

**Henry P. Roybal**  
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:** April 28, 2016

**TO:** SLDC Hearing Officer

**FROM:** Miguel "Mike" Romero, Development Review Specialist Sr. *(MP)*

**VIA:** Penny Ellis-Green, Growth Management Director *PEG*,  
Vicki Lucero, Building and Development Services Manager *VL*,  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CASE # V 16-5030 Santa Fe Community Housing Trust

**ISSUE:**

Santa Fe Community Housing Trust, Applicant, Design Enginuity, Agent, request a variance of Chapter 7, Section 7.13.11.7, Water Harvesting of Ordinance No. 2015-11, the Sustainable Land Development Code (SLDC). The Applicant proposes that the existing six (6) lots within the Aldea Subdivision not be required to provide water harvesting cisterns for homes that are less than 2,500 sq. ft. of heated floor area. The Aldea Subdivision is within the Tres Arroyos Del Poniente Community District (TAPCD) Overlay and is zoned as a Planned Development District (PD-3). The lots are located on Vista Precioso, within Section 20 Township 17 North, Range 9 East, Commission District 2.

**Vicinity Map:**



## SUMMARY:

The Applicant acquired the property as evidenced by a warranty deed recorded in the records of the Santa Fe County Clerk on May 6, 2008, as Instrument No. 1524768. The subject property is located within the Aldea Subdivision. The Final Plat was recorded in 2006. Prior to enactment of the SLDC, development on these lots was subject to the rainwater catchment requirements of Ordinance No. 2003-6. Ordinance No. 2003-6 required homes of 2,500 sq. ft. of heated area or greater to install a cistern, and homes smaller than 2,500 sq. ft. of heated area to install rain barrels.

On January 15, 2016, the SLDC came into effect, repealing Ordinance No. 2003-6, and changing the rainwater catchment requirements. SLDC, Chapter 7, Section 7.13.11.7.2 states: "[s]tructures whose roof surface is 2,500 sq. ft. or greater shall install a cistern that is buried or partially buried and insulated." The Section goes on to state, "[a] structure whose roof surface is 2,500 sq. ft. or less, and any accessory structure whose roof area is 500 sq. ft. or greater shall install rain barrels, cisterns or other water catchment systems including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater from a minimum of 85% of the roofed area."

The Applicant states they are developing 6 homes on lots 29, 33, 35, 37, 39 and 41 in the Aldea Subdivision. The lots are small, typically 4,000 sq. ft. with 70% lot coverage, leaving only 1,200 sq. ft. for landscaping. The Applicant will install xeriscape landscaping which will include an anticipated annual irrigation water demand of 1,740 gallons per year. The Applicant states homes of 1,800 or 1,900 sq. ft. now have to install cisterns and that is a huge cost on a moderately priced home due to the fact that they exceed 2,500 sq. ft. when portals and garages are added in the square footage. The Applicant states that required cistern systems are typically 3,000 gallons in size and cost \$10,000 to \$14,000 to install. The Applicant also states that prior to the adoption of the SLDC, if a cistern was required, it could be sized to accommodate one month demand of irrigation water. Many of these homes in the Aldea community use very little water outdoors.

The Applicant requests a variance of Chapter 7, Section 7.13.11.7, Water Harvesting of Ordinance 2015-11, of the SLDC. The Applicant proposes that six (6) lots within the Aldea Subdivision, lots 29, 33, 35, 37, 39 and 41 be allowed to adhere to prior County water harvesting requirements, which were set forth in Ordinance No. 2003-6 (An Ordinance Amending Ordinance No. 1996-10, the Santa Fe County Land Development Code. Article III, Section 4.4.1 and Article III, Section 2.4.1 to require rainwater catchment systems for all commercial and residential development). Both Ordinance No. 2003-6 and Ordinance No. 1996-10 were repealed when the SLDC was adopted.

