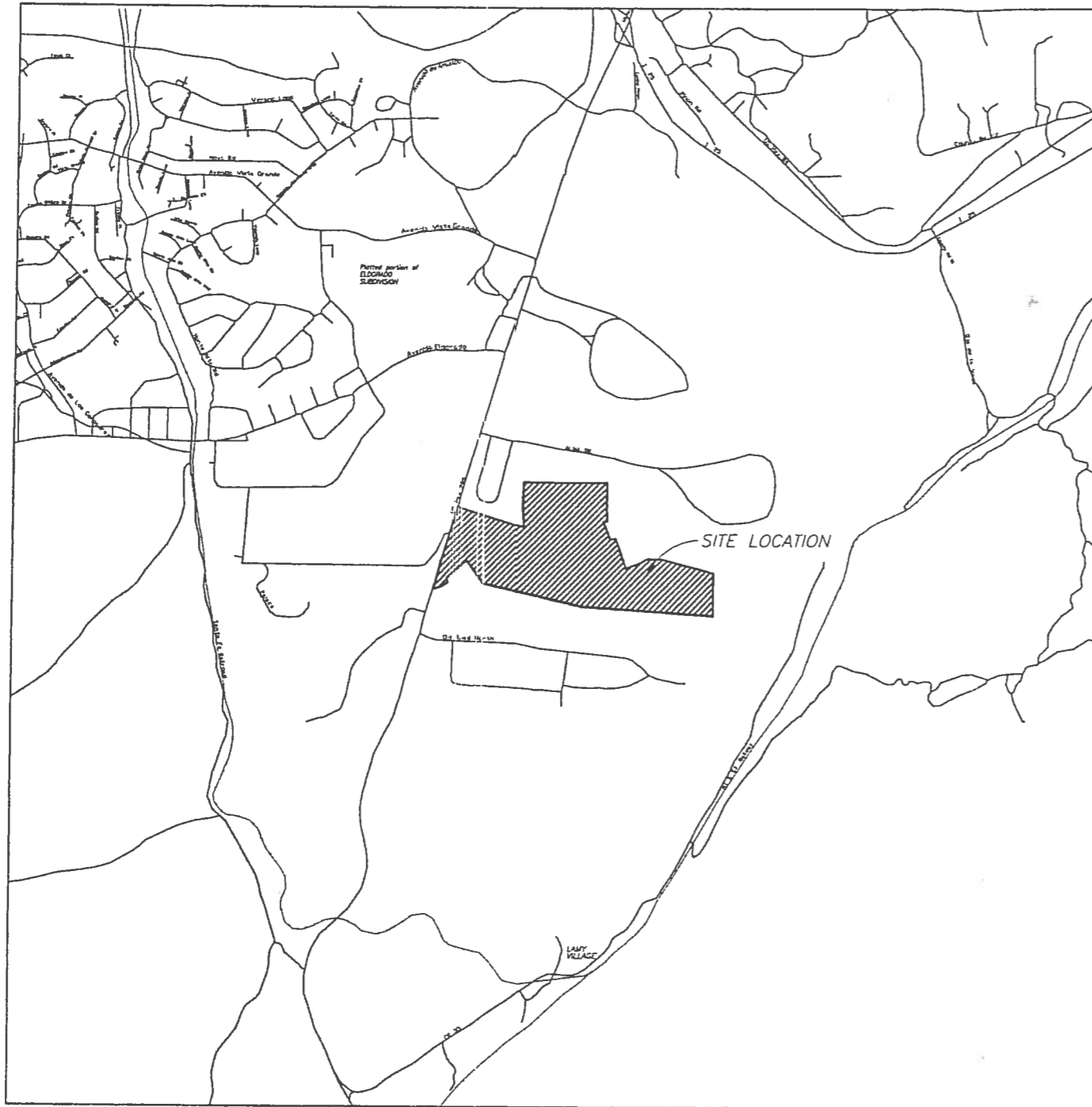
NBC-36

APPENDIX B
2000 AMENDED MASTER PLAN

NBC-37

CIELO COLORADO ESTATES AMENDED MASTER PLAN

439639



INDEX TO SHEETS

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*MASTER DEVELOPMENT PLAN	6.
CONCEPT DRAINAGE PLAN	7.
CONCEPT UTILITY & FIRE PROTECTION PLAN	8.
PHASING PLAN	9.

* SHEETS TO BE RECORDED.

DEVELOPER:
RED SKY LAND & CATTLE COMPANY
C/O RON VAN AMBERG
347 EAST PALACE AVE
SANTA FE, NM 87504
(505) 988-8979

CONSULTANTS:
JAMES W. SIEBERT AND ASSOCIATES, INC.
PLANNING CONSULTANT
915 MERCER STREET
SANTA FE, NM 87501
(505) 983-5588

SOIL & WATER WEST, INC.
SOIL SCIENTIST
1700 SOUTHERN BLVD.
RIO RANCHO, NM 87124
(505) 891-9472

HIGH DESERT CONSULTING
ENGINEERING CONSULTANTS
P.O. BOX 5956
SANTA FE, NM 87502-5956
(505) 438-8986

SANDRA MARSHALL
ARCHAEOLOGIST
408 ROSARIO BLVD
SANTA FE, NM 87501
(505) 986-8713

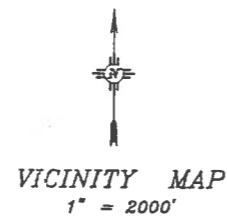
G. DAWSON SURVEYS
LICENSED SURVEYER
P.O. BOX 15817
SANTA FE, NM 87506
(505) 471-6660

THOMAS R. MANN & ASSOCIATES, INC.
PHOTOGRAMMETRIST
5115 COPPER, NE
ALE., NM 87109
(505) 266-7757

THIS MASTER PLAN AMENDS THE CIELO COLORADO
MASTER PLAN, RECORDED JUNE 30, 1995, AS IN BOOK 308,
PAGES 035-043.
THIS AMENDMENT ELIMINATES FOUR LOTS TOTALING 12.5 AC.
THIS AMENDMENT ELIMINATES FOUR LOTS WITHIN THE MASTER
PLAN.
THIS MASTER PLAN IS STILL SUBJECT TO THE CONDITIONS OF THE
PRIOR APPROVAL.

Ron Van Amberg, attorney in fact
RON VAN AMBERG ATTORNEY IN FACT FOR RED SKY & CATTLE CO

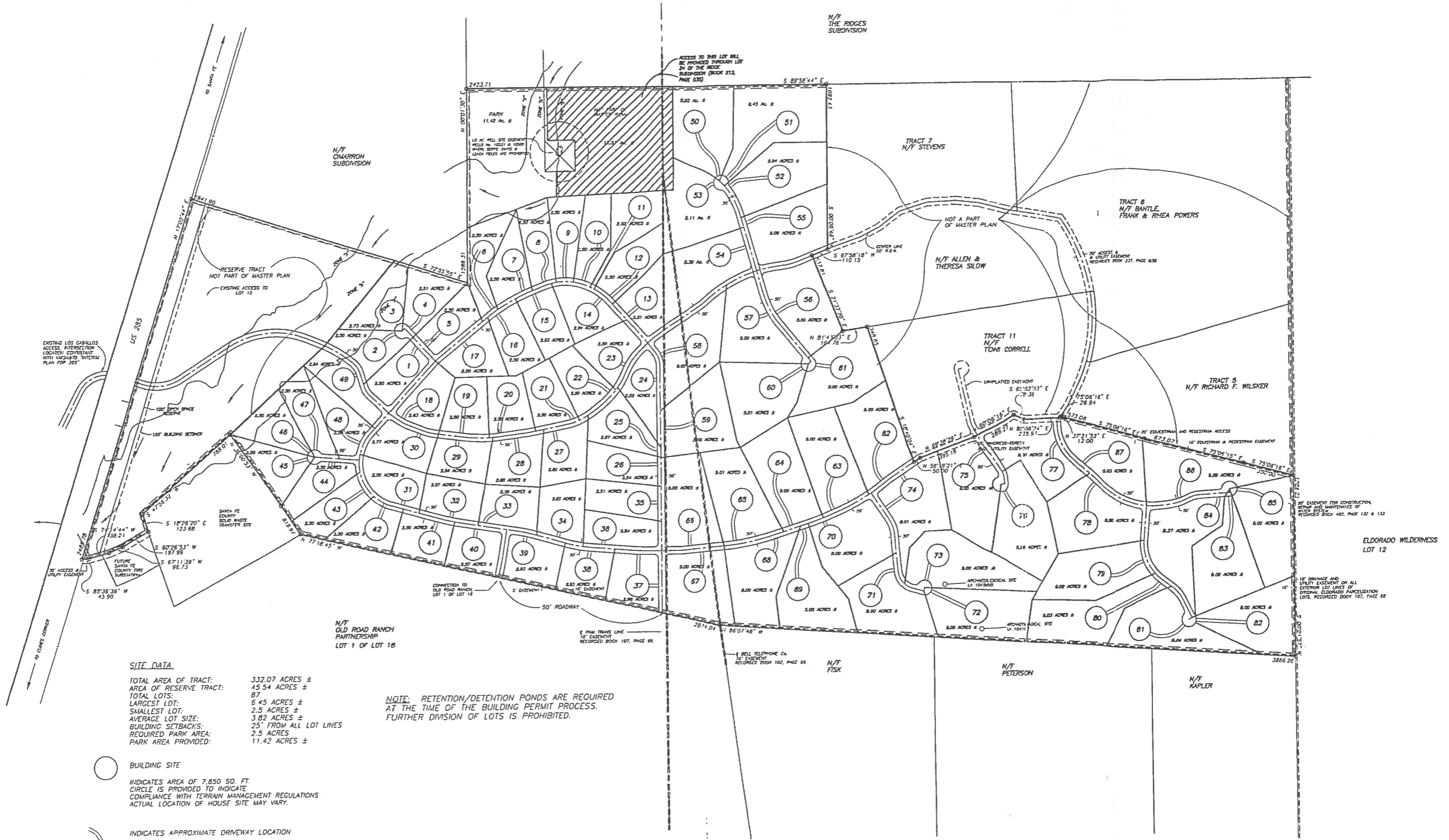
JADZ
LAND USE ADMINISTRATOR
DATE 12/21/2000



1139.776
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 21st day of DEC, A.D.
20 00 at 3:16 o'clock P.M.
and was duly recorded in book 463
page 223-229 of the records of
Santa Fe County
Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.
Marcella Salazar
Deputy

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE NEW MEXICO 87501 (505) 983-5588 FAX (505) 988-7313	CIELO COLORADO ESTATES AMENDED MASTER PLAN COVER SHEET	SCALE 1" = 2000'	DATE OCT. 2000	NORTH
		DRAWN BY: C.H./J.T.	CHECKED BY	
		REVISION 00/00/00	FILE NAME 25106/NEW/	
		WORKED ON 10/16/00	016COV	

N13C-38



SITE DATA

TOTAL AREA OF TRACT: 332.07 ACRES ±
 AREA OF RESERVE TRACT: 45.94 ACRES ±
 TOTAL LOTS: 87
 LARGEST LOT: 6.45 ACRES ±
 SMALLEST LOT: 2.5 ACRES ±
 AVERAGE LOT SIZE: 3.82 ACRES ±
 BUILDING SETBACKS: 25' FROM ALL LOT LINES
 REQUIRED PARK AREA: 2.5 ACRES
 PARK AREA PROVIDED: 11.42 ACRES ±

NOTE: RETENTION/DETENTION PONDS ARE REQUIRED
 AT THE TIME OF THE BUILDING PERMIT PROCESS.
 FURTHER DIVISION OF LOTS IS PROHIBITED.

- BUILDING SITE
 INDICATES AREA OF 7,850 SQ. FT.
 CIRCLE IS PROVIDED TO INDICATE
 COMPLIANCE WITH TERRAIN MANAGEMENT REGULATIONS.
 ACTUAL LOCATION OF HOUSE SITE MAY VARY.
- INDICATES APPROXIMATE DRIVEWAY LOCATION

RECORDED JUNE 30, 1995
 BOOK 308, PAGE 043

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET * SANTA FE NEW MEXICO 87501 (505) 983-5588 FAX (505) 989-7313	CIELO COLORADO ESTATES	SCALE 1"=300'	DATE JUNE 1994	NORTH
	AMENDED MASTER DEVELOPMENT PLAN	DRAWN BY: D.R.S./J.T.	CHECKED BY: .	
		FILE NAME 96106/NEW/ 106DEY2	WORKED ON 10/13/00	

N13C-391

APPENDIX F

EAWSO REQUEST FOR DEVELOPMENT AGREEMENT

NBC-40



**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

915 MERCER STREET * SANTA FE, NEW MEXICO 87505
(505) 983-5588 * FAX (505) 989-7313
jim@jwsiebert.com

September 27, 2012

EAWSO
David Chakroff
General Manager
1 Caliente Road Suite F
Santa Fe, NM 87508

Re: Development Agreement for Cielo Colorado LLC

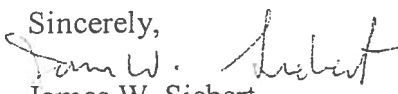
Dear Mr. Chakroff:

As representative for Cielo Colorado LLC, the owner of 257.16 acres within Tract 15A-2 of the Eldorado at Santa Fe Subdivision I am request an application for a development agreement for water service to 67 lots. There a currently three water meters on the property for which Cielo Colorado LLC is paying a monthly standby fee.

Attached is the proposed master plan for the property describing 67 total residential lots for this development. It is not contemplated that water service would be needed until 2014 or 2015 given the time frame to secure the entitlements from Santa Fe County.

Please advise me what steps are needed to secure a development agreement for water service. Thank you for your attention to this matter.

Sincerely,


James W. Siebert

Xc: Ed DeZavellos
Chris DeZavellos

CieloColorado
reqwatdevagree

NBC-41

APPENDIX G
CONCEPTUAL AFFORDABLE HOUSING PLAN

NBC-42

AFFORDABLE HOUSING PLAN

Cielo Colorado LLC (“Applicant”) submits this Affordable Housing Plan (“Plan”) to the Santa Fe County Land Use Administrator pursuant to Ordinance 2012-1 (Affordable Housing Ordinance) Ordinance 2006-002 (Affordable Housing Ordinance) and the new Affordable Housing Regulations, Resolution No. 2010-189 (“Regulations”), Article VII, and as defined in sections 7.1-7.1.1.6.2.1.

Recitals

WHEREAS, the Regulations require the Applicant to present to the Land Use Administrator (“Administrator”) with an Affordable Housing Plan that includes the following elements (“Plan Elements”)

- A brief narrative description (the “Narrative Description”) of the proposed Affordable Housing which the applicant intends to produce which includes:
 - The number of Affordable Houses;
 - A description of the types and units of Affordable Housing meeting the requirements of the Santa Fe County Land Development Code.
 - The percentage of Affordable Housing with option to pay fee-in lieu of or to build a portion of affordable units onsite and a portion of affordable units off-site
 - A description of how Affordable Housing will be integrated into the total development or how Affordable Housing will be located outside of development with option to pay fee-in-lieu of; and
 - A description of how Affordable Housing will be marketed and sold to Eligible Buyers.
- The general location of house, number of houses, lot sizes, unit sizes and types (the “Housing Identification”), the location of which can be changed with the approval of the Affordable Housing Administrator;
- A Phasing schedule (the “Phasing Schedule”) describing the timing planned for the marketing, construction and sale of the Affordable Housing; and

- For phased developments in which the marketing, construction and sale of Affordable Housing in an initial phase is not yet complete when an applicant submits another Affordable Plan for a subsequent phase for approval, a demonstration that the Affordable Housing in the initial phases or developments is being, or has been, marketed, constructed and sold in compliance with an approved Affordable Housing Plan or other Affordable Housing Agreement which predates these Regulations or adopted Regulations that may proceed this Agreement (the "Compliance Demonstration"); and

WHEREAS, Applicant hereby submits to this Plan containing the Plan Elements for the Subdivision known as Cielo Colorado Subdivision (the "Development"); and

WHEREAS, this plan shall become effective upon its approval by the Affordable Housing Administrator as evidenced by his signature in the space provided at the end of this plan.

Affordable Housing Plan

Article I (Plan Elements)

1. **Narrative Description.** Applicant hereby proposes to construct and provide the following described Affordable Housing.
 - 1.1. **Number of Houses.** Applicant hereby discloses, and the Administrator hereby accepts, that the applicant will build four (4) Affordable Units within the development and either construct six (6) Affordable units off-site or pay a fee-in-lieu of as the obligation for the Cielo Colorado Subdivision for (15% of 67 units = 10 affordable units).
 - 1.2. **Housing Types.** Attached hereto as Exhibit A is the chart describing the Lots on which the four (4) Affordable Housing will be provided in accordance with this plan. The six (6) Affordable units will be built in a location approved by the Affordable Housing Administrator unless it is determined by the Applicant to pay a fee-in-lieu of. Also shown in Exhibit A is a chart describing the income range and square footages of houses within each category. The specific house type will be identified and agreed upon in the sales agreement between the Eligible Buyer and Applicant.
 - 1.3. **Percentage of Affordable Housing:** The new Affordable Housing Agreement by and between Santa Fe County and Applicant and this plan provide that Applicant will supply fifteen percent (15%) of all the housing in the Development in the Affordable Housing Category, with 3.75 percent (3.75%) in each of the four possible Income Ranges (1-4). Range 1; 3 units will be 0% to 65% of the Area Median Income, Range 2; 3 units will be 66% to 80% of the Area Median Income Range 3; 2 units will be 81% to 100% of the Area Median Income, Range 4; 2 units will be 101% to 120% of the Area Median Income.

1.4. Housing Characteristics. The Affordable Homes will be have the following features and characteristics:

- Slab on grade footing and stem concrete foundation
- 2x4 wood frame construction
- Vinyl, dual pane windows
- 2-Coat elastomeric stucco
- R-20 Total exterior wall insulation
- R-30 blown insulation for ceiling component
- 40 gallon gas water heater
- Tape and skip trowel drywall installation
- Mastercraft melamine cabinets
- Kohler/Sterling plumbing fixtures
- Sterling tub/shower units
- Laminate counter tops
- Carpet & vinyl flooring

1.5. Integration. As shown on Exhibit "A" attached hereto the 4 Affordable Homes are spread throughout the Development, adjoining market rate housing

1.6. Marketing. Prior to the issuance of the seventh building permit in Phase I, the Applicant shall begin marketing the Affordable Housing through its standard marketing avenues, including without limitation, direct marketing to governmental authorities, local non-profit agencies and other entities dealing in affordable housing.

2. Housing Identification. Attached hereto as Exhibit "B" is a listing of the lots on which the affordable housing will be located and the range of square footages for each income category. The descriptions of the 6 lots that are to be located off-site are broken down into income range and square footages for each category attached hereto as Exhibit B.
3. Phasing Schedule. Applicant shall construct, market and sell all of the affordable houses as part of the development and sale of the Cielo Colorado Subdivision consistent with the proportionate build-out of the subdivision.
4. Compliance Demonstration. An Affordable Housing Agreement will be submitted to the Administrator prior to the recordation of the final plat for phase 1.
5. Applicable Incentives: All units will comply with energy efficiency requirements through the "Energy Star" program and shall qualify for all incentives therefore; Incentives for infrastructure and relief from development fees that are applicable for the project.