Aldea Subdivision is within the Tres Arroyos Del Poniente Community District (TAPCD) Overlay and is zoned as a Planned Development District (PD-3), as defined by the SLDC, Chapter 8, Section 8.10.2.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2015-11 (SLDC), which govern this Application are the following:

Chapter 7, Section 7.13.11.7.2, Water Harvesting, Catchment Requirements, Residential Structures states:

- a. Systems shall be designed to capture rainwater from a minimum of 85% of the roofed area.
- b. Structures whose roof surface is 2,500 sq. ft. or greater shall install a cistern that is buried or partially buried and insulated. The cistern shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.
- c. A structure whose roof surface is 2,500 sq. ft. or less, and any accessory structure whose roof surface is 500 sq. ft. or greater shall install rain barrels, cisterns or other water catchment system including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater from a minimum of 85% of the roofed area.
- d. Cisterns shall be sized to hold 1.15 gallons per square foot of roof area that is captured.

Chapter 14, Section 14.9.7.1, Variances, Purpose, states:

The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this Code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

Chapter 14, Section 14.9.7.4, Variance Review criteria states:

A variance may be granted by only a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) where authorized by NMSA 1978, Section 3-21-8(C):

1. Where the request is not contrary to public interest;
2. Where, owing to special conditions, a literal enforcement of the SLDC will result in unnecessary hardship to the applicant; and
3. So that the spirit of the SLDC is observed and substantial justice is done.

Chapter 14, Section 14.9.7.5 Variance Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or

minimize adverse impacts on the general health, safety and welfare of property owners and area residents.

2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant takes affirmative action consistent with the approval.

As required by the SLDC, the Applicants presented the Application to the Technical Advisory Committee (TAC) on March 17, 2016, at the regular scheduled monthly meeting, which satisfied the requirements set forth in Chapter 4, Section 4.4.4.3, Pre-application TAC Meeting and Table 4-1.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicants provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on April 13, 2016. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on April 13, 2016, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on March 22, 2016

#### **RECOMMENDATION:**

**Staff is unable to recommend approval because this request is not in compliance with the SLDC and because the criteria for a variance have not been met.**

**As part of the 6 month review of the SLDC staff will be recommending to the Board of County Commissioners that the rainwater catchment section be amended to require cisterns only on houses of 2,500 sq. ft. or greater of heated area.**

**Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission (SFCPC) will be holding a public hearing on this matter on June 16, 2016.**

#### **EXHIBITS:**

1. Applicants Request
2. Recorded Survey Plats
3. Recorded Warranty Deeds
4. Aerial of Site and Surrounding Area
5. Chapter 7, Section 7.13.11.7. (Water Harvesting)
6. Ordinance 2003-6
7. Noticing

# DESIGN ENGINUITY



1421 Luisa Street Suite E, Santa Fe, New Mexico 87505  
PO Box 2758 Santa Fe, New Mexico 87504  
(505) 989-3557 FAX (505) 989-4740  
E-mail [oralynn@designenginuity.biz](mailto:oralynn@designenginuity.biz)

March 25, 2016

Santa Fe County Land Use  
Hand Delivered

RE: Variance of Cistern Requirements for 29, 33, 35, 37, 39 and 41 Vista Precioso, Aldea  
Subdivision

Dear Sirs/Madams

With the adoption of the SLDC in December of last year, a very significant code change occurred with regards to the storm water harvesting provisions. Specifically the old code required the installation of cisterns for homes of 2,500 square feet or more of heated space. The SLDC now requires cisterns for homes with 2,500 square feet of roofed area. Thus modest homes of 1,800 or 1,900 heated square feet now have to install cisterns. This is a huge cost on a moderately priced home. The required cistern systems are typically 3000 gallons in size and cost \$10,000 to \$14,000 to install.

This significant code modification was not properly vetted. The change was buried in the new code and even Penny Ellis-Green was unaware of the change until it was pointed out to her after the code was adopted. The adopted Santa Fe County Sustainable Growth Management Plan match the previous code language: *"Conservation of water in new and existing development is important for conservation purposes. All new commercial or dwelling units of 2,500 sq. ft. of heated area or greater will include a cistern that is buried, partial buried or within an insulated structure and is connected to a pump and a drip irrigation system to serve all landscaped areas."* It seems that the change from heated space to roofed area may have been an inadvertent error.

Prior to the adoption of the SLDC, if a cistern was required, it could be sized to accommodate a one month demand of irrigation water. Many moderately priced homes in our community use very little water outdoors. The Santa Fe Community Housing Trust is developing 6 homes in the Aldea Subdivision. The lots are small, typically 4000 sq. ft. with a 70% lot coverage, leaving only 1200 sq. ft. for landscaping. The Trust will install xeriscape landscaping which will include two trees and three shrubs on a drip system along with rock mulch with a weed barrier. Annual water demand for the trees is about 750 gallons (10' diameter tree @ 9.49 gal/SF per NM Office of the State Engineer Technical Report 48), and the shrub is 80 gallons (3' diameter shrub @



8.89gal/SF). Thus the anticipated annual irrigation water demand for these homes will be 1740 gallon per year. Rain barrels beneath canales would provide much of the needed irrigation water. It seems illogical to require homeowners to install a system that far exceeds their needs especially at a cost that some buyers cannot afford.

We respectfully request a variance to allow new construction at 29, 33, 35, 37, 39 and 41 Vista Precioso, within the Aldea Subdivision to follow the previous code requirements and the Santa Fe County Sustainable Growth Management Plan recommendations which would require only those homes with 2,500 sq. ft. or more of heated space to have a cistern. We will continue to use rain barrels beneath canales for homes of less than 2,500 sq. ft. of heated space.

Sincerely,



Oralynn Guerrerortiz  
Agent for the Santa Fe Community Housing Trust

Attachment: Copies of Relevant New and Old Code





2400008

ROADS AND ALDEA ALDEA ARE PUBLIC ROADS AND CONDITIONALLY DEDICATED TO THE COUNTY, WITH MAINTENANCE BY THE ALDEA DE SANTA FE HOMEOWNERS ASSOCIATION AS THE COUNTY MAY ACCEPT MAINTENANCE OF THESE 2 ROADS.

ALL OTHER ROADS ARE GRANTED AN EGRESS, BUT ARE OWNED AND MAINTAINED BY THE ALDEA DE SANTA FE HOMEOWNERS ASSOCIATION.

NOTES:

1. THE STREET IMPROVEMENTS BEING INSTALLED WITH THIS DEVELOPMENT ARE CONDITIONALLY DEDICATED TO THE COUNTY AND ALDEA ALDEA LA VIDA TRAIL, VISTA PRECISO, CALLE LUMITA, AND 3 ALLEYS, ALLEYS AND DRIVEWAYS AT INTERSECTIONS, TRAFFIC CIRCLES ARE 10' DIAMETERS. (SEE SHEET 5)
2. CLEAR SIGHT TRIANGLES AT INTERSECTIONS, ALLEYS AND DRIVEWAYS ARE REQUIRED. (SEE SHEET 5)
3. TRAFFIC CIRCLES ARE 10' DIAMETERS. (SEE SHEET 5)
4. SEE SHEET 5 FOR TRAFFIC SIGNING PLAN.
5. THERE ARE NO PROJECT SIGNS.

LEGEND

- H HOUSE
- PH PATIO HOME
- TN TOWNHOUSE
- O/S OPEN SPACE
- TS TYPICAL DOUBLE CARPORT (SEE SHEET 20)
- DE DRIVEWAY LAYOUT
- SS SIDEWALK
- PS PAVEMENT AND BIKI TRAIL
- TL TRAIL
- ST STREET LIGHT

SPECIAL BUILDING PERMIT CONDITIONS  
1. ALL BUILDINGS SHALL BE CONFORMANT WITH THE PROVISIONS OF THE ZONING ORDINANCE AND THE PROVISIONS OF THE SUBDIVISION MAP ACT AS APPLICABLE TO THE COUNTY OF SANTA FE, NEW MEXICO.  
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE COUNTY OF SANTA FE, NEW MEXICO.  
3. THE FOLLOWING LOTS ARE TO BE CONSIDERED UNDEVELOPED LOTS:  
400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that the improvement shown on this map is in accordance with the laws of the State of New Mexico and the County of Santa Fe, New Mexico.  
Witness my hand and seal of office at Santa Fe, New Mexico, this 11th day of July, 2008.  
County Clerk, Santa Fe County, NM  
Dorothy