Article II
(General Provisions)

1. Affordable Housing Agreement. Applicant shall execute an affordable housing agreement in the forms required by the Regulations prior to recordation of each phase of the Cielo Colorado Subdivision.
2. Amendment. This Plan may only be amended or modified with the approval of the Administrator.
3. Incorporation of Regulations. All of the terms and phrases used herein which are defined or have a specific meaning under the Regulations and shall have the same definition or meaning under this Plan.
4. Affordable Housing Administrators Approval. This plan is approved by the Administrator on this _____ day of _____

EXHIBIT B

4 Affordable Units Within Development

Income Range	No. of Bedrooms/Bath	Minimum Square Footage	Lot #
3	3 Bedroom/2 Bath	1,200 sq.ft.	19
3	4 Bedroom/2 Bath	1,250 sq.ft.	14
4	3 Bedroom/2 Bath	1,200 sq.ft.	20
4	4 Bedroom/ 2 Bath	1,250 sq.ft	20

**6 Affordable Units Outside Development
With Option to Pay Fee-in-Lieu of**

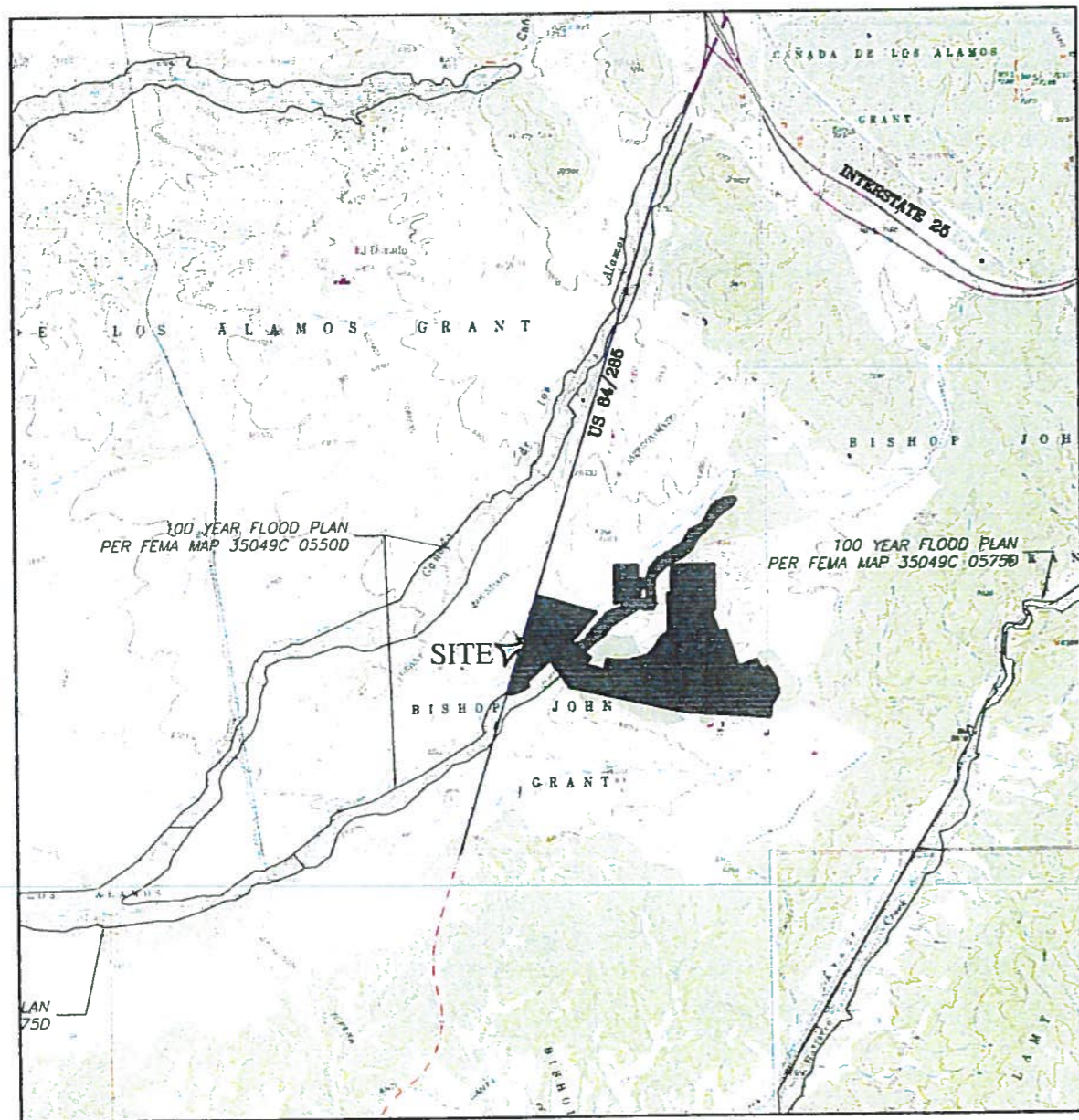
Income Range	No. of Bedrooms/Bath	Minimum Square Footage
1	2 Bedroom/1 Bath	1,200 sq.ft
1	3 Bedroom/2 Bath	1,250 sq.ft.
1	4 Bedroom/2Bath	1,250 sq.ft.
2	2 Bedroom//1 Bath	1,250 sq.ft
2	3 Bedroom/2Bath	1,200 sq.ft
2	4 Bedroom/2 Bath	1,250 sq.ft.

CIELO COLORADO MASTER PLAN

TOWNSHIP 15N, RANGE 10E, SEC 20, 21 & 22

OWNERS: CIELO COLORADO, LLC.
ED DEZEVALLOS, MANAGING MEMBER
RT 5 BOX 360, CB
SANTA FE, NM 87501

CONSULTANTS: JAMES W. SIEBERT & ASSOCIATES, INC.
PLANNING CONSULTANT
915 MERCER STREET
SANTA FE, NM 87505
(505) 983-5588



VICINITY MAP
1" = 1000'



PURPOSE STATEMENT

TO CREATE A 67 LOT RESIDENTIAL SUBDIVISION

CONSENT OF OWNERS

ED DEZEVALLOS, CIELO COLORADO LLC _____ DATE _____

INDEX TO SHEETS	
LIST OF SHEETS	SHEET NUMBER
PLANNING SHEETS	
COVER SHEET	1
EXISTING CONDITIONS PLAN	2
EXISTING UTILITIES PLAN	3
TOPOGRAPHY, SLOPE & NATURAL DRAINAGE MAP	4
SOILS MAP	5
MASTER PLAN	6
PHASING PLAN	7
CONCEPTUAL UTILITY PLAN	8
CIVIL SHEETS	
EXISTING DRAINAGE CONDITIONS	C-1
TERRAIN MANAGEMENT POST DEVELOPMENT	C-2

COUNTY

APPROVED BY THE COUNTY DEVELOPMENT REVIEW COMMITTEE
AT THEIR MEETING OF _____, 2012

CHAIRPERSON _____ DATE _____

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY AT THEIR MEETING OF _____, 2013.

CHAIRPERSON _____ DATE _____

ATTESTED BY COUNTY CLERK _____ DATE _____

COUNTY REVIEW

COUNTY FIRE MARSHAL _____ DATE _____

PUBLIC WORKS _____ DATE _____

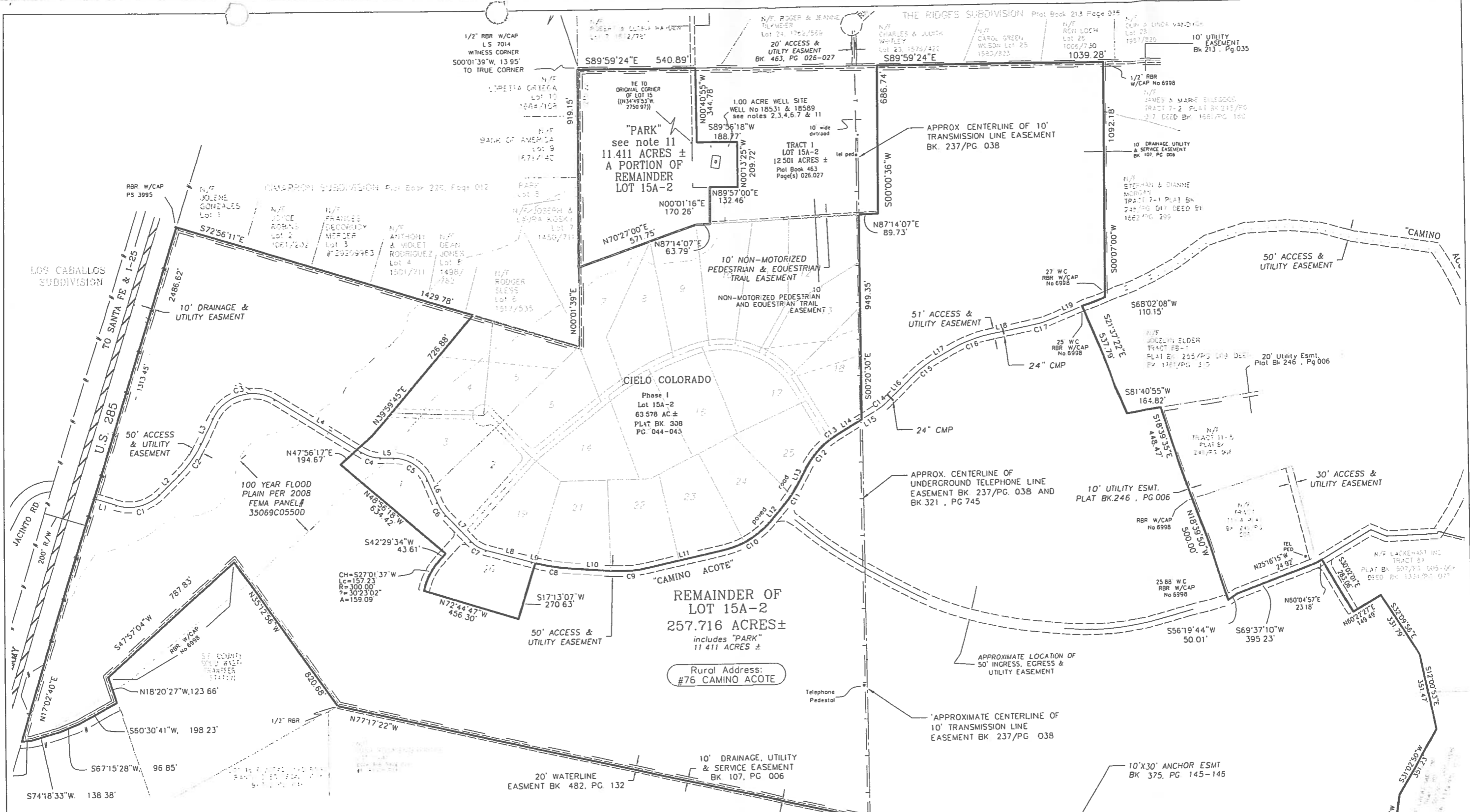
LAND USE ADMINISTRATOR _____ DATE _____

RURAL ADDRESS _____ DATE _____



NBC-48

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE, NEW MEXICO 87505 (505) 983-5588 FAX (505) 985-7313	DATE: SEPTEMBER 2012 DRAWN BY: PST/HF CHECKED BY: JWS	NORTH: SHEET: P-1
	CIELO COLORADO COVER SHEET	



REMAINDER OF LOT 15A-2
 257.716 ACRES ±
 includes "PARK" 11.411 ACRES ±

Rural Address:
 #76 CAMINO ACOTE

LINE	BEARING	CHORD	DELTA	RADIUS	ARC
L1	N72°57'16"W	109.68			
L2	S45°16'10"W	128.92			
L3	S25°02'30"W	128.22			
L4	N58°01'48"W	470.13			
L5	N88°54'07"W	61.53			
L6	N22°54'03"W	113.31			
L7	N43°21'52"W	169.14			
L8	N74°51'29"W	219.88			
L9	N75°15'29"W	13.95			
L10	N76°09'27"E	205.34	61°46'28"	200.00	215.63
L11	N35°08'20"E	175.61	2013'42"	500.00	176.53
L12	N73°30'19"E	299.41	96°55'32"	200.00	338.33
L13	S73°28'00"E	90.49	30°52'13"	170.00	91.59
L14	S55°54'05"E	185.18	66°00'04"	170.00	195.83
L15	S33°07'58"E	71.05	20°27'48"	200.00	71.43
L16	S59°06'41"E	81.42	31°28'43"	150.00	82.45

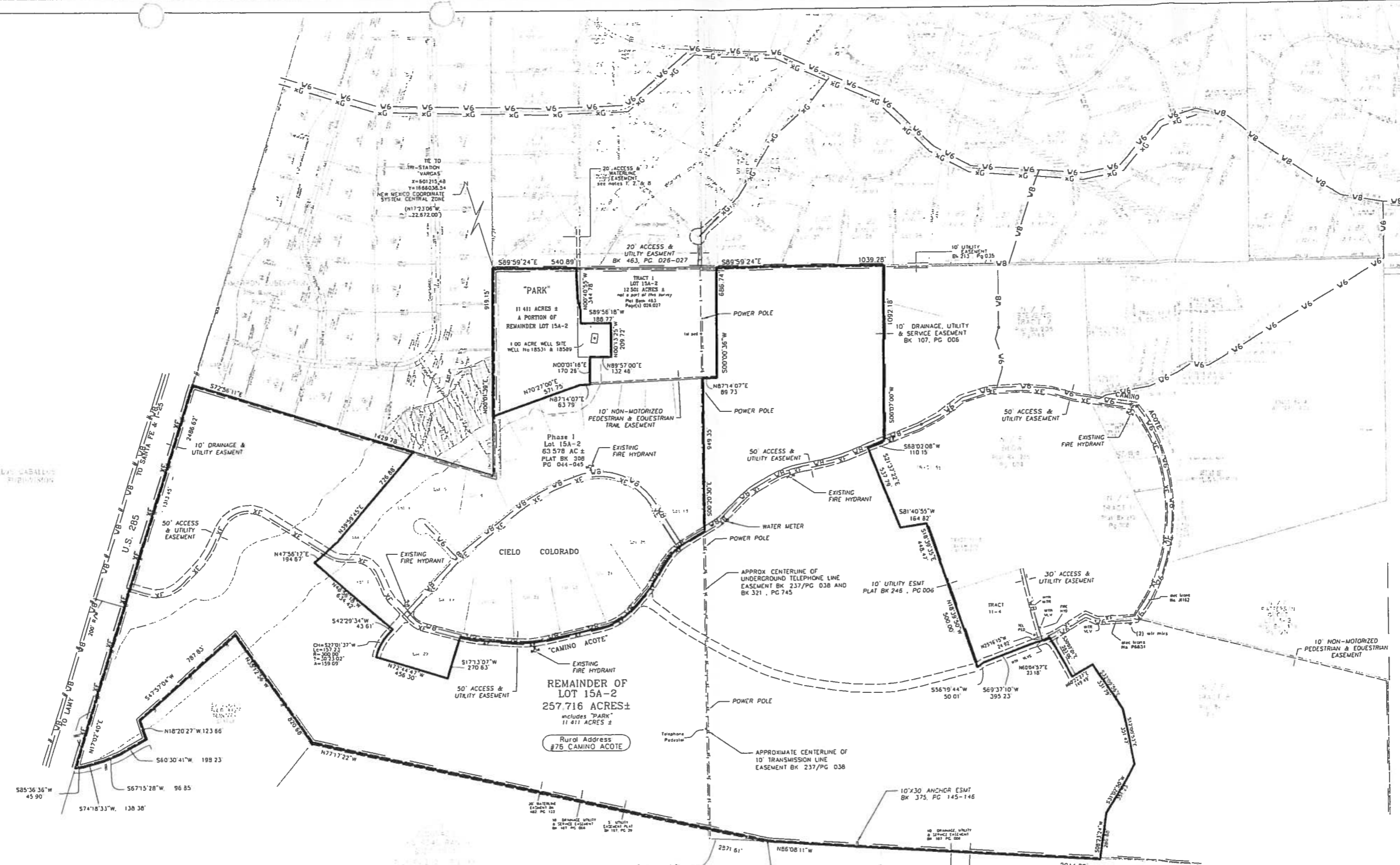
CHORD	BEARING	CHORD	DELTA	RADIUS	ARC
C8	S80°50'38"E	180.77	1032'18"	1000.00	181.02
C9	N83°11'10"E	167.68	16°34'07"	581.88	168.27
C10	N58°51'41"E	238.48	37°04'51"	375.00	242.69
C11	N34°08'16"E	118.48	12°22'00"	550.00	118.71
C12	N40°12'20"E	165.51	24°30'08"	390.00	166.78
C13	S55°50'32"W	46.06	6°46'17"	390.00	46.09
C14	N86°01'47"W	173.30			
C15	S77°24'07"W	365.23			
C16	S40°19'18"W	100.00			
C17	S27°57'16"W	90.00			
C18	S59°13'41"W	130.32			
C19	S59°13'41"W	78.34			
C20	N52°16'40"E	72.60	13°54'02"	300.00	72.78
C21	S45°19'39"W	160.88			
C22	N52°48'21"E	123.65	14°57'25"	475.00	124.00
C23	S60°17'03"W	89.62			
C24	N89°17'59"E	198.38	19°01'51"	600.00	199.29
C25	S78°18'54"W	122.90			
C26	N73°40'31"E	196.55	11°16'48"	1000.00	196.86
C27	S68°02'08"W	116.39			

LINE	BEARING	DISTANCE
LL1	N00°01'16"E	170.26
LL2	N89°57'00"E	132.46
LL3	N00°13'25"W	209.72
LL4	S89°36'18"W	188.77
LL5	N00°10'35"W	244.78
LL6	N87°14'07"E	63.79
LL7	N87°14'07"E	89.73
LL8	N87°14'07"E	69.17
LL9	S89°59'24"E	340.89
LL10	S89°59'24"E	843.28
LL11	S89°59'24"E	1036.28
LL12	S00°00'36"W	686.74

NOTE: INFORMATION DERIVED FROM SURVEY PLAT RECORDED IN BOOK 730, PAGE 037.

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE, NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313		SCALE 1"=200'	DATE SEPTEMBER 2012	NORTH
CIELO COLORADO		DRAWN BY HF	CHECKED BY JWS	SHEET P-2
EXISTING CONDITIONS		REVISION 00/00/00	FILE NAME 201020 12-10 1020-EXCO	

NBC-49

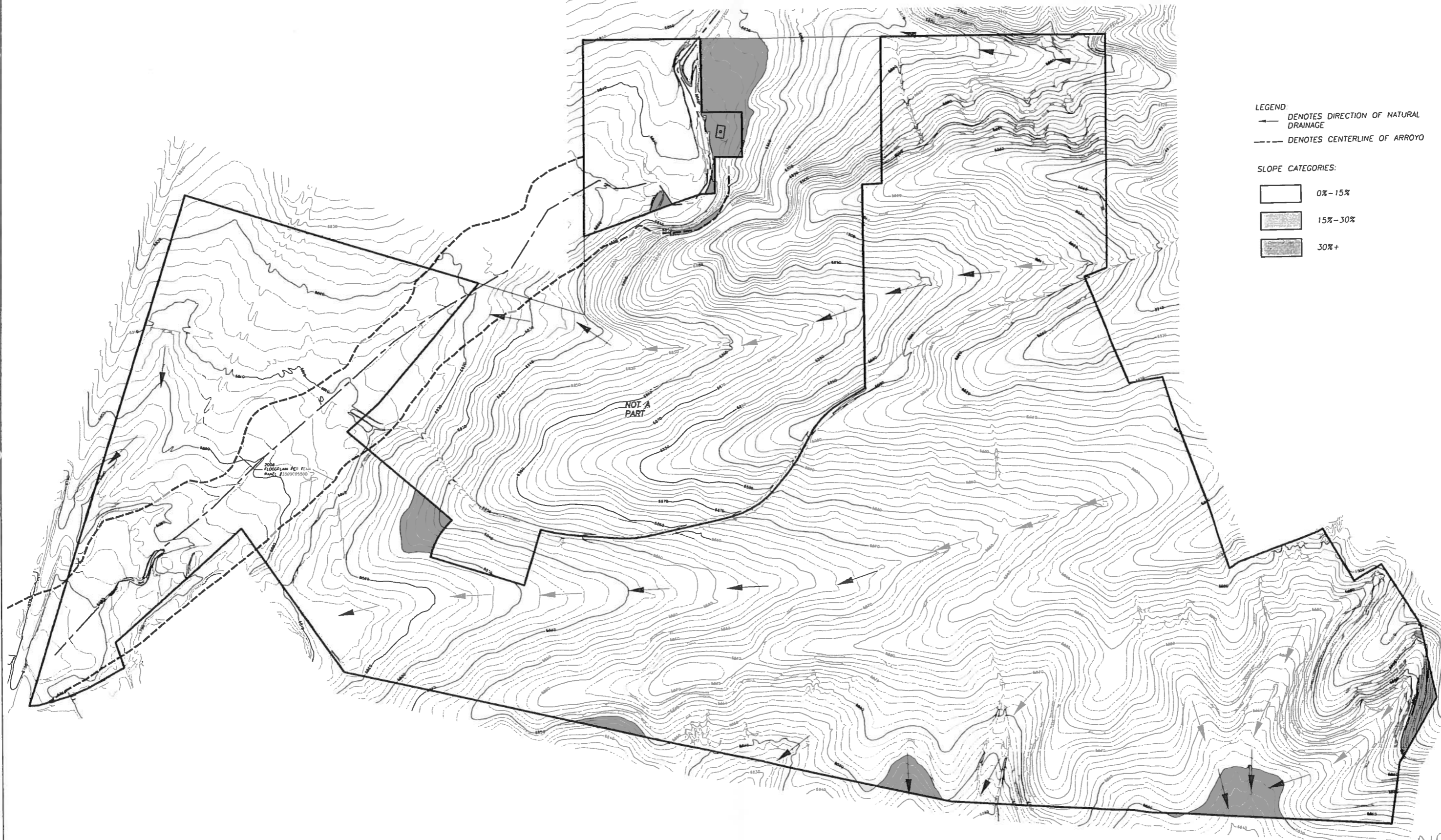


LEGEND

- V6 — EXISTING GAS LINE
- V6 — EXISTING 6" WATER LINE
- V8 — EXISTING 8" WATER LINE
- XE — EXISTING ELECTRIC LINE
- T — EXISTING TELEPHONE LINE
- FH — EXISTING FIRE HYDRANT

JAMES W. SIEBERT AND ASSOCIATES, INC. 815 MERCER STREET • SANTA FE, NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313	CIELO COLORADO		SCALE 1" = 300'	DATE SEPTEMBER 2012	NORTH
	EXISTING UTILITIES		DRAWN BY HF	CHECKED BY JWS	
	REVISED 00/00/00	FILE NAME 201020 12-10 1020-EXCO			

NBC



LEGEND

—> DENOTES DIRECTION OF NATURAL DRAINAGE

- - - DENOTES CENTERLINE OF ARROYO


SLOPE CATEGORIES:

□ 0% - 15%

■ 15% - 30%

■ 30%+

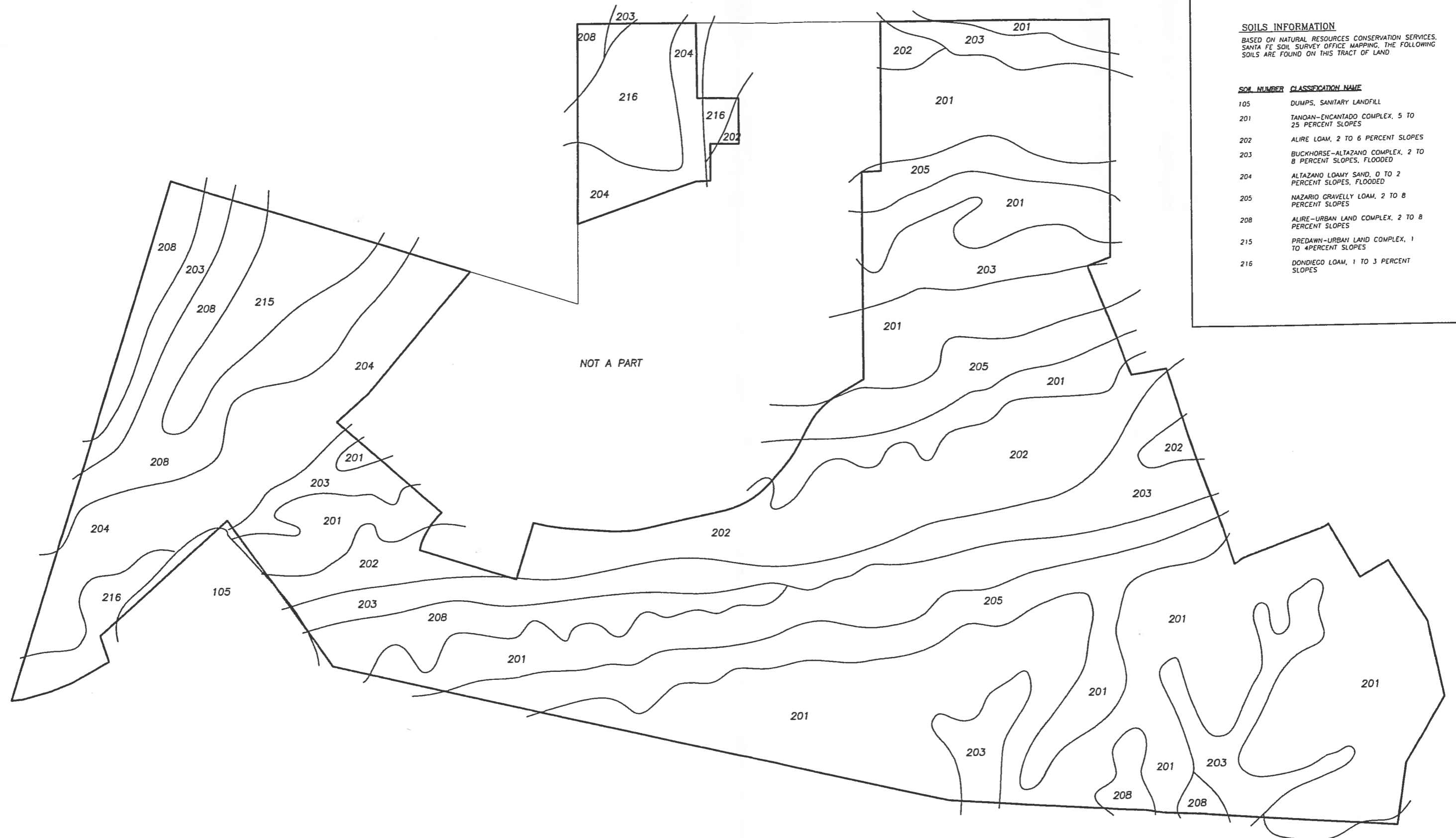
NBC-5

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE, NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313	CIELO COLORADO TOPOGRAPHY, SLOPE & NATURAL DRAINAGE MAP	SCALE 1" = 200'	DATE SEPTEMBER 2012	 NORTH SHEET P-4
		DRAWN BY HF	CHECKED BY .	
		REVISED 00/00/00 WORKED ON 00/00/00	FILE NAME 201020 9-12 1020-TOPO-9	

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SOILS INFORMATION
 BASED ON NATURAL RESOURCES CONSERVATION SERVICES,
 SANTA FE SOIL SURVEY OFFICE MAPPING, THE FOLLOWING
 SOILS ARE FOUND ON THIS TRACT OF LAND

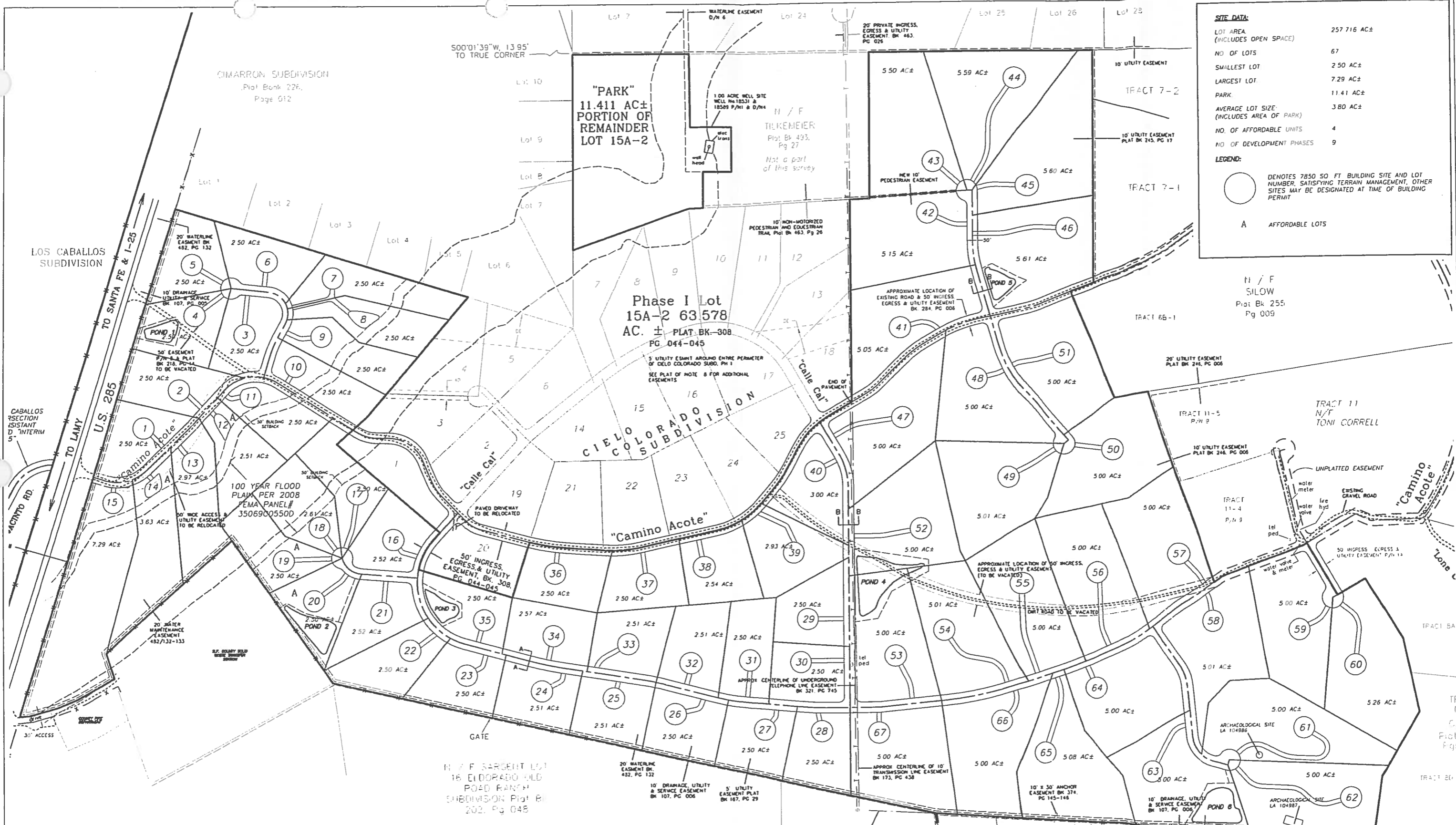
SOIL NUMBER	CLASSIFICATION NAME
105	DUMPS, SANITARY LANDFILL
201	TANOAN-ENCANTADO COMPLEX, 5 TO 25 PERCENT SLOPES
202	ALIRE LOAM, 2 TO 6 PERCENT SLOPES
203	BUCKHORSE-ALTAZANO COMPLEX, 2 TO 8 PERCENT SLOPES, FLOODED
204	ALTAZANO LOAMY SAND, 0 TO 2 PERCENT SLOPES, FLOODED
205	NAZARIO GRAVELLY LOAM, 2 TO 8 PERCENT SLOPES
208	ALIRE-URBAN LAND COMPLEX, 2 TO 8 PERCENT SLOPES
215	PREDAWN-URBAN LAND COMPLEX, 1 TO 4 PERCENT SLOPES
216	DONDIEGO LOAM, 1 TO 3 PERCENT SLOPES



NBC-52

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313	CIELO COLORADO	SCALE 1" = 200'	DATE SEPTEMBER 2012	NORTH
	SOILS MAP	DRAWN BY HF	CHECKED BY JWS	SHEET P-5
		REVISED 00/00/00	FILE NAME 201020 9-12 1020-SOILS	

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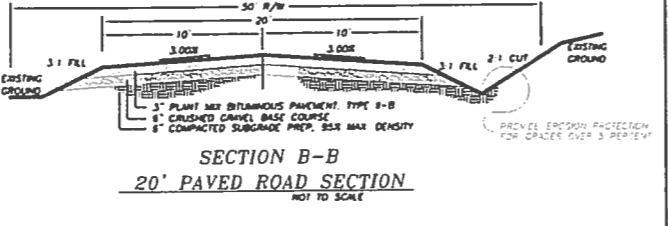
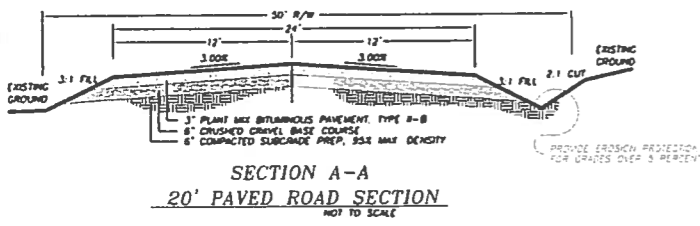
SITE DATA:

LOT AREA (INCLUDES OPEN SPACE)	257 716 AC±
NO. OF LOTS	67
SMALLEST LOT	2.50 AC±
LARGEST LOT	7.29 AC±
PARK	11.41 AC±
AVERAGE LOT SIZE (INCLUDES AREA OF PARK)	3.80 AC±
NO. OF AFFORDABLE UNITS	4
NO. OF DEVELOPMENT PHASES	9

LEGEND:

- DENOTES 7850 SQ. FT. BUILDING SITE AND LOT NUMBER, SATISFYING TERRAIN MANAGEMENT, OTHER SITES MAY BE DESIGNATED AT TIME OF BUILDING PERMIT
- A AFFORDABLE LOTS

N / F
SILOU
Plat Bk 255
Pg 009



JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313	SCALE: 1"=200' DRAWN BY: HF REVISED: 00/00/00 WORKED ON: 00/00/00	DATE: SEPTEMBER 2012 CHECKED BY: JWS FILE NAME: 201010 1020-115508-04	NORTH SHEET: P-6
	CIELO COLORADO SUBDIVISION MASTER PLAN		

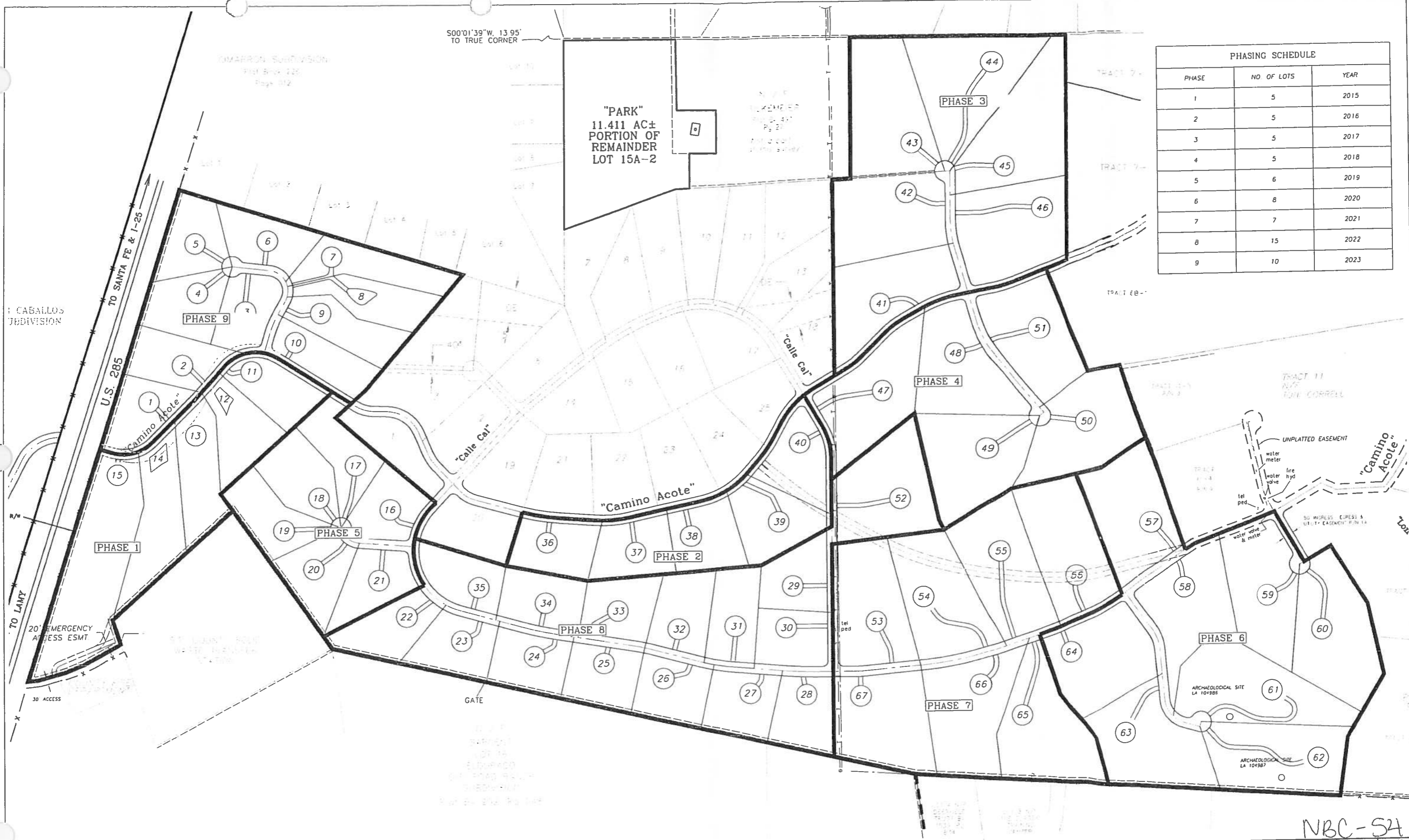
NBC-53

S00°01'39"W, 13.95'
TO TRUE CORNER

OMARRON SUBDIVISION
Plat 5-10-125
Page 012

"PARK"
11.411 AC±
PORTION OF
REMAINDER
LOT 15A-2

PHASING SCHEDULE		
PHASE	NO OF LOTS	YEAR
1	5	2015
2	5	2016
3	5	2017
4	5	2018
5	6	2019
6	8	2020
7	7	2021
8	15	2022
9	10	2023



NBC-54

JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET * SANTA FE NEW MEXICO 87505 (505) 983-3588 FAX (505) 989-7313	CIELO COLORADO		SCALE 1"=200' DATE SEPTEMBER 2012	NORTH
	PHASING PLAN		DRAWN BY: HF CHECKED BY: JWS REVISED 00/00/00 WORKED ON: 00/00/00	SHEET P-7

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DRAINAGE CALCULATIONS

DEVELOPMENT SITE ONLY = 1072904.00 SF (245.30 Ac)
 TIME OF CONCENTRATION = 48.0 MIN
 UNIT DISCHARGE = 2.3 CFS/AC-IN
 100-YR RAINFALL = 3.6 IN

	PRE-DEVELOPMENT			POST-DEVELOPMENT		
	CU	SF	%	CU	SF	%
UN-DISTURBED	72	1072904.00	100.00	72.00	1024863.00	95.52
EXISTING ROADWAY	95		0.00	0.00	301848.00	2.81
NEW ROADWAY	95		6.00	0.00	178500.00	1.56
WEIGHTED CU				72.00		73.03
RUN-OFF				119.74		125.74
PEAK				584.64 CFS		615.35 CFS
VOLUME				24.36 AC-FT		25.64 AC-FT
VOLUME				1061129 CF		1116865 CF

RETAINAGE NEEDED = 53,737 CF (RETENTION REQUIRED DUE TO INCREASED RUN-OFF ON EXISTING AND NEW ROADWAY IMPERVIOUS SURFACE ONLY)
 RETAINAGE AVAILABLE = 187,411 CF
 METHOD OF RETAINAGE = EARTHBERM PONDING WITH 8" PVC OUTLETS OR EQUAL

EACH HOUSE WILL RETAIN THE RUNOFF FROM ITS IMPERVIOUS AREAS ON DEVELOPMENT SITE
 SAMPLE VOLUME CALCULATION FOR A
 3.00 AC ROOF AREA RESIDENCE AND 6,000 SF GRAVEL DRIVEWAY AND PARKING AREA
 VOLUME OF RETAINAGE NEEDED = 673 CF
 PROVIDED AND AVAILABLE = 753 CF

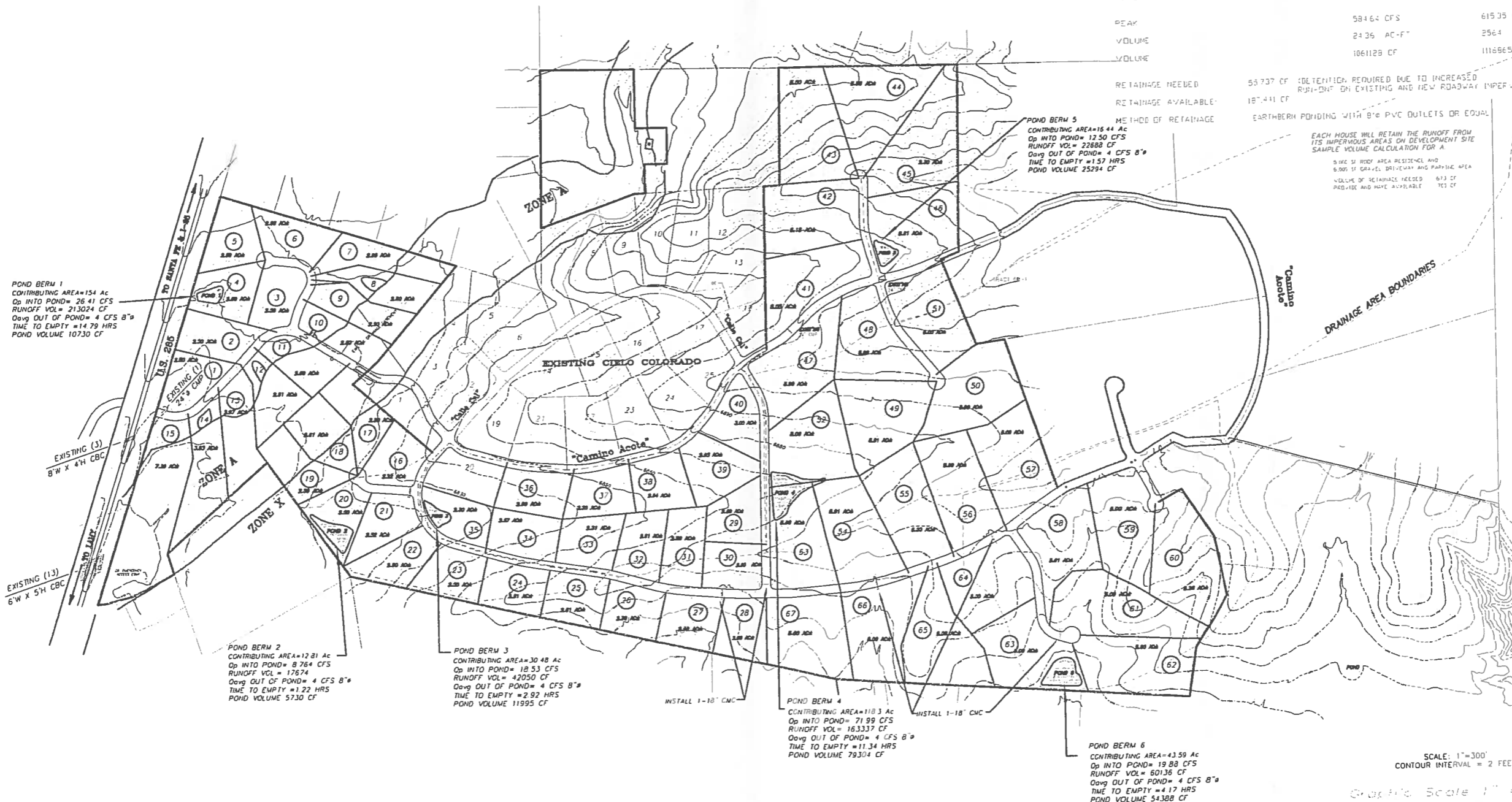
TOTAL VOLUME OF PONDS

POND VOLUME 10730 CF
 POND VOLUME 5730 CF
 POND VOLUME 11995 CF
 POND VOLUME 79304 CF
 POND VOLUME 25294 CF
 POND VOLUME 54388 CF

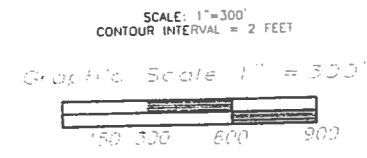
EXISTING AND NEW ROAD LENGTHS

EXISTING ROAD	24' PAVEMENT	NEW ROAD	24' PAVEMENT
9703 LF		859 LF	
403 LF	12577 LF	4417 LF	
283 LF	301848 SF	745 LF	7440 LF
2186 LF		288 LF	178560 SF
		1351 LF	

**PROPOSED DRAINAGE STRUCTURES AND CULVERTS
 2012
 CIELO COLORADO SUBDIVISION**



**POST-DEVELOPMENT CONDITIONS
 TERRAIN MANAGEMENT PLAN**



BUILDING SITES 64

ENGINEER'S SEAL	JAMES W. SIEBERT AND ASSOCIATES, INC. 815 MERCER STREET • SANTA FE, NEW MEXICO 87505 (505) 863-8000 FAX (505) 868-7203	CIELO COLORADO MASTER PLAN	SCALE 1"=300'	DATE OCTOBER 2012	NORTH
		TERRAIN MANAGEMENT POST DEVELOPMENT	DESIGN BY JG	CHECKED BY J.G.	SHEET C-2
			REVIEWED	FILE NAME CC 9-27-12	
			REVISIONS ON 10/17/12		

NBC-5



**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

915 MERCER STREET * SANTA FE, NEW MEXICO 87505
(505) 983-5588 * FAX (505) 989-7313
jim@jwsiebert.com

January 22, 2013

Jose Larranaga
Commercial Case Manager
P.O. Box 276
Santa Fe, NM 87504

Re: Cielo Colorado Cul-de-sac Review

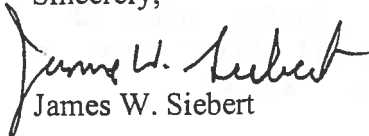
Dear Mr. Larranaga:

Please include in our master plan request to the CDRC to allow four (4) of the six (6) proposed cul-de-sacs to be in excess of 500 feet per the County Land Development Code. (See plan attached)

Article V, Section 8.2.1d of the code allows for the CDRC to approve the length of cul-de-sacs in low density residential developments with approval from the Fire Marshal. The Fire Marshal has reviewed the plan and has recommended approval of the master plan with conditions. Attached to this letter is the review from the fire marshal.

Thank you for your assistance with this matter.

Sincerely,


James W. Siebert

Xc: Erick Aune
Ed Dezevallos
Chris Dezevallos

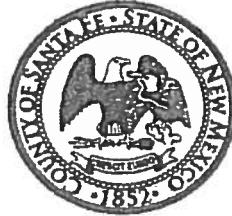


NBC-57

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

Date	January 8, 2013				
Project Name	Cielo Colorado Master Plan				
Project Location	Camino Acote, El Dorado at Santa Fe Subdivision, T15; R10; S21/22 'High Hazard WUI Zone'				
Description	Subdivision Master Plan	Case Manager	Jose Larranaga		
Applicant Name	James W. Siebert	County Case #	MP 12-5450		
Applicant Address	915 Mercer Street Santa Fe, NM 87505	Fire District	El Dorado		
Applicant Phone	505-983-5588				
Review Type:	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>	
	Master Plan <input checked="" type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input type="checkbox"/>	Inspection <input type="checkbox"/>	Lot Split <input type="checkbox"/>
	Wildland <input checked="" type="checkbox"/>	Variance <input type="checkbox"/>			
Project Status:	Approved <input type="checkbox"/>	Approved with Conditions <input checked="" type="checkbox"/>	Denial <input type="checkbox"/>		

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*):

Summary of Review

- Any walking trail system proposed for this development shall have a trail identification number or name... (*page #2*)
- Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation... (*page #4*)
- No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal. It shall be the responsibility of the developer to notify the Fire Prevention Division when the system and hydrants are ready to be tested. (*page #4*)
- For life safety and property protection, this office highly recommends the installation of Automatic Fire Protection Sprinkler systems meeting NFPA 13D requirements. Assistance in details and information are available through the Fire Prevention Division. (*page #4*)

- This subdivisions location is rated within a "High Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.(page #4)
- The developer shall call for and submit to a final inspection by this office to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code. (page #5)

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Any walking trail system proposed for this development shall have a trail identification number or name and be marked with a number every 1/10th of a mile (528 feet) for the purpose of expediting emergency response.

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) *When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.*

Curbs adjacent to the, fire hydrants, landscape medians in traffic flow areas and in designated no parking areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE - NO PARKING" as determined by the Fire Marshal prior to final approval. Assistance in details and information are available through the Fire Prevention Division. The Home Owner's and/or the Home Owner's Association will maintain said markings following the final approval and for the duration of the subdivision.

- **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Final acceptance based upon the Fire Marshal's approval.

- **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

- **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

Driveways/fire access shall not exceed 11% slope and shall have a minimum 28' inside radius on curves.

- **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County system. Details, information and forms are available from the Fire Prevention Division

Fire Protection Systems

- **Hydrants**

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Section 903.4.2 Required Installations. (1997 UFC) *The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.*

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within one thousand feet (1,000') as measured along the access route.

Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation. Additional hydrants and/or relocation of existing fire hydrants shown within the submittal packet may be required.

Final fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

Supply lines shall be capable of delivering a minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The design of the system shall be accordingly sized and constructed to accommodate for the associated demands placed on such a system through drafting procedures by fire apparatus while producing fire flows. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system.

The water delivery system shall be designed to meet the minimum standards of the El Dorado Area Water and Sewer District.

Water supply line sizes, which are connected to supply approved fire hydrants, shall be a minimum of eight inches in diameter.

All hydrants shall have NST ports.

No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal. It shall be the responsibility of the developer to notify the Fire Prevention Division when the system and hydrants are ready to be tested.

Automatic Fire Protection/Suppression

For life safety and property protection, this office highly recommends the installation of Automatic Fire Protection Sprinkler systems meeting NFPA 13D requirements. Assistance in details and information are available through the Fire Prevention Division.

Urban-Wildland Interface

SFC Ordinance 2001-11, Urban Wildland Interface Code

This subdivisions location is rated within a "High Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.

▪ **Building Materials**

Buildings and structures located within urban wildland interface areas, not including accessory structures, shall be constructed in accordance with the Fire Code, the Building Code and the Urban Wildland Interface Code.

▪ **Location/Addressing/Access**

Per SFC 2001-11/EZA 2001-04, addressing shall comply with Santa Fe County Rural addressing requirements.

Per SFC 2001-11 / EZA 2001-04 Chapter 4, Section 3.2 Roads and Driveways; *Access roads, driveways, driveway turnarounds and driveway turnouts shall be in accordance with provisions of the Fire Code and the Land Development Code.* Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development.

▪ **Vegetation Management**

The project shall also have a vegetation management plan adopted by covenant as required by the Urban Interface Fire Code 2001-11. This plan shall be submitted in advanced for review and approval. The requirements of this plan shall be included in the subdivision covenant and recorded on the plat.

General Requirements/Comments

▪ **Inspections/Acceptance Tests**

The developer shall call for and submit to a final inspection by this office to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

▪ **Permits**

As required

Final Status

Recommendation for Master Development Plan approval with the above conditions applied.


Tim Gilmore, Inspector


Code Enforcement Official

1-16-13
Date

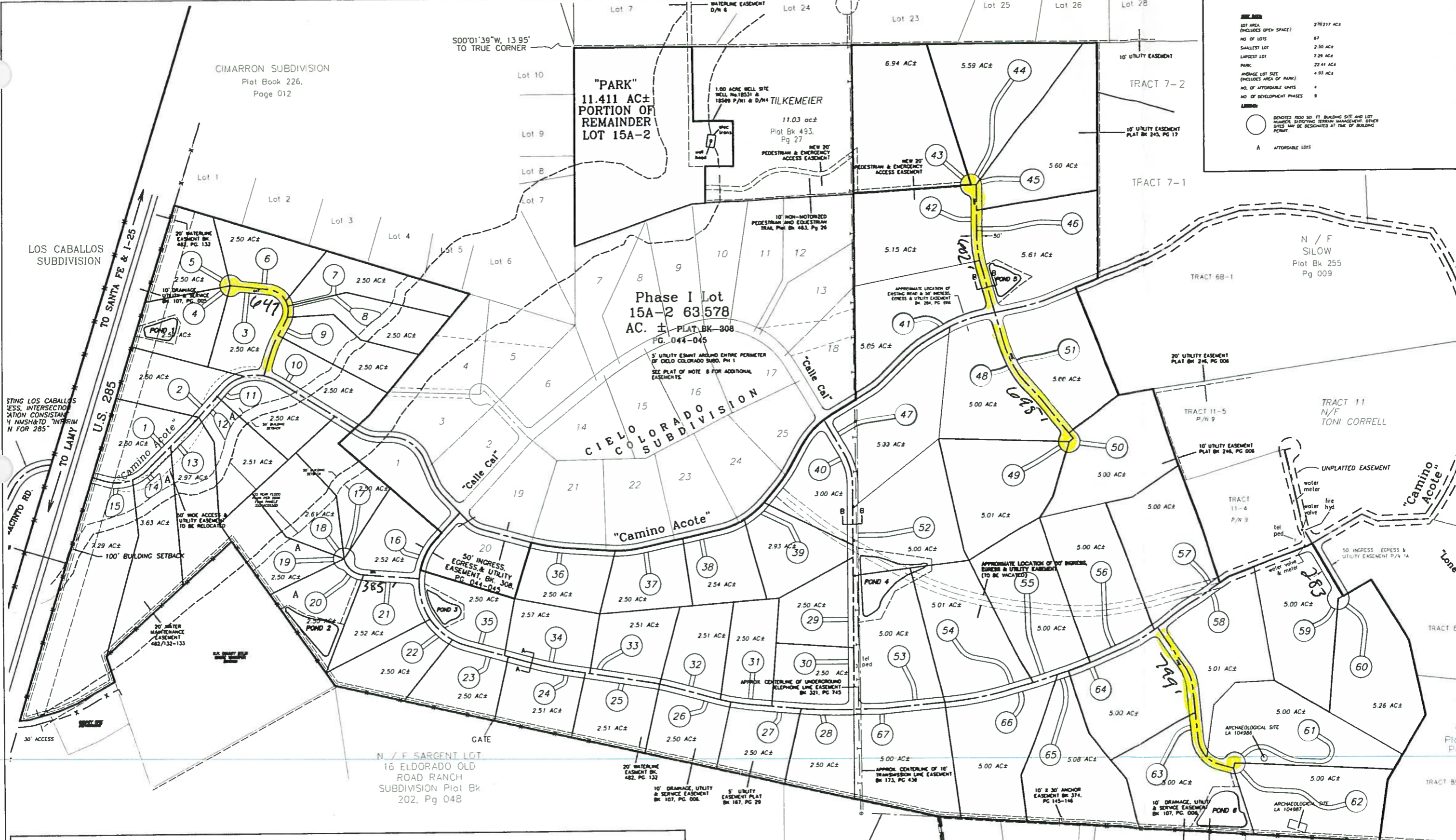
Through: David Sperling, Chief/Fire Marshal

File: DevRev/EL/CieloColorado/010813

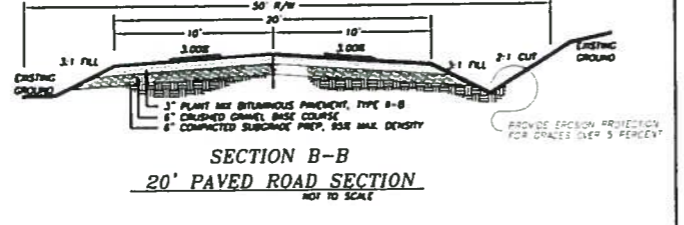
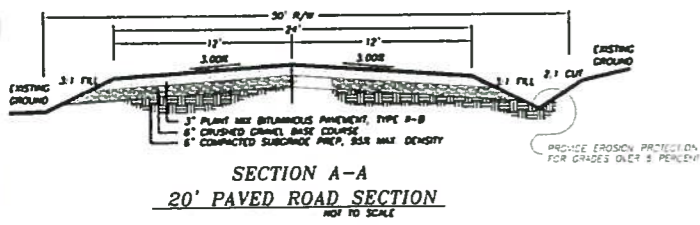
Cy: Jim Siebert
El Dorado Fire District Chief
Buster Patty, Capt., Fire Prevention Div. 

NBC-62

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STATISTICS	
TOTAL AREA (INCLUDES OPEN SPACE)	278,217 AC±
NO. OF LOTS	67
SMALLEST LOT	2.50 AC±
LARGEST LOT	7.29 AC±
AVERAGE LOT SIZE (INCLUDES AREA OF PARK)	4.13 AC±
NO. OF AFFORDABLE UNITS	4
NO. OF DEVELOPMENT PHASES	8
LEGEND	
	NOTES 2000 SQ. FT. BUILDING SITE AND LOT HEADERS, EXISTING TERRAIN MANAGEMENT OTHER SITES MAY BE DESIGNATED AT TIME OF BUILDING PERMIT
	A AFFORDABLE LOTS



JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313	CIELO COLORADO SUBDIVISION MASTER PLAN		SCALE: 1"=200' DATE: SEPTEMBER 2012 DRAWN BY: JWS CHECKED BY: JWS REVISED: 00/00/00 WORKED ON: 00/00/00 FILE NAME: 201020-115508-04 SHEET: P-4
	NORTH 		

NBC-103 FIGURE 2



NEW MEXICO DEPARTMENT OF
TRANSPORTATION

January 10, 2013

Mr. Jose Larranaga
102 Grant Avenue
P.O. Box 276
Santa Fe, NM 87504

Susana Martinez
Governor

Tom Church
Interim Cabinet Secretary

RE: Cielo Colorado Subdivision

Commissioners

Dear Mr. Larranaga,

Pete K. Rahn
Chairman
District 3

The appropriate engineers of the New Mexico Department of Transportation have reviewed the submitted material on the above referenced development and comments or concerns to be addressed are as follows:

Dr. Kenneth White
Secretary
District 1

Environmental Bureau: Our records indicate that the cultural resources survey for the planned subdivision is over 10 years old. The developer will need to consult with the NM Historic Preservation Division, if they haven't already done so. Access to NMDOT right of way will be required along US 84/285, which probably will also include infrastructure improvements within the NMDOT right of way. These will require permits and environmental clearance from the NMDOT. For environmental clearance, the developer will need to contact Genevieve Head in the NMDOT Environmental Section at 505-827-5356.

Robert R. Wallach
Commissioner
District 2

District 5 Traffic Engineer: A Traffic Impact Analysis (TIA) dated October 2012 was reviewed and it indicates that the NMDOT build a left turn lane at the proposed main entrance of the subdivision. I have the following two comments: In Page 21 Right Turn Deceleration Lane, analyze the highest right turn volumes. In 2023, the PM peak has 10 right turn vehicles and 96 vphpl adjacent volume which is below the warrant of 130 vphpl. However, in 2033, you have 11 right turn vehicles and 128 adjacent volume which is higher than the warrant of 124 vehicles therefore a right turn deceleration lane will be required in 2033. An access application will be required before the development begins construction. The District has no other comments and recommends approval if a right turn lane is added as a condition.

Ronald Schmeits
Commissioner
District 4

Drainage Design Bureau: 1. A FEMA flood zone A along an unnamed tributary to the Canada de Los Alamos Arroyo crosses the proposed development where it is conveyed across US 285 by a 13 barrel 6'x5' concrete box culvert. This structure drains an area of 2363 acres. Located immediately to the north of the floodplain delineation and south of the existing access road lies a 3 barrel 8'x4' concrete box culvert. It is assumed that this structure provides overflow drainage from this

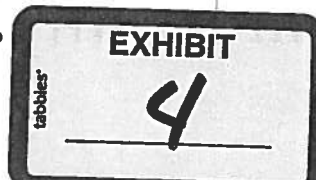
Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

General Office

P. O. Bo

a Fe, NM 87504



NBC-64

floodplain. 2. The existing access location will be maintained. Currently there is an existing 24" culvert located immediately outside of the NMDOT right of way that allows localized runoff and the roadside ditch to drain across the access road. It is unclear from the submittal application if this culvert is adequately sized.

Approximate hydraulic computations performed for this review, utilizing the hydrolic information provided in the submittal, would indicate that the 24" culvert would need 6 feet of headwater to pass the 30 cfs; this headwater would appear to overtop the access and potentially US 285 based on the topographic information provided. It is recommended that this driveway culvert be improved in accordance with the State Access Management Manual and current Drainage Design Criteria or detailed computations submitted to document the existing culvert's conformance to current design standards. 3. The Master Plan Report provides the post development storm water runoff increase associated with the additional roadways will be mitigated through the use of six ponds. Additional runoff associated with the development of housing and driveways will be mitigated on each lot. It is recommended that access to the subject development be permitted, subject to the Santa Fe County Floodplain Development Permit Requirements and subject to the above conditions, with improvements to the existing roadside culvert.

If there are any questions you may contact me at (505) 827-5249 or by email at jeremy.lujan@state.nm.us .

Sincerely,



Jeremy Lujan
Property Asset Management Agent

FILE#: 1742

NBC-65



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

January 4, 2013

CONCHA ORTIZ Y PINO BLDG.
POST OFFICE BOX 25102
130 SOUTH CAPITOL
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6091
FAX: (505) 827-3806

Jose E. Larrañaga
Commercial Development Manager
Santa Fe County
PO Box 276
Santa Fe, NM 87504

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Cielo Colorado Master Plan

Dear Mr. Larrañaga:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced Master Plan proposal relating to project feasibility regarding water supply pursuant to the Santa Fe County Land Development Code.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Julie Valdez at 505-827-6790.

Sincerely,

A handwritten signature in cursive script, appearing to read "John W. Longworth".

John W. Longworth, P.E.

Water Use & Conservation/Subdivision Review Bureau Chief

Encl.

cc: OSE Water Rights Division, Santa Fe Office

JV: jv

NBC-64

MEMORANDUM
New Mexico Office of the State Engineer
Water Use and Conservation Bureau

DATE: January 4, 2013

TO: John Longworth, P.E. Water Use & Conservation Bureau Chief

FROM: Julie Valdez, Senior Water Resource Specialist *JMV*

SUBJECT: Cielo Colorado Master Plan, Santa Fe County

SUMMARY

On December 10, 2012 the Office of the State Engineer (OSE) received a request to provide comments on the Cielo Colorado Master Plan.

The New Mexico Subdivision Act does not require an opinion from the OSE for Master Plans. Therefore, the OSE has not provided an opinion and has only commented on project feasibility regarding water supply pursuant to the Santa Fe County Land Development Code.

The water supply documents submitted to this office consist of a Water Budget, Plat Map, and a Ready, Willing and Able Letter from Eldorado Area Water and Sanitation District.

The proposal is a request to subdivide a 257.16 acre parcel into 67 residential lots ranging in size between 2.50 and 7.29 acres and one open space lot on 11.47 acres. The proposed subdivision will be developed in 9 phases over a 9 year period with an anticipated start date of 2015. The property is located on Camino Acote east of US 285 between Alma Drive and Old Road North within projected Sections 20, 21 and 22, Township 15 North, Range 10 East, Bishop John Lamy Grant.

The original Cielo Colorado Master Plan was submitted to Santa Fe County in 1995. This Master Plan proposal was a request to subdivide a 344.58 acre parcel into 91 residential lots ranging in size between 2.5 and 6.49 acres and one open space lot on 11.85 acres. In 2000, the developer filed an amended Master Plan. The amended plan subdivided a 332.07 acre parcel into 87 residential lots ranging in size between 2.5 and 3.82 acres and one open space lot on 11.42 acres. To this date, 25 lots of the proposed 91 lots from the original Master Plan have been developed.

The proposed water supply is by the Eldorado Area Water and Sanitation District (EAWSD). The proposal contains a Ready, Willing and Able Letter (Letter) from EAWSD. The Letter states that EAWSD commits to provided water service to the proposed subdivision in accordance with 1) the terms stated in this letter, 2) the Development Agreement (DA) dated December 6, 2012, between EAWSD and Cielo Colorado Land Company, 3) the Settlement Agreement and Release (SAR) dated August 27, 2007, and 4) the District's New Water Services Policy (NWSP) as amended June 3, 2010. The Letter goes on to state that "*subject to the satisfaction of the Requirements, EAWSD is ready, willing and able to provide water service to the entire*" subdivision "*in an amount not to exceed 16 acre feet per year*" "*based on a planned maximum addition of 64 dwellings*". The water supply commitment by EAWSD does not coincide with

NBC-67

the proposal which estimates the project water demand as 16.75 acre-feet per year based on 67 lots and 0.25 acre-feet per lot.

In previous reviews of EAWSD policy, EAWSD has required a transfer of water rights to provide service. A transfer of water rights is not discussed in the proposal. Section 6.4.4b of the Santa Fe County Land Development Code requires that the ready, willing, and able letter from the proposed utility "*state any requirements for the applicant to provide water rights*". Since the DA, SAR and NWSP were not provided as part of the subdivision proposal, this office cannot determine if the developer has satisfied the terms in those agreements.

In May 2012, the OSE approved an application for an Additional Point of Diversion for EAWSD. The approval increased EAWSD's capacity to provide water by 200 acre-feet per annum. However, the amount of connections EAWSD is currently serving or the number of outstanding service commitments not yet connected is not known. Given that this is an old Master Plan and is partially developed, it is unclear if this proposal is included in EAWSD's existing commitments yet to be served or if it constitutes a new water service demand. Section 6.4.4b of the Santa Fe County Land Development Code requires documentation from the utility "*showing the quantity of water presently produced annually, quantity of water supply commitments to date, and proof of sufficient water rights to meet both existing commitments and the requirements of the development for at least 100 years*". This information was not included in the proposal.

CONCLUSIONS:

The following comments are provided for project feasibility regarding water supply:

- OSE is aware that EAWSD has had some difficulty in the past providing adequate water service to existing customers. This office recommends that EAWSD provide documentation demonstrating the quantity of water presently produced annually, quantity of existing water service supply commitments, and commitments for services not yet connected.
- The water service agreement from EAWSD is a commitment to provide water service not to exceed 16 acre-feet per annum. However, the proposal indicates that 16.75 acre-feet per annum of water is needed for the proposed subdivision.
- Under the Summary Description section of the proposal, the open space lot is described as 11.411 acres in size; under the Existing Parks and Open Space section of the proposal, the open space lot is described as 11.47 acres in size.
- Under the Summary Description section of the proposal, the subdivision parcel is described as 257.16 acres in size; under the Project Description section of the proposal, the subdivision parcel is described as 257.716 acres in size.

NBC-68



December 14, 2012

Jose E Larranaga
Development Case Manager
Santa Fe County
Santa Fe, NM

Re: Cielo Colorado Master Plan

Dear Mr. Larranaga:

Santa Fe Public Schools has reviewed information received from Santa Fe County Development Review Team regarding the above referenced project. Given the estimated build out projections for the development plan, current capacities at assigned schools (Eldorado Community School K-8, Santa Fe High School 9-12) will be adequate to serve the anticipated student population from this development. However, there may be additional residential housing projects currently planned or in the development phase that will affect future school capacities in this area.

We appreciate your observance of City Ordinance 2008-32 allowing Santa Fe Public Schools to adequately plan for impact to facilities and operations.

Sincerely,

Shirley McDougall
Property & Asset Management
(505) 699-4369
smcdougall@sfps.info

Educational Services Center
610 Alta Vista
Santa Fe, NM 87505
Telephone (505) 467-2000
www.sfps.info

NBC-69



Santa Fe – Pojoaque Soil and Water Conservation District

1911 Fifth Street, Suite 201

Santa Fe, New Mexico 87505

Telephone (505) 988-6253 Extension 3

Fax (505) 988-6615

SUPERVISORS
Alfredo Roybal
José Varela López
José Carlos Ortiz
Shelley Winship

January 15, 2013

Mr. José E. Larrañaga
Commercial Development Case Manager
County of Santa Fe
PO Box 276
Santa Fe, NM 87504-0276

Re: CDRC Case MP 12-5450 Cielo Colorado Master Plan

Dear Mr. Larrañaga:

The Santa Fe-Pojoaque Soil and Water Conservation District (District) went out to the aforementioned property to conduct a field inspection, along with an NRCS Soil Conservationist, on January 7, 2013.

The Cielo Colorado Master Plan proposal, for a Type II subdivision consisting of 67 lots on 257.16 acres, was assessed for technical accuracy and code compliance aspects with regards to terrain management. The information contained in the report was consistent with the physical attributes of the property. The proposed building envelopes, drainage and storm water retention sites are adequate for this proposal.

In conclusion, the District would like to state that this review was undertaken at the request of the County of Santa Fe, as provided by state law. The District's comments should not be construed as a recommendation of approval or disapproval of the subdivision.

Please feel free to contact me at 660-5828 if you have any questions regarding this review.

Sincerely,

José J. Varela López
Vice Chairman
Santa Fe-Pojoaque SWCD

NBC-70



STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

January 3, 2013

Jose E. Larrañaga
Commercial Development Case Manager
County of Santa Fe
102 Grant Avenue
Santa Fe, NM 87504-0276

RE: CDRC Case MP 12-5450 Cielo Colorado Master Plan

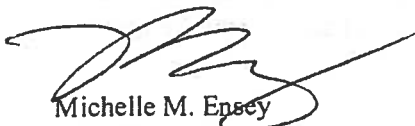
Dear Mr. Larrañaga:

I am writing in response to your request for review and comment on the above referenced master plan, received at the Historic Preservation Division on December 10, 2012. Include with the master plan was a cultural resources survey report prepared by Sandra Marshall in 1994 for the proposed subdivision.

The cultural resources survey identified two archaeological sites, LA 104986 and LA 104987. Both sites have been marked on the plat for avoidance. Because these sites will be avoided, the Historic Preservation Division has no concerns regarding the Cielo Colorado Master Plan.

Please do not hesitate to contact me if you have any questions. I can be reached by telephone at (505) 827-4064 or by email at michelle.ensey@state.nm.us.

Sincerely,



Michelle M. Ensey
Archaeologist

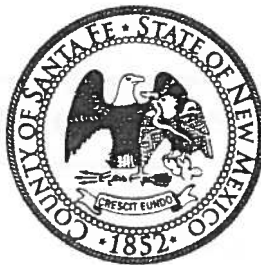
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NBC-71

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathleen Holian
Commissioner, District 4

Elizabeth Stefanics
Commissioner District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: February 5, 2013

TO: Vickie Lucero, Development Review Team Leader, Growth Management Department

FROM: Colleen Baker, Program Manager, Open Space and Trails Program

VIA: Mark Hogan, Director, Projects, Facilities and Open Space Division
Adam Leigland, Director, Public Works Department

RE: **CDRC CASE MP 12-5450 Cielo Colorado Master Plan**

Open Space and Trails Program staff reviewed this submittal and have two specific concerns: the location of the designated Park, and the two (2) archaeological sites that SHPO has cited as worthy of preservation.

The 11.41 acres which has been set aside for the park is adequate for the size of the subdivision. However, staff is concerned that access to the park is inadequate. The only way for residents to access the park is by a 10' pedestrian and equestrian easement from the east. This access will not be available until a much later phase of development, when and if lots 42-44 are developed. This appears to be the last phase of the Master Plan, so until then, residents have no access to the park. Open Space staff requests that the developer show provision for access to the park from the existing development. Further, staff requests that the developer prove access to the park for emergency vehicles.

The two (2) archaeological sites (LA 104986 and LA 104987) that SHPO requires be preserved are one room "field houses" located in lots 61 and 62. Open Space staff requests that the building envelopes within these two lots be specified at the time of final approvals for this phase of development to ensure that these sites are not further disturbed.

NBC-72

SANTA FE COUNTY INTEROFFICE MEMORANDUM

TO: JOSE LARRANAGA, CASE MANAGER
FROM: ROBERT GRIEGO, PLANNING MANGER
SUBJECT: CDRC CASE MP 12-5450 CIELO COLORADO MASTER PLAN
DATE: 2/14/2013

Summary

I have reviewed the Master Plan Report submitted for Cielo Colorado LLC. The development request is for 67 lots on 257.16 acres with an 11.411 acre park for an average lot size of 3.8 acres. The proposed development is partly within the US 285 South Highway Corridor Zoning District which is subject to the district Ordinance 2005-08 and is in the basin fringe hydrologic zone.

Residential density for the development is in accordance with the Highway Corridor Ordinance and the Land Development Code. Minimum lot size in the Basin Fringe zone is one dwelling unit per 2.5 acres with community water. The Master Plan complies with the use, lot size and density and dimension requirements of the Highway Corridor Ordinance. The Master Plan identifies the park on a lot which is not contiguous with the development but identifies a 10 foot easement from the development to the park.

Sustainable Growth Management Plan

The adopted County Sustainable Growth Management Plan (SGMP) stated goals, policies and strategies under supports development in accordance with the adopted district plan and the future land use plan. The SGMP also establishes goals and policies for parks and open space. Goals and policies include:

Establish an interconnected system of trails and parks, with regional trail and park connections for pedestrians, equestrians, and cyclists.

Create and maintain safe access, parking, and trailheads for public lands and other open spaces.

Staff Recommendation:

The Cielo Colorado Master Plan Report has been reviewed in accordance with the US 285 South Highway Corridor Zoning District and the SGMP. Staff recommends approval of CDRC Case MP 12-5450 Cielo Colorado Master Plan.

NBC-73



**Office of Affordable Housing
MEMORANDUM**

DATE: January 24, 2013
TO: Jose Larranaga, Development Review Specialist
FROM: Steven Brugger, Affordable Housing Administrator
SUBJECT: Cielo Colorado Master Plan Case# 12-5450 – Affordable Housing Review

Summary of Applicant's Affordable Housing Proposal

The Applicant's Affordable Housing Plan is attached as Appendix G of the Master Plan Report. A Master Plan sheet P-6 shows affordable lot designations in the project and sheet P-8 shows the phasing plan. A brief affordable housing narrative is offered on pages 23 and 24 of the Master Plan Report, the numbers in which are inconsistent with the Affordable Housing Plan. Staff will comment on the material presented in the Affordable Housing Plan and the Master Plan sheets P-6 and P-8.

The Applicant proposes to fulfill its 10 affordable unit obligation by providing 4 affordable units on-site and by either providing 6 affordable units at an unspecified location off-site, or by paying a fee in-lieu of constructing the homes. The 4 proposed on-site affordable homes would serve all of the Applicant's affordable housing requirements in Income Range 3 and Income Range 4. The Income Range 1 and 2 requirements for 6 affordable units are proposed to be met through off-site construction or payment of a fee-in-lieu of construction.

The 4 on-site affordable units are proposed to be built in Phases 1 and 5 of this nine phase development. The minimum square footage of the proposed affordable units is 1,200 square feet for the two and three bedroom units and 1,250 square feet for the four bedroom units. The Applicant is proposing two 3 bedroom units and two 4 bedroom units to be built in the project, and is proposing two 2 bedroom units, two 3 bedroom units and two 4 bedroom units to be built off-site, unless the payment in lieu of construction option is selected.

The Applicant proposes to comply with energy efficiency requirements for all units through the "Energy Star" program. Although the Applicant does provide some details on housing characteristics in the Affordable Housing Plan, no information is given on the compatibility of the affordable unit design with the design of the market rate units.

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Staff Comments

Number of Affordable Units: Applicant is required to provide 10.05 affordable units; this number is calculated by applying the 15% affordable housing requirement per Ordinance 2012-1 to this 67 unit project. The 0.05 unit requirement must be met through payment of a residual fee, using the formula set forth in Section 3.1.1. of the Affordable Housing Regulations. **In the Affordable Housing Plan, the Applicant has proposed 10 affordable units which meets this total requirement, except for the payment of the residual fee, which shall be a condition precedent to recordation of the final plat and Affordable Housing Agreement.**

Distribution of Affordable Units: Per the methodology of Section 3.1.2 of the Regulations, the Applicant must provide 3 affordable units in Income Range 1 (0% to 65% of the Area Median Income); 3 affordable units in Income Range 2 (66% -80% of the Area Median Income); 2 affordable units in Income Range 3 (81% - 100% of the Area Median Income) and 2 affordable units in Income Range 4 (101% to 120% of the Area Median Income). **In the Affordable Housing Plan, the Applicant has met this distribution requirement.**

Maximum Target Home Prices: The purchase prices to be paid by the affordable buyers for the units shall not exceed the Maximum Target Home Prices by housing type and Income Range, per the Regulations. **The Applicant shall comply with this requirement as part of its Affordable Housing Agreement.**

Minimum Bathrooms and Square Footage Requirements: Per Section 3.2.6.1 of the Regulations, a two bedroom unit must have at least 1 bathroom and have a minimum of 1,000 square feet of heated space; a three bedroom unit must have at least 2 bathrooms and have a minimum of 1,150 square feet of heated space; and a four bedroom unit must have at least 2 bathrooms and have a minimum of 1,250 square feet of heated space. **In the Affordable Housing Plan, the Applicant has met all of these minimum requirements.**

Integration of Affordable Units: Per Section 3.2.6.4. of the Regulations, affordable units shall be integrated with market units in the project and shall be compatible with market units in terms of architecture, exterior materials and landscaping. On Master Plan sheet P-6, affordable units are designated on lots 12, 14, 19 and 20. **The Applicant has reasonably dispersed the units within the project. Information needs to be provided on the location of the off-site construction in order for staff to further evaluate the Applicant's compliance with this integration requirement. The Affordable Housing Agreement will include a provision that the design of affordable units must be reviewed and approved by the Affordable Housing Administrator.**

Mix of Unit Sizes and Types: Section 3.2.7 of the Regulations prescribe an affordable housing mix of 50% 3 bedroom units, 25% 2 bedroom units, and 25% 4 bedroom units, although the Affordable Housing Administrator may adjust the proposed mix, with BCC approval. **The Applicant has met the prescribed mix of units in its Affordable Housing Plan for the affordable units to be built in the project, but has not met the prescribed mix for those units to be built off-site, if that option is to be pursued. The Applicant**

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must work with the Affordable Housing Administrator to propose an adjustment to the off-site affordable housing mix or make revisions, if this option is selected rather than payment-in-lieu of construction, prior to approval of the Affordable Housing Plan.

Phasing of Affordable Home Construction: Per Section 4E of the Affordable Housing Ordinance 2006-02, affordable units must be developed and offered for sale in proportion to the number of market rate units developed and offered for sale. **Two affordable lots are designated in Phase 1, and two affordable lots are designated in Phase 5. The Applicant has demonstrated acceptable phasing of the affordable units in the project, but must provide information on the location of the proposed off-site construction and payment-in-lieu options in order for staff to determine if the proportionality requirement is met in this Affordable Housing Plan.**

Alternate Means of Compliance: The Affordable Housing Ordinance allows a developer to propose an alternate means of compliance for meeting affordable housing requirements, provided that criteria set forth in Section 16E and 16F of the Ordinance are met. The Applicant has proposed meeting its 6 unit affordable housing requirement for Income Ranges 1 and 2 by providing affordable units in an alternate site or by making a payment-in-lieu of construction. The alternate site has not been designated in the Master Plan Report nor has a specific amount of cash payment been offered. Although conceptually this proposal may have merit, it is impossible to determine whether the criteria set forth in Section 16E and 16F of the Affordable Housing Ordinance have been met until more information is provided by the Applicant. **For this Affordable Housing Plan to be approved, the Applicant must provide additional information on the location of the alternate site or the proposed payment-in-lieu of construction and must demonstrate how this proposed alternate means of compliance meets criteria 16E and 16F in the Ordinance. Otherwise, the entire affordable housing requirement must be met within the project.**

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Daniel "Danny Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

Date	January 8, 2013				
Project Name	Cielo Colorado Master Plan				
Project Location	Camino Acote, El Dorado at Santa Fe Subdivision, T15; R10; S21/22 'High Hazard WUI Zone'				
Description	Subdivision Master Plan	Case Manager	Jose Larranaga		
Applicant Name	James W. Siebert	County Case #	MP 12-5450		
Applicant Address	915 Mercer Street Santa Fe, NM 87505	Fire District	El Dorado		
Applicant Phone	505-983-5588				
Review Type:	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>	
	Master Plan <input checked="" type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input type="checkbox"/>	Inspection <input type="checkbox"/>	Lot Split <input type="checkbox"/>
	Wildland <input checked="" type="checkbox"/>	Variance <input type="checkbox"/>			
Project Status:	Approved <input type="checkbox"/>	Approved with Conditions <input checked="" type="checkbox"/>	Denial <input type="checkbox"/>		

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*):

Summary of Review

- Any walking trail system proposed for this development shall have a trail identification number or name... (*page #2*)
- Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation... (*page #4*)
- No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal. It shall be the responsibility of the developer to notify the Fire Prevention Division when the system and hydrants are ready to be tested. (*page #4*)
- For life safety and property protection, this office highly recommends the installation of Automatic Fire Protection Sprinkler systems meeting NFPA 13D requirements. Assistance in details and information are available through the Fire Prevention Division. (*page #4*)

- This subdivisions location is rated within a "High Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas. (page #4)
- The developer shall call for and submit to a final inspection by this office to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code. (page #5)

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Any walking trail system proposed for this development shall have a trail identification number or name and be marked with a number every 1/10th of a mile (528 feet) for the purpose of expediting emergency response.

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) *When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.*

Curbs adjacent to the, fire hydrants, landscape medians in traffic flow areas and in designated no parking areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE - NO PARKING" as determined by the Fire Marshal prior to final approval. Assistance in details and information are available through the Fire Prevention Division. The Home Owner's and/or the Home Owner's Association will maintain said markings following the final approval and for the duration of the subdivision.

- **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Final acceptance based upon the Fire Marshal's approval.

- **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

- **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

Driveways/fire access shall not exceed 11% slope and shall have a minimum 28' inside radius on curves.

- **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County system. Details, information and forms are available from the Fire Prevention Division

Fire Protection Systems

- **Hydrants**

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Section 903.4.2 Required Installations. (1997 UFC) *The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.*

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within one thousand feet (1,000') as measured along the access route.

Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation. Additional hydrants and/or relocation of existing fire hydrants shown within the submittal packet may be required.

Final fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

Supply lines shall be capable of delivering a minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The design of the system shall be accordingly sized and constructed to accommodate for the associated demands placed on such a system through drafting procedures by fire apparatus while producing fire flows. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system.

The water delivery system shall be designed to meet the minimum standards of the El Dorado Area Water and Sewer District.

Water supply line sizes, which are connected to supply approved fire hydrants, shall be a minimum of eight inches in diameter.

All hydrants shall have NST ports.

No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal. It shall be the responsibility of the developer to notify the Fire Prevention Division when the system and hydrants are ready to be tested.

Automatic Fire Protection/Suppression

For life safety and property protection, this office highly recommends the installation of Automatic Fire Protection Sprinkler systems meeting NFPA13D requirements. Assistance in details and information are available through the Fire Prevention Division.

Urban-Wildland Interface

SFC Ordinance 2001-11, Urban Wildland Interface Code

This subdivisions location is rated within a "High Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.

▪ **Building Materials**

Buildings and structures located within urban wildland interface areas, not including accessory structures, shall be constructed in accordance with the Fire Code, the Building Code and the Urban Wildland Interface Code.

▪ **Location/Addressing/Access**

Per SFC 2001-11/EZA 2001-04, addressing shall comply with Santa Fe County Rural addressing requirements.

Per SFC 2001-11 / EZA 2001-04 Chapter 4, Section 3.2 Roads and Driveways; *Access roads, driveways, driveway turnarounds and driveway turnouts shall be in accordance with provisions of the Fire Code and the Land Development Code.* Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development.

▪ **Vegetation Management**

The project shall also have a vegetation management plan adopted by covenant as required by the Urban Interface Fire Code 2001-11. This plan shall be submitted in advanced for review and approval. The requirements of this plan shall be included in the subdivision covenant and recorded on the plat.

General Requirements/Comments

▪ **Inspections/Acceptance Tests**

The developer shall call for and submit to a final inspection by this office to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

▪ **Permits**

As required

Final Status

Recommendation for Master Development Plan approval with the above conditions applied.


Tim Gilmore, Inspector


Code Enforcement Official

1-16-13
Date

Through: David Sperling, Chief/Fire Marshal

File: DevRev/EL/CieloColorado/010813

Cy: Jim Siebert
El Dorado Fire District Chief
Buster Patty, Capt., Fire Prevention Div. 

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MEMORANDUM

DATE: February 11, 2013

TO: Jose Larranaga, Commercial Case Manager

FROM: John Lovato, Terrain Management

VIA: Penney Ellis-Green, Land Use Administrator
Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF: CDRC CASE # MP 12-5450 Cielo Colorado

REVIEW SUMMARY

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code. The request is for Master Plan approval to create a 67 residential lot subdivision on 257.16 acres. The largest lot size is 7.29 acres and the smallest lot size is 2.50 acres.

Terrain Management

The site has slopes 8%-12% or less and there are limited areas with slopes of 20%. The project conforms to Article VII, Section 3 Terrain Management of the Santa Fe County Land Development Code.

Storm Drainage and Erosion Control:

The Applicant's proposal shows existing topography, natural Drainage, and a proposed grading and drainage plan. The proposed grading and drainage plan contains pre and post development drainage calculations. The project site contains six (6) detention ponds throughout the subdivision with a total of 55,737 CF needed for detention per proposed plan Sheet C-2 prepared by George Gonzales registered PE. Sheet C-2 indicates the total retainage available will be 187,441 CF. Therefore, the submittal is in conformance of Article VII, Section 3.4.6,

The Applicant proposes to reduce Setback required per Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The minimum required setback is 75' from

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all unstudied SFHA. Setbacks may be reduced if a detailed analysis is provided and approved by the Floodplain Administrator. The Applicant proposes to provide an engineered detailed drainage analysis at preliminary and final plat approval. The Submittal is in conformance with Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance.

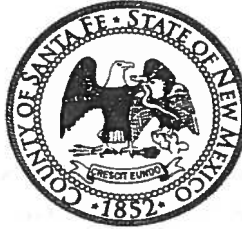
Due to the nature of the comments contained herein, additional comments may be forthcoming upon receipt of the required information

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Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

February 13, 2013

TO: Jose Larrañaga, Commercial Development Case Manager

FROM: Karen Torres, County Hydrologist

RE: CDRC Case # Z/S 12-5450 Cielo Colorado Master Plan – T15N R10E Projected Sections 20, 21 & 22

The subject master plan was reviewed for technical accuracy and compliance with the SFC Land Development Code. The submittal by the applicant is largely complete and in compliance with the Land Development Code but submission of additional information for phase I, as outlined below, is requested for review as a condition of master plan approval.

- Submission of a detailed water budget and water restrictive covenants for phase I.
- An analysis demonstrating the appropriate liquid waste disposal setback has been met for phase I.

Nature of Project

The applicant proposes a master plan to create 67 lots ranging in size from 2.50 to 7.29 acres for single family residences. This development will occur in 9 phases with phase I consisting of 5 lots. The subject property is located east of New Mexico State Road 285 and north of the Eldorado Transfer Station. Project location is further described as in projected Township 15 North, Range 10 East, Sections 20, 21 and 22 N.M.P.M, within the Bishop John Lamy Land Grant.

Water supply for this development will be provided by the Eldorado Area Water and Sanitation District (EAWSD) with individual septic tanks for liquid waste disposal.

Master Plan Requirements for Water

Article V, Section 5.2.2 g, Master Plan Procedures, as amended by Ordinance 2005-2, requires a master plan report to include the following:

1. A preliminary water supply plan and liquid waste disposal plan which identifies the source of water, water budget by phase and water conservation plan.
2. Submission of a water supply plan for the first sustainable phase of development, as required by Article VII, Section 6 of the Code.

Article VII, Section 6 - Water Supply Plan

Article VII, Section 6.2 entitled General Requirements and Submittals for a Water Supply Plan sets forth requirements based on the type and scale of the development. Table 7.4, entitled Required Code Sections for Water Supply, states any development which includes construction or expansion of a community water system, which describes the subject development, is required to submit a water supply plan which consists of submittals compliant with the following code requirements

1. *Article VII, Section 6.3 Community Water Systems*
2. *Article VII, Section 6.4 entitled "Water Availability Assessments"*
3. *Article VII, Section 6.5 entitled "Water Quality"*
4. *Article VII, Section 6.6 entitled "Water Conservation"*
5. *Article VII, Section 6.7 entitled "Fire Protection"*

Pursuant to *Memorandum of Understanding Between the Eldorado Area Water and Sanitation District and the Board of County Commissioners of Santa Fe County Regarding Mutual Water Services Cooperation* executed on October 9th 2012 submission of a ready, willing and able to serve letter is adequate for purposes of the required review under the Santa Fe County Land Development Code. The applicant submitted a ready, willing and able to serve letter dated December 6th, 2012 for the subject development for 64 dwelling units in an amount not to exceed 16.0 acre-feet. A second letter dated January 16th 2013 clarified that the water system is committed to serve three existing meter points as well as the proposed 64 new meters totaling 67 service connections to deliver up to 16.75 acre-feet.

Based on these submissions code requirements for Article VII Sections 6.3, 6.4, 6.5 and 6.7 have been met.

Article VII, Section 6.6- Water Conservation

Water Budget

Water budget submitted for review states each lot will be limited to a maximum annual water use of 0.25 acre-feet. A detailed water budget was not submitted for review.

Water Restrictive Covenants

The master plan report states that the lots will comply with the Santa Fe County water conservation ordinances. No water restrictive covenants for phase I as required by Article VII Section 6.6.2 were submitted for review.

It is recommended the applicant submit a detailed water budget and water restrictive covenants for phase I as a condition of master plan approval.

Master Plan Liquid Waste Disposal Requirements

Article V, Section 5.2.2. g, 8 entitled Master Plan Procedures requires a preliminary liquid waste disposal plan for the first sustainable phase of development, as required by Article VII, Section 2 of the Code. It should be noted wastewater requirements were amended by Ordinance 1999-1

Article VII, Section 2.2 (as amended by Ordinance 1999-1)

Table 7.1 of this section requires the submission of liquid waste disposal documentation package for subdivision proposing individual liquid water disposal systems, as described in Section 2.6.

Article VII, Section 2.6 (as amended by Ordinance 1999-1)

The following items are required for a liquid water disposal package:

2.6.1- A copy of the sub divider's disclosure statement relating to liquid waste disposal

2.6.2 – The location of proposed distance separation of all proposed and existing wells, sewage adsorption areas, community sewage systems and community water supply systems within the proposed subdivision or large scale residential development and existing wells and drain fields within 500 feet of the proposed subdivision or large scale residential boundary.

2.6.3 – A map showing the location of all arroyos, flood plains and bodies of water within the proposed subdivision or development and within 1,000 feet of the proposed subdivision or development boundary.

2.6.4 – A soil investigation report, including a soil survey, soil borings to a minimum depth of 8 feet, soil test results and an analysis of the soil survey, soil boring and soil tests. The report shall define soil depth to bedrock, seasonal high groundwater table or other limiting soil layer and percolation rate for the soils present with the proposed development. There shall be a minimum of 1 boring and 1 percolation test per 10 lots; the locations of these borings and test shall be distributed over the site to adequately represent the site soil conditions.

2.6.5 - A liquid waste system feasibility map, superimposed on the subdivision plat or development plan delineating the areas suitable, limited and prohibitive soils as defined in Table 7.2 and delineating required setback distances as defined in Table 7.3. The feasibility map shall delineate slopes of 9% to 15% and slopes more than 15%.

2.6.6 – The flood frequency of areas within the proposed subdivision or development

2.6.7 – A detailed description of the kind of individual liquid waste disposal systems, if any, that are to be used by the occupants of the subdivision or development. Preliminary plans for individual liquid waste disposal systems if a system will serve more than one connection.

2.6.8 – The projected population of the subdivision or development.

2.6.9 – The direction of movement of ground water in the subdivision or development

2.6.10 – An analysis which indicates the individual liquid waste disposal systems can be used for each lot in compliance with all applicable New Mexico Environment Department regulations in effect at the time the application is made and all requirements of Section 2.4 of this Article, without need for any variance from their requirements.

2.6.11 – At the discretion of the Board, as applicant of a development permit, may be required to analyze the effect of wastewater discharges on groundwater quality over a 100 year time frame to demonstrate that potable water supplies new available to wells within one mile of the development shall not be caused to be unpotable during the 100 year period as a result of the proposed development.

The development report submitted by the applicant states the proposed lots will use individual septic systems. Under the Floodplain Setbacks section on page 19 of the development plan report a 75 foot setback is noted for terrain management. Additionally map sheet P-6 dated September 2012 places phase I lots, numbered lots 11 – 15, almost entirely within the 100 year flood plain with a 50 foot building setback. Article VII Section 2.4.11 requires a minimum of 25 feet plus the depth of the channel. Channel profile for the 100 year flood plain within proposed phase I of this development was not submitted for review. An analysis of appropriate liquid waste disposal setback as described in Article VII Section 2.6.5 is required for the first sustainable phase of this development.

It is recommended county staff work with the applicant to outline necessary submittals to meet code requirements. This can be handled administratively as a condition of master plan approval.

Conclusions

Additionally staff concludes there is sufficient information submitted for Master Plan but request submission of additional information, as outlined below, for review prior to preliminary and final approval.

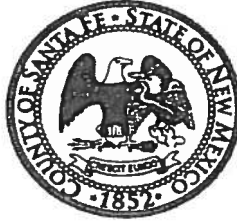
- Submission of a detailed water budget and water restrictive covenants for phase I for review prior to master plan approval
- An analysis of appropriate liquid waste disposal setback is required for the first sustainable phase of this development for review prior to master plan approval.

If you have any questions, please feel free to call me at 992-9871 or email at ktorres@co.santa-fe.nm.us.

Daniel Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Liz Stefanics
Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller
County Manager

**PUBLIC WORKS DIVISION
MEMORANDUM**

Date: January 14, 2013

To: Jose Larranaga, Land Use Department

From: Paul Kavanaugh, Engineering Associate Public Works *PK*
Johnny P. Baca, Traffic Manager Public Works *JPB*

Re: CDRC Case # 12-5450 Cielo Colorado Master Plan.

The referenced project has been reviewed for compliance of the Land Development Code, of Article V (Subdivision Design Standards), Section 8.1 (General Policy on Roads), in which the roadway/driveway needs to conform. The project is located within the US 285 South Highway Corridor and situated southeast of the Interstate 25/New Mexico State 285 intersection and east of New Mexico State 285 / Camino Acote intersection, within Sections 20, 21 & 22, Township 15 North, Range 10 East. The applicant is requesting Master Plan approval for a sixty-seven (67) lot single-family residential development located on 257.16 acres parcel of land.

Access:

The project is proposing to access Cielo Colorado Subdivision from Camino Acote an existing paved road. Secondary access was not addressed for the Cielo Colorado Subdivision. A Traffic Impact Analysis (TIA) was provided by Jorge Gonzalez, dated October 2012 for the project. The TIA studied the intersection of US 285 and Camino Acote/ San Jacinto. It states that this intersection operates no lower than a B (LOS) Level of Service during peak hours.

Conclusion:

Public Works has reviewed the plans and feels that they can support the above mentioned project for a Master Plan Approval with the following conditions;

- Applicant shall comply with Right-Of Way setbacks as per Article V, Section 8.1.7 of the Land Development Code and Section 8.8 A. of Ordinance 2005-08 (US 285 South Highway Corridor Zoning District).
- Applicant shall provide Santa Fe County Public Works with drainage calculations to ensure that existing low water crossing will allow an emergency vehicle access during a one hundred year storm event as per Article V, Section 8.3.4 of the Land Development Code.
- Applicant shall comply with all NMDOT regulatory requirements for driveway access to US 285.

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SANTA FE COUNTY PLANNING DEPARTMENT
TRANSPORTATION PLANNING

December 26, 2012

Jose E. Larranaga
Commercial Development Case Manager

Re: CDRC Case# MP/PDP 12-5450 Cielo Colorado Master Plan

Jose:

I have reviewed the submitted case for technical accuracy and for compliance with the Land Development Code for Master Plans with the following comments:

1. Land Development Code - 8.2 Road Design

8.2.1d Cul-de-sacs: Cul-de-sacs shall not be longer than five hundred (500) feet. In low density residential development areas the length of cul-de-sacs may be adjusted by the County Development Review Committee with the changes consistent with public safety factors.

Four (4) of the proposed eight (8) cul-de-sacs are in excess of 500 feet. For this review the additional distance, given the proposed density, does not propose a public safety risk if the County Development Review Committee wishes to adjust said requirement. Please note that it is recommended that the County Fire Department review and provide their approval before any adjustment is considered.

2. Setbacks

Both the US 285 South Highway Corridor Plan and the US 285 South Highway Corridor Zoning District call for a minimum 100 foot setback for buildings and the Santa Fe County Land Development Code requires an open space setback between lots and the right-of-way for US 285.

- **The US 285 South Highway Corridor Plan (Resolution 2004-73, July 2004) calls for the following:**
 - Pg. 87 Noise Setbacks/Recommendations**
Minimum 100-foot setback should be continued for future residential developments and residences should be built at least 160 feet from the edge of the highway in order to protect from existing and future traffic noise.
- **The US 285 South Highway Corridor Zoning District (Ordinance 2005-08) calls for the following:**
 - 8.8 District Standards – All Subdistricts
District standards applicable in all subdistricts within the 285SC District include the following:
 - A. Setbacks from Highways

Erick J. Aune AICP, Senior Transportation Planner
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PHONE (505) 986.6214 E-MAIL eaunc@santafecounty.org

NBC-89

SANTA FE COUNTY PLANNING DEPARTMENT
TRANSPORTATION PLANNING

1. US 285 Any building containing a use or accessory to a residential use shall be set back a minimum of 100 feet from the edge of the right-of-way of U.S. Highway 285...

• **Land Development Code - 8.1.6 Access to highways and arterials; buffering requirements**

e. An open space setback shall be provided between residential lots and the right-of-way boundary of any major arterial, limited access highway, railroad, or established major center district, for the purpose of protecting adjacent or proposed residential uses from noise, fumes or other nuisances associated with such facilities...

As proposed and articulated in the "Master Plan Report" pg. 19 "Relationship to US 84/285 Highway Corridor Ordinance" the proposed "fifty foot setback" is insufficient as proposed. As required above, both the open space setback between lots and the right-of-way and the residential structure setbacks shall be clearly articulated on the plans.

3. Land Development Code - 8.4 Sidewalks and Paths – Requirements

8.4.2 For subdivisions of twenty-five (25) or more parcels, non-vehicular trails shall be required with roads of arterial, collector and subcollector classification. In lieu of this requirement an internal, off-road trail system may be substituted, if the results connects existing trails, trail easements, or assists in the creation of an area-wide trail network on adjacent lands.

Please provide non-vehicular trails in conjunction with the requirements of Section 8.4.2 as informed by Appendix 5.A Road Classification and Design Standards.

4. 5.2.2 Master Plan Submittals

g. 5) A written preliminary traffic report prepared by a licensed traffic engineer or other qualified expert acceptable to the Code Administrator.

The required submittal, "Traffic Impact Analysis" prepared for Cielo Colorado, LLC by Jorge Gonzalez, P.E. was reviewed and there are no comments associated with that report.

Note: Plan Sheet Page 6 Paved Road Section A-A appears to have a typo that should read "24' Paved Road Section" not 20'.

Thank you for your consideration of this review.

Sincerely,



Erick J. Aune, AICP
Senior Transportation Planner

Erick J. Aune AICP, Senior Transportation Planner
102 GRANT AVENUE · SANTA FE, NEW MEXICO · 87501
PHONE (505) 986.6214 E-MAIL eaune@santafecounty.org

NBL-90



David Chakroff
GENERAL MANAGER

ELDORADO AREA WATER & SANITATION DISTRICT
1 Caliente Road, Suite F • Santa Fe, NM 87508 • (505) 466-2411

James Jenkins, PRESIDENT
Jerry L. Cooper, VICE PRESIDENT
Stephen Wust, SECRETARY
Roberta A. Armstrong, DIRECTOR
George Haddad, DIRECTOR
Gene Schofield, TREASURER

January 16, 2013

Mr. Chris deZevallos
9219 Katy Freeway, Suite 120
Houston, TX 77024

Dear Mr. deZevallos:

This letter responds to recommendations and comments made by the New Mexico Office of the State Engineer (OSE) to Santa Fe County in a memorandum and letter (enclosed), both dated January 4, 2013, regarding the Cielo Colorado Master Plan. Specifically, EAWSD wishes to respond to the following recommendation and comment in the conclusions of the OSE memorandum:

1. This office recommends that EAWSD provide documentation demonstrating the quantity of water presently produced annually, quantity of existing water service supply commitments, and commitments for services not yet connected.
2. The water service agreement from EAWSD is a commitment to provide water service not to exceed 16 acre-feet per annum. However, the proposal indicates that 16.75 acre-feet per annum of water is needed for the proposed subdivision.

Regarding recommendation No. 1 above, EAWSD executed a Memorandum of Understanding (enclosed), dated October 9, 2012, with the Board of County Commissioners of Santa Fe County, which states in part:

In furtherance of the continued cooperation between the District and the County concerning the District's capacity to provide service to new customers, the County agrees that the information provided by the District concerning the adequacy of its water supply is such that, for a minimum of three (3) years from the date of the execution of this agreement, no further information is needed, and the County will accept a 'will serve' letter from the District that it is ready, willing and able to provide a customer with water service as adequate for purposes of the required review under the New Mexico Subdivision Act, the Zoning Enabling Act, the Santa Fe County Growth Management Plan, and the Santa Fe County Land Development Code, without further technical review or inquiry.

With respect to the second OSE comment, above, EAWSD has committed to provide Cielo Colorado with additional water service not to exceed 16 acre-feet per annum. Combined with three existing metering points, EAWSD is committed to provide a total of 16.75 acre-feet per annum to the development. This is made clear in Article II.A. of our Development Agreement of December 6, 2012.

I hope this clarifies and resolves the water issues raised by OSE. Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

ELDORADO AREA WATER & SANITATION DISTRICT


David Chakroff, General Manager

cc: James Siebert, James W. Siebert & Associates, Inc.
Jose E. Larrañaga, Santa Fe County

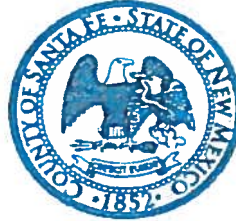


NBC-91

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department

January 24, 2013

Mr. Jose Larranaga
Santa Fe County Land Use Department
P.O. Box 276
Santa Fe, NM 87504

Re: Cielo Colorado Cul-De-Sac Review
MP-12-5450 Master Plan

Dear Mr. Larranaga;

The Fire Prevention Division of the Santa Fe County Fire Department has reviewed the Developers request and recommends approval based upon the following requirements:

- Re: SFC Land Use Code, Article V, Section 8.2.1d, (cul-de sacs over 250' in length). Per submitted plans the length of the roadways will not exceed the 1000' required maximum and the indicated cul-de-sacs will be acceptable to this office.
- The cul-de-sacs as indicated shall be a minimum of 50' radius.
- Maximum size for an island in a cul-de-sac shall be 20' diameter.
- Final placements of the fire hydrants in the cul-de-sacs are to be coordinated and approved by the Santa Fe County Fire Department prior to installation.

If I may be of further assistance, please do not hesitate to contact this office at 995-6525

Sincerely,


Tim Gilmore, Inspector

Through: Dave Sperling, Fire Marshal/Deputy Chief

Cc: Buster Patty, Captain, Fire Prevention
Jim Siebert
File

File: DevRev/EL/CieloCo/012413



Jorge Gonzalez, P.E.

P.O. Box 5483
Santa Fe, NM 87502

Telephone (505) 577-0033
Fax (505) 982-0744

January 27, 2013

James W. Siebert and Associates
James W. Siebert
915 Mercer Street
Santa Fe, NM 87505

RE: CIELO COLORADO MASTER PLAN – CDRC 12-5450
Existing Low Water Crossing
Flood Way Analysis

Dear Mr. Siebert:

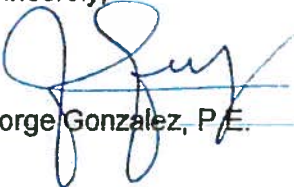
Per the conditions of Master Plan Approval, attached is the analysis and calculation addressing the existing low-water crossing dip-section.

During the 100-yr. storm event, the crossing will subject to water depth of 8" for a period of fifteen minutes or less. The existing curb will hold back a depth of 6" for a period of forty-five minutes while it drains via an existing curb cut.

The more important factor is depth and flow velocity rather than peak flows. The depth noted above will extend for distance of approximately 300 feet.

Should you need additional information please feel free to contact me.

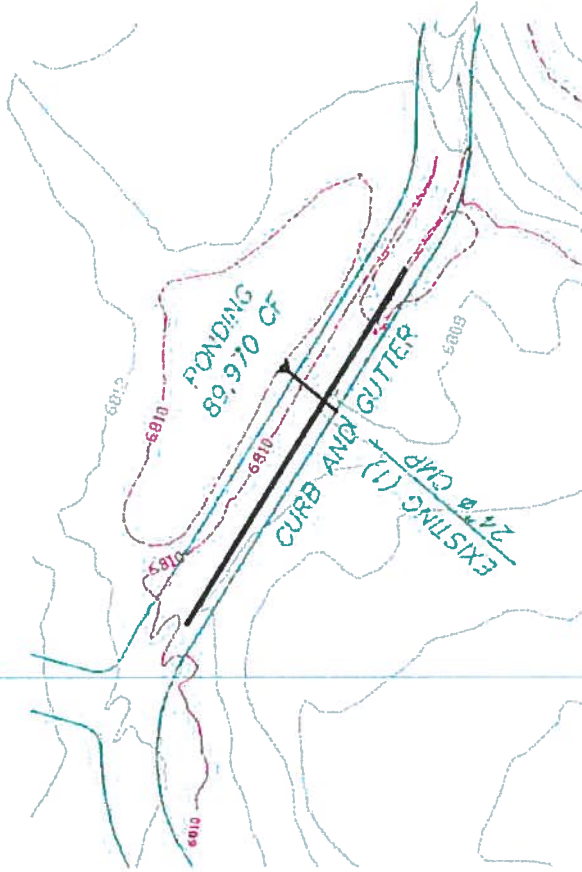
Sincerely;


Jorge Gonzalez, P.E.



NBC-93

EXISTING CURB IS 6" IN HEIGHT
 A CUT ON THE CURB ALLOWS
 WATER ON ROAD TO DRAIN.

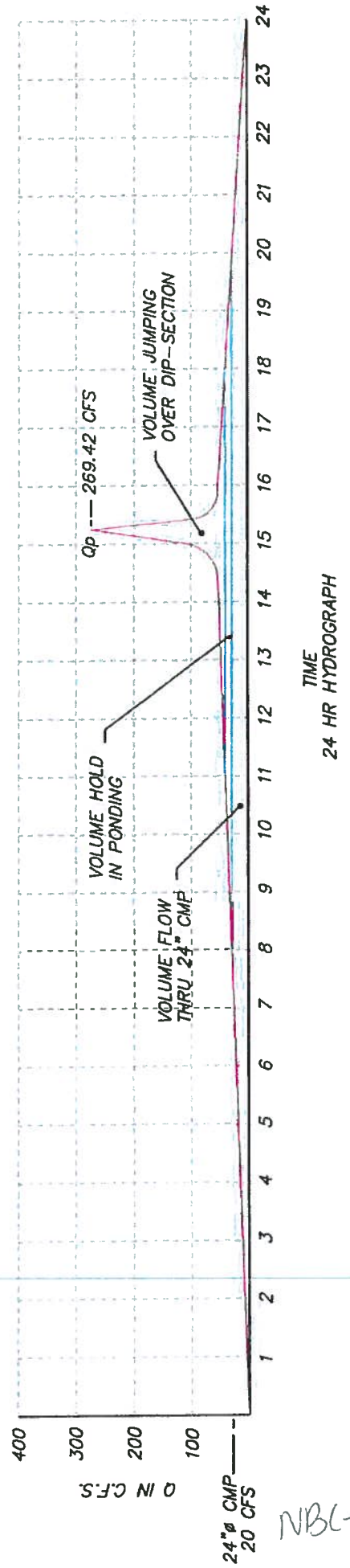


CHANNEL SLOPE = 1.57%
 VELOCITY = 5 FT./SEC.
 CURB LENGTH = 300 FT
 PEAK FLOW = $Q_p = 269.42$ CFS

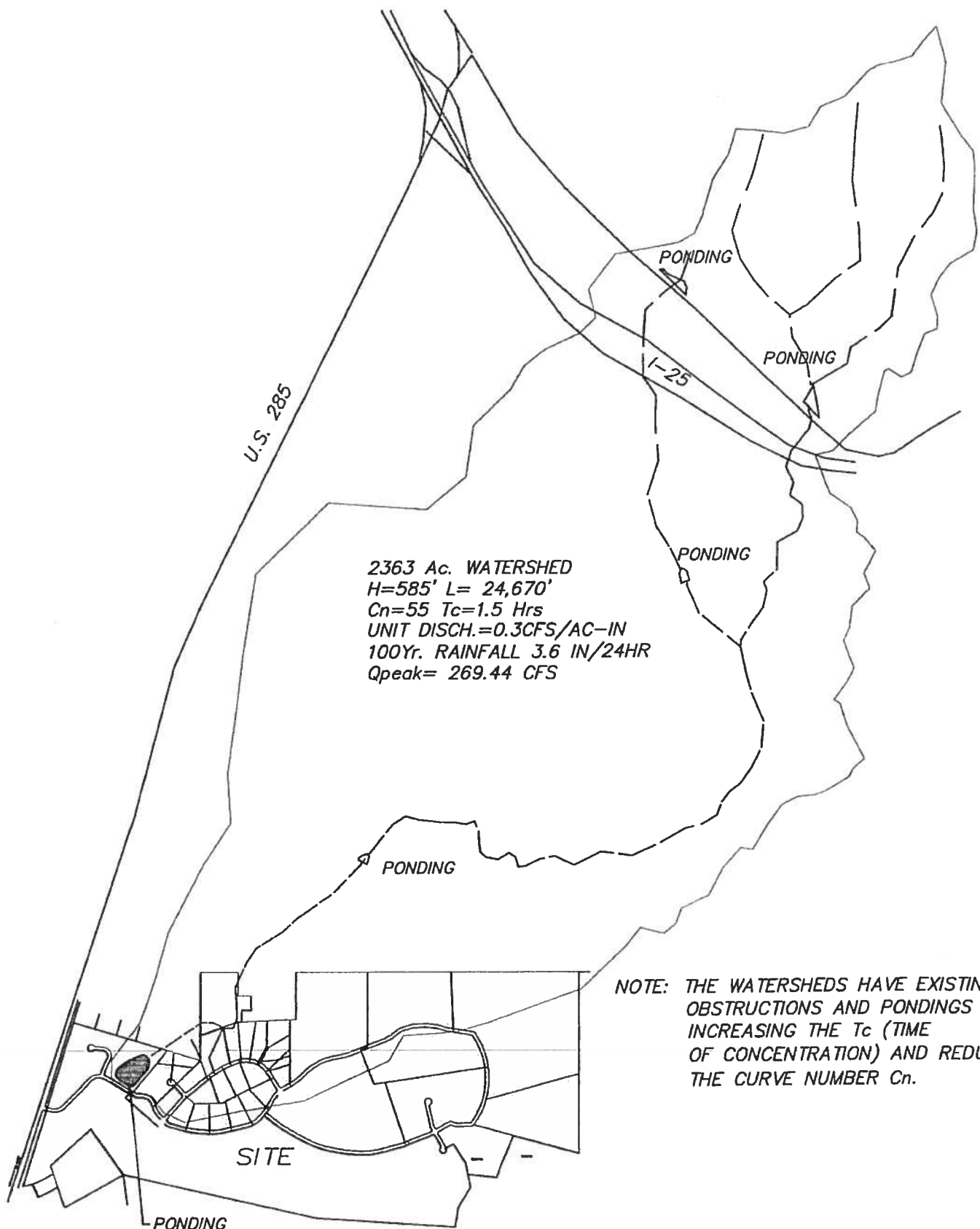
DETERMINE DEPTH OVER CURB
 $A = Q/V$
 $300Xd = 269.42/5$
 $d = 269.42/5 \times 300 = 0.18$ FT
 OR 2" ABOVE CURB

CONCLUSION:
 DURING PEAK FLOW THE ROAD
 WILL HAVE 8" WATER DEPTH
 IN A DURATION OF 15 MIN. OR
 LESS. THAN 6" DEPTH DRAINS THRU
 CURB CUT. WATER ON ROAD WILL
 TAKE 45 MIN. TO EMPTY

POND WILL DRAIN THRU 24" PIPE
 IN 90 MINUTES.



NBC-94



2363 Ac. WATERSHED
 H=585' L= 24,670'
 Cn=55 Tc=1.5 Hrs
 UNIT DISCH.=0.3CFS/AC-IN
 100Yr. RAINFALL 3.6 IN/24HR
 Qpeak= 269.44 CFS

NOTE: THE WATERSHEDS HAVE EXISTING OBSTRUCTIONS AND PONDINGS INCREASING THE Tc (TIME OF CONCENTRATION) AND REDUCING THE CURVE NUMBER Cn.

PONDING
 EXISTING L.W.C.
 W/1-24" CMP
 W/CONC. HD.WALL

NBC-95

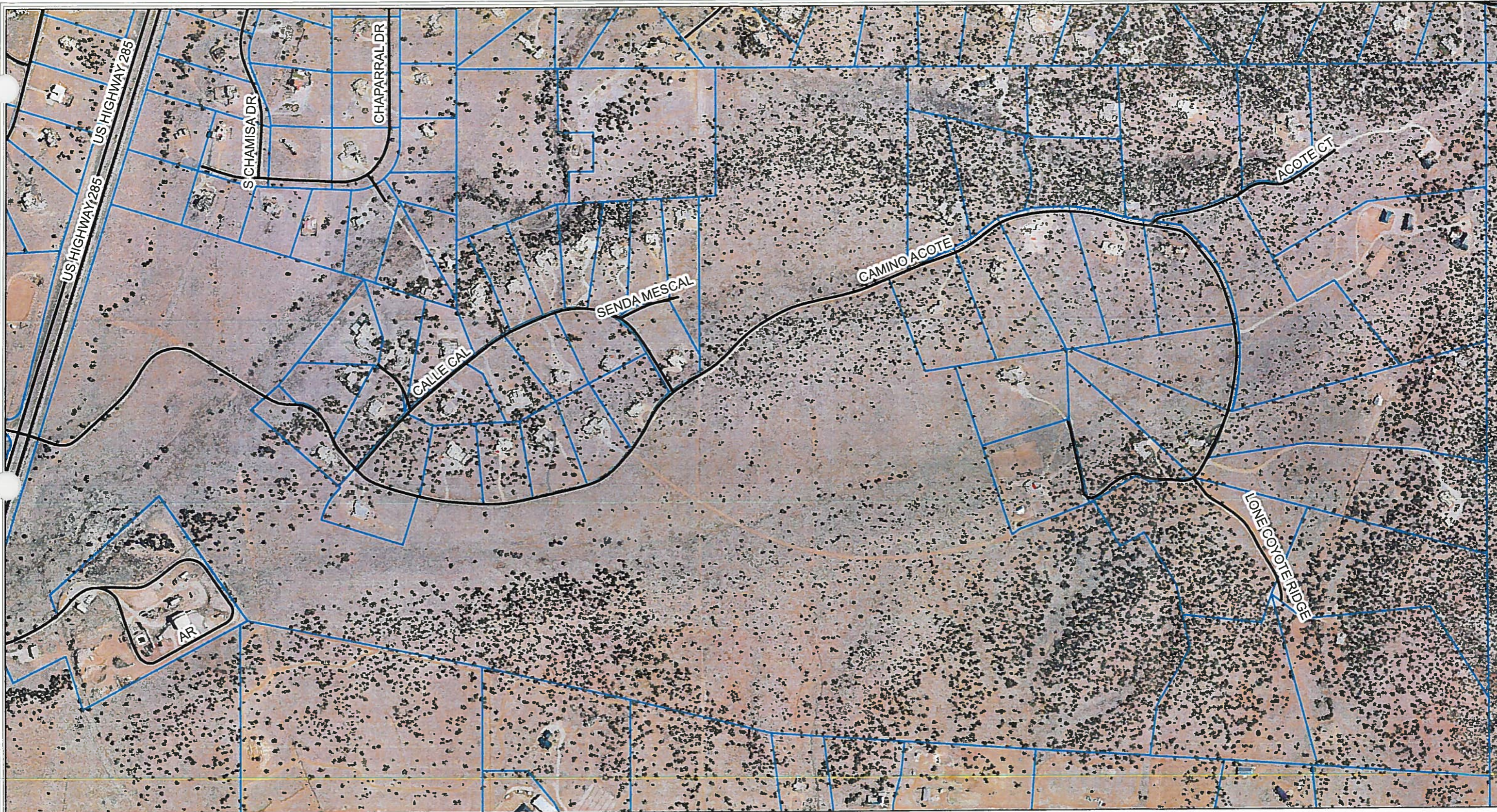
SITE: 102932228.00 SF (2362.999 AC)

TIME OF CONCENTRATION: <= 90.0 MIN
UNIT DISCHARGE: 0.3 CFS/AC-IN
100-YR RAINFALL: 3.6 IN

	PREDEVELOPMENT			POST DEVELOPMENT			
	CN	SF	%	CN	SF	%	CN
UNDISTURBE	55	102932228.00	100.00	55.00	102932228.00	100.00	55.00
ROOFS/POR	95		0.00	0.00	0.00	0.00	0.00
LANDSCAPE	82		0.00	0.00	0.00	0.00	0.00
WEIGHTED CN:				55.00			55.00
RUNOFF:		0.38 IN			0.38 IN		
PEAK:		269.423 CFS			269.423 CFS		
VOLUME:		74.8398 AC-FT			74.8398 AC-FT		
VOLUME:		3260024 CF			3260024 CF		

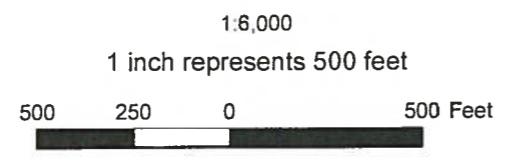
CIELO COLORADO LOW WATER CROSSING EXISTING CONDITIONS

NBC-96



Legend

— ROADS



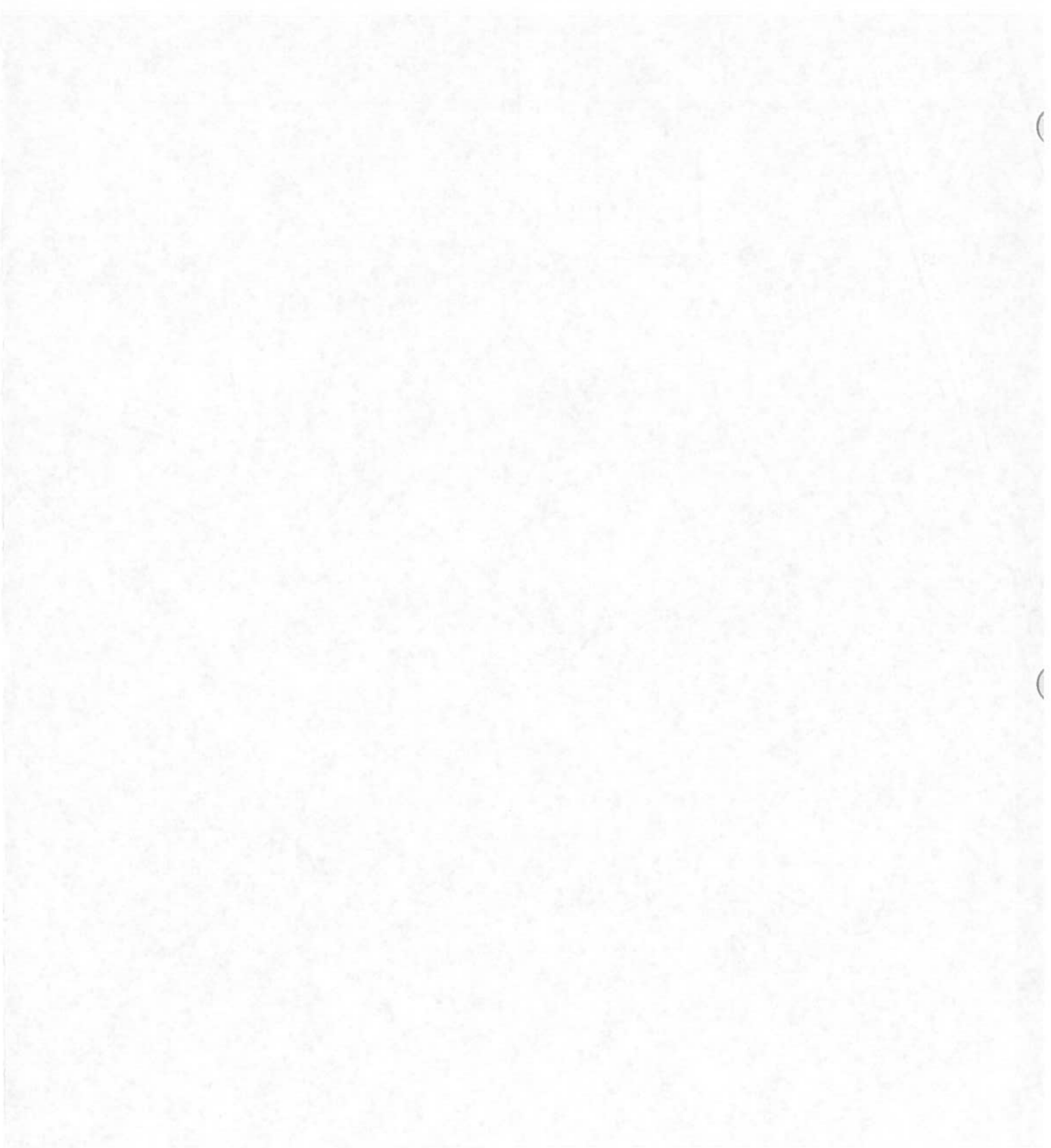
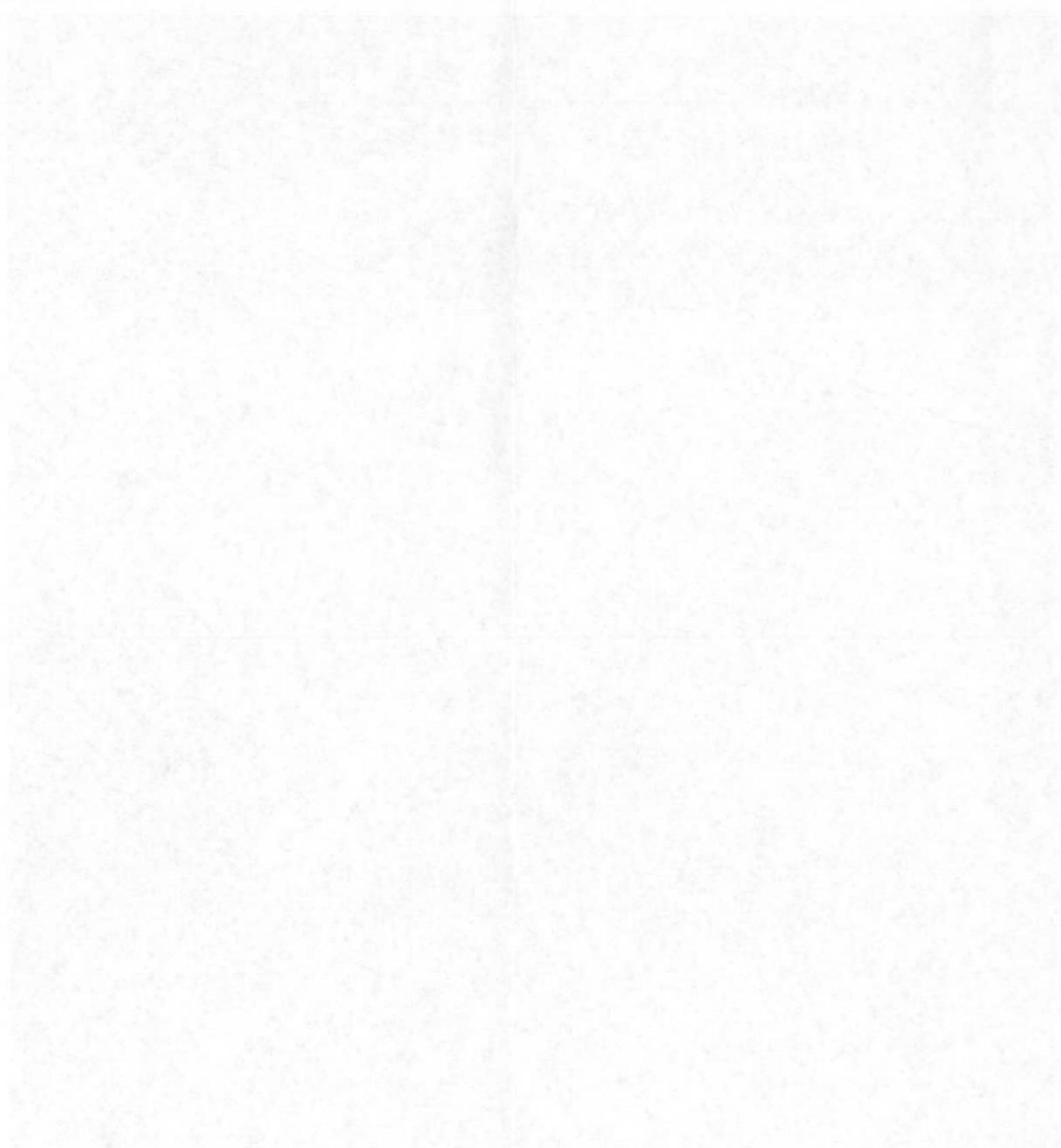
2008 Orthophotography
2 FOOT CONTOURS

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

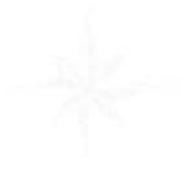
NBL-97



FEBRUARY 14, 2012



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USA
ISBN 0-226-12000-0



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**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

**915 MERCER STREET * SANTA FE, NEW MEXICO 87505
(505) 983-5588 * FAX (505) 989-7313
jim@jwsiebert.com**

MEMORANDUM

Date: February 1, 2013

To: Jose Larranaga

From: James Siebert *JWS*

Re: Cielo Colorado

The following is a response to County staff and state agency comments.

Fire Marshal

The Existing Condition plan has been modified to accurately show the location of existing fire hydrants within the Cielo Colorado development. The fire hydrant locations for the roads that will be constructed in the future will be determined at the time of subdivision application for each phase of development.

Public Works

There was a request to demonstrate that the low water crossing is passable during a 100 year storm event. Accompanying this memorandum is a report prepared by Jorge Gonzalez, P.E., which determined that a fire truck could pass through the low water crossing during a 100 year storm event.

Planning

The master plan has been modified to show a 100 foot building setback from US 285. A trail location has been added to the master plan. The details on the trail construction will be provided with the subsequent subdivision plats.

Cielo Colorado
rescomments1-2013



NBC-98

Affordable Housing

The Affordable Housing Division is requesting that the location of the off-site units be identified as part of the application for master plan. The applicant would ask for a deferral of the location of the off-site affordable units until the master plan is approved and the subdivision application is submitted. Identifying the location at this time would require a financial commitment to secure lots or homes. If the master plan is not approved the financial still remains.

A request for a fee in-lieu-of has also been submitted to the Affordable Housing Division. The applicant would like to review the fee and determine which of the two options will be chosen.

New Mexico Department of Transportation

The NMDOT has estimated that a right turn deceleration lane may be warranted in the year 2033. The applicant would request an update to the traffic study in the later phases of development to verify the need for a right turn lane. The NMDOT will have to issue a driveway permit for the subdivision and maintains control over future approvals of Cielo Colorado.

The NMDOT has identified a concern over the capacity of a 24 inch culvert at the entry to Cielo Colorado that is outside the US 285 right-of-way. As part of the application for the subdivision the engineer will evaluate the capacity of the culvert and determine if storm waters enter onto DOT right-of-way.



**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

915 MERCER STREET * SANTA FE, NEW MEXICO 87505

(505) 983-5588 * FAX (505) 989-7313

jim@jwsiebert.com

February 13, 2013

Jose Larranaga
Commercial Development Case Manager
102 Grant Ave.
Santa Fe, NM 87501

Re: Case #Z/S 12-5450, Cielo Colorado Master Plan

Dear Mr. Larranaga:

Meetings have been held with the Lot 15, Eldorado at Santa Fe, Cielo Colorado homeowners and adjoining neighbors to the Cielo Colorado development. As a result of these meetings and e-mails that I have received I would like to incorporate the following changes and clarifications to the existing master plan application.

Issue

There is only one point of access to Lot 15. If that access is blocked there is no other emergency access to the Lot 15.

Response

We are proposing an emergency access from the internal roads within the Cielo Colorado master plan to the road that accesses the County Transfer Station. This would be a basecourse road that would be constructed as part of the improvements for the first phase of the development. Since land exchanges are needed between the County and the developer this would require a separate action by Board of County Commissioners. I am proposing that this be presented in concept form along with the master plan. If the County Commission approves the master plan and the concept for the emergency access we will formalize the land exchange and details for the emergency access improvements.

NBC-100

Issue

Curve in the vicinity of Camino Acote and Calle Cal is dangerous due to lack of visibility and ice in the winter.

Response

The developer is willing to cooperate with the Cielo Colorado HOA and adjoining lot owners to lay back the slopes within the existing easement and trim vegetation to improve sight distance. Hopefully this will improve solar gain and reduce icing on the road.

Issue

Lack of natural gas to the properties and the cost of butane

Response

Meetings have been held with the New Mexico Gas Company on the extension of gas lines located north of Cielo Colorado through existing easements located in the Ridges Subdivision or along US 285. As part of the subdivision application the developer will request a definition of the alignment and the cost for the extension of the gas line. The Cielo Colorado Homeowners Association will be kept informed as to the progress of the NM Gas Company design and cost for installation of gas service.

Issue

A resident in the Cimarron Subdivision adjacent to the northwest boundary of the master plan is concerned about the dwellings in close proximity to his property and the loss of view.

Response

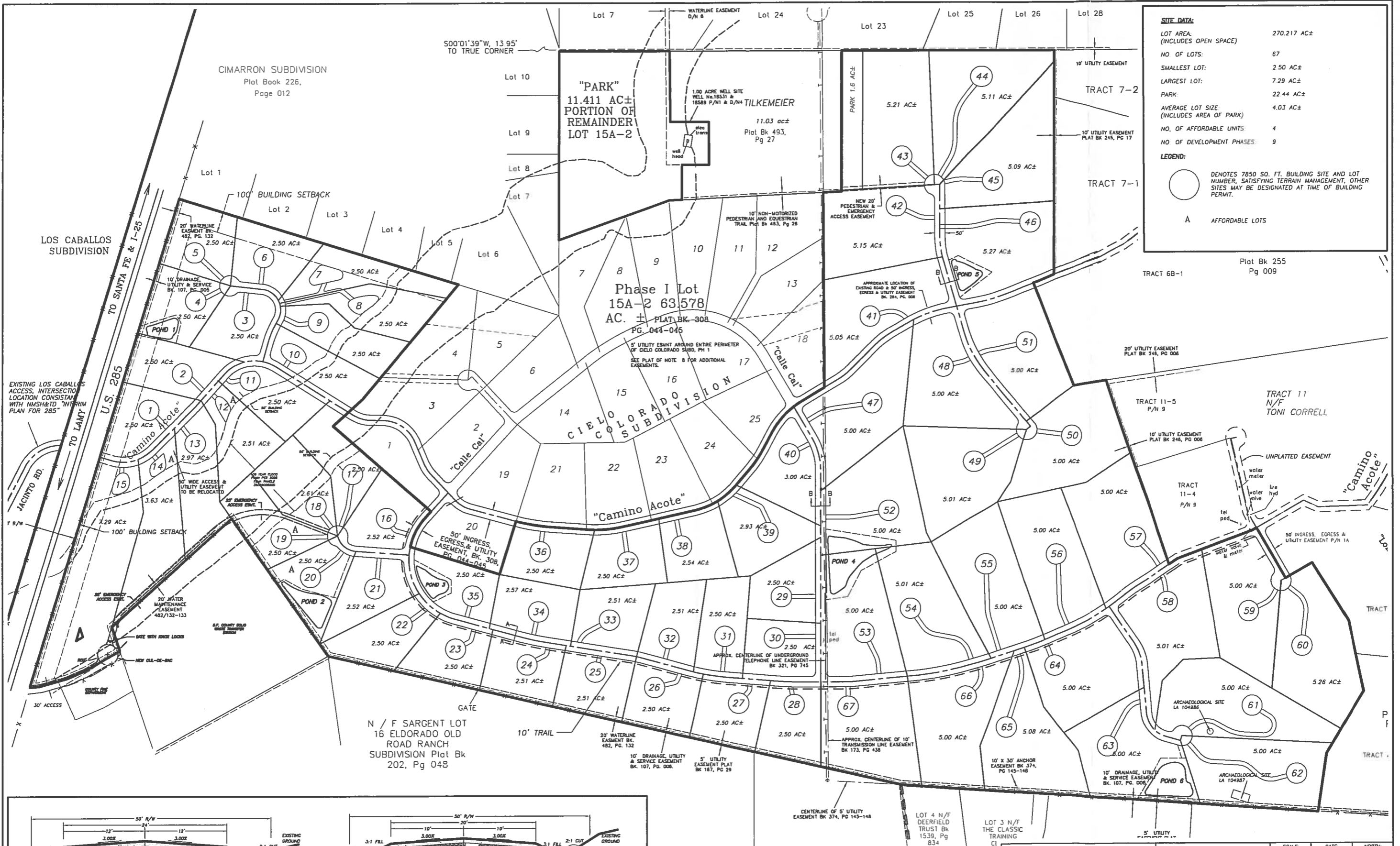
The location of buildings along the northwest boundary has been moved back from 50 feet to 100 feet. The covenants limit building heights to 15 feet measured from the high point of the lot. The developer will abide by the covenants restricting the height of the buildings.

Sincerely,



James W. Siebert

Xc: Ed Dezevallos
Chris Dezevallos



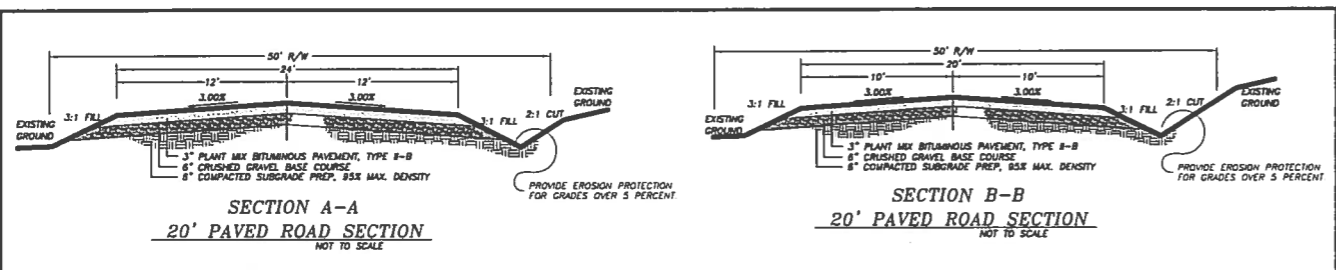
SITE DATA:

LOT AREA (INCLUDES OPEN SPACE)	270.217 AC±
NO. OF LOTS:	67
SMALLEST LOT:	2.50 AC±
LARGEST LOT:	7.29 AC±
PARK:	22.44 AC±
AVERAGE LOT SIZE (INCLUDES AREA OF PARK)	4.03 AC±
NO. OF AFFORDABLE UNITS	4
NO. OF DEVELOPMENT PHASES	9

LEGEND:

○ DENOTES 7850 SQ. FT. BUILDING SITE AND LOT NUMBER, SATISFYING TERRAIN MANAGEMENT, OTHER SITES MAY BE DESIGNATED AT TIME OF BUILDING PERMIT.

A AFFORDABLE LOTS



JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE NEW MEXICO 87505 (505) 983-5588 FAX (505) 989-7313	SCALE: 1"=200' DRAWN BY: HF REVISED: 06/00/00 WORKED ON: 2/11/13	DATE: SEPTEMBER 2012 CHECKED BY: JWS FILE NAME: 2012 1620-MOPK-1	NORTH SHEET: P-6
	CIELO COLORADO SUBDIVISION MASTER PLAN		

N36-102

M:\SERIES\ENR\Projects\Shawnee\Subdivisions\Cielo Colorado\13114\13114020448P\13114.dwg 2/11/2013 11:38:47 AM

which schedule is on file at the Office of the Public Works Director and the Land Use Office.

8.1.12 Construction of roads or other required improvements may be phased according to a schedule that is part of an approved master or development plan.

8.1.13 Local roads shall be laid out so that their use by through traffic will be discouraged.

8.2 Road Design

Construction and design standards shall be according to sound engineering practice as follows:

8.2.1 Classification of Highways, Streets and Roads

8.2.1a Arterial Roads and Highways

A major arterial road or highway has from two to six driving lanes, may be divided with a median, and has sufficient additional right-of-way to provide for turning lanes and additional width at major intersections. Major arterials have an average daily traffic of more than 5000 vehicles and a minimum right-of-way of one hundred feet (100'). A minor arterial road has an average daily traffic of 2000 to 5000 vehicles, serves 200 to 1000 dwelling units or lots, and has a minimum right-of-way of sixty six (66) feet. Asphalt paving is required for major arterials at a minimum depth of five (5) inches and for minor arterials to a minimum depth of four (4) inches. Separated driving lanes or park-ways are encouraged. See Appendices A, B.1, B.2 and B.3 for further detail.

8.2.1b Collector Roads

A collector road has two (2) twelve (12) foot driving lanes. It serves 61 to 199 dwelling units or lots and has an average daily traffic volume of 601 to 1999 vehicles and a minimum right-of-way of fifty (50) feet; paving shall achieve a minimum depth of three (3) inches. See Appendices A, B.1, B.2 and B.3.

8.2.1c Local Roads

A local subcollector road has two (2) twelve (12) foot driving lanes, serves 31 to 60 dwelling units or lots, and carries an average daily traffic volume of 301 to 600 vehicles with a minimum right-of-way of fifty (50) feet. A local subcollector road has a six (6) inch minimum surface thickness of crushed gravel base course material, provided it can be shown that such minimum thickness is adequate based on sub-grade soil conditions; a plasticity index of eight (8) to twelve percent (12%) shall be provided. A local lane, place or cul-de-sac road serves 0 to 30 dwelling units or lots and carries an average daily traffic volume of 0 to 300 vehicles with two (2), ten (10) foot driving lanes with a minimum right-of-way of fifty (50) feet. Local lanes, places and cul-de-sac roads shall be constructed with the same sub-grade and base course specifications as the subcollector road. See also Appendices A, B.1, B.2 and B-3 and Section 8.3 of this Article.

8.2.1d Cul-de-sacs

Cul-de-sacs (dead end roads) shall not be longer than five hundred (500) feet. At the closed end there shall be a turn around having a minimum driving surface radius of at least forty-two (42) feet for roads under 250 feet long and of at least fifty (50) feet for roads 250 feet and longer. A suitable alternative, such as a hammerhead turn around, may be acceptable if approved by the Code Administrator and the Fire Marshal. All turn around areas shall be designed to protect existing vegetation and steep terrain. There shall be a minimum right-of-



way diameter at the closed end of one hundred (100) feet. In low density residential areas the length of cul-de-sacs may be adjusted by the County Development Review Committee with the changes consistent with public safety factors. For local roads designated as a lane or place and designed to a twenty foot (20') width, the turn-around area remains the same as specified above.

8.2.1e Other Road Standards

Design standards are further exhibited on Appendix 5 A - Road Classification and Design Standards.

8.2.2 Curve Radii and Superelevation

Vertical and horizontal curves and the superelevation of the horizontal curves shall conform to the requirements as set forth in the American Association of State Highway Transportation Officials publications "A Policy on Geometric Design of Rural Highways", hereinafter described as AASHTO Standards, a copy of which is available for review at the Office of the Code Administrator.

8.2.3 Intersections

Streets shall be laid out to intersect each other as nearly as possible at 90 degree right angles; under no condition shall intersection angles be less than 70 degrees. Off-set intersections of less than one hundred and twenty five (125) feet shall not be permitted. Property lines at street intersections shall be rounded with a minimum radius of twenty-five feet (25') or a greater radius when necessary to permit the construction of a curb and sidewalk and shall provide for arc radius as required for arterial roads.

8.2.4 A tangent of sufficient distance shall be introduced between reverse curves on all roads and streets according to AASHTO Standards.

8.2.5 When connecting road centerlines deflect from each other at any point by more than ten degrees, they shall be connected by a curve with a radius adequate to ensure a sight distance as required by AASHTO Standards.

8.2.6 Curvature in intersection design alignments shall not be less than stopping distances required for the design speed of the road or street as per AASHTO Standards.

8.2.7 Grade percentages

Except as otherwise provided by the terrain management regulations, vertical road grades shall not exceed the following:

- a. Major and minor arterial roads or highways of 4 lanes or more with a speed limit of 55 miles per hour or greater as permitted by law: six to eight percent grade;
- b. Collector roads of 2 lanes with a speed limit of 25-35 miles per hour: ten percent grade;
- c. Local roads of 2 lanes with a speed limit of 10 miles per hour: eleven percent grade;
- d. Grades at the approach to intersections shall not exceed 3% for 100 linear feet, excluding vertical curve distance; and
- e. No horizontal road grade shall be less than one percent.

8.2.8 Cut and Fill

All roads shall be located so as to minimize areas of cut and fill and shall be located to conform to sound terrain management principles. In general, fill slopes shall not exceed a 3:1 ratio and cut slopes shall not exceed a 2:1 ratio unless it can be demonstrated with

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 plans 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.