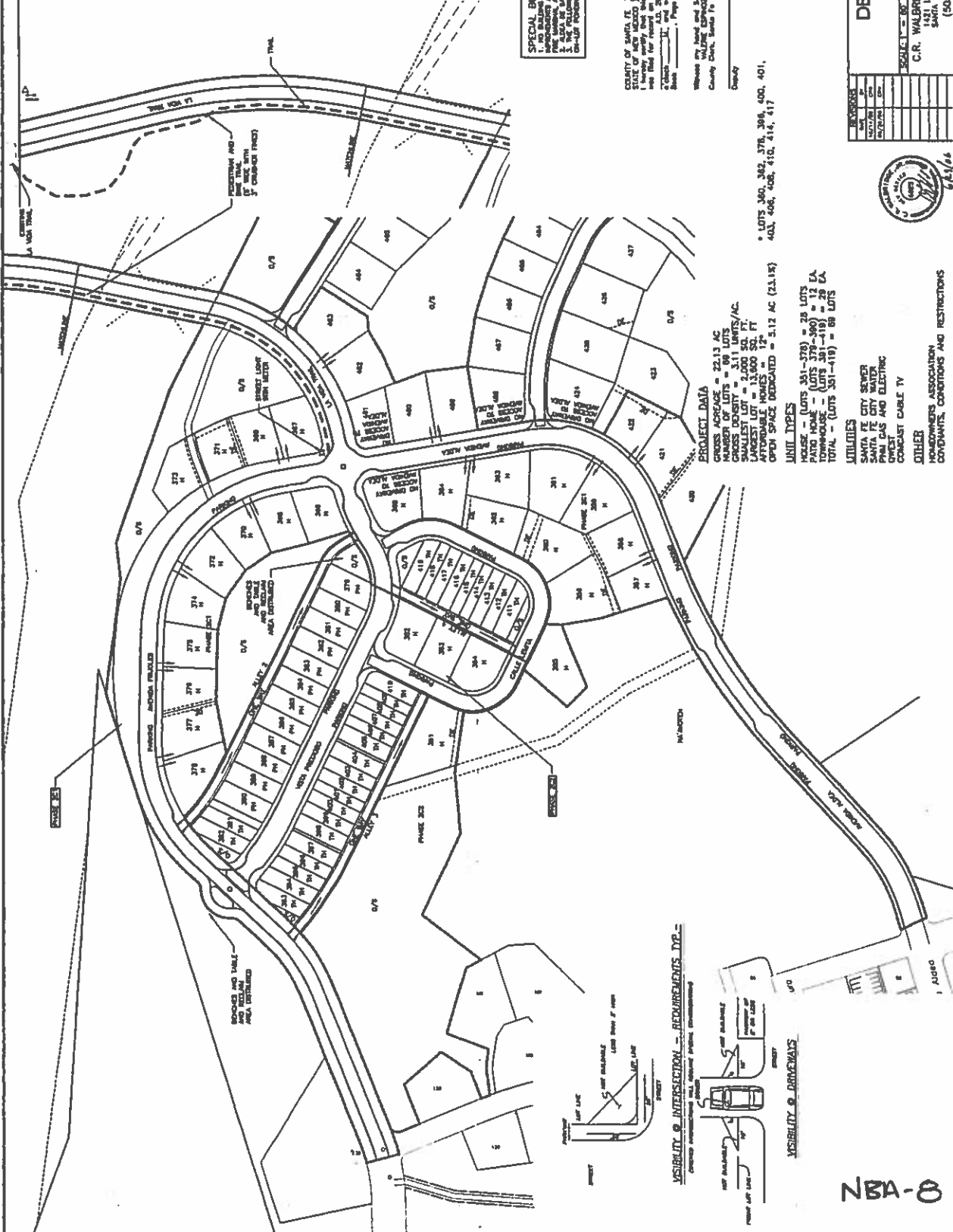
\* LOTS 360, 362, 378, 386, 400, 401, 402, 406, 408, 410, 414, 417

PROJECT DATA  
GROSS ACREAGE = 22.13 AC  
NUMBER OF LOTS = 94 LOTS/AC  
SMALLEST LOT = 2,000 SQ. FT.  
LARGEST LOT = 13,900 SQ. FT.  
ATTORNEYS FEE = 1%  
OPEN SPACE DEDICATED = 3.12 AC (21.1%)

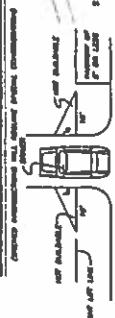
UNIT TYPES  
HOUSE - (LOTS 351-376) = 28 LOTS  
PATIO HOME - (LOTS 378-380) = 12 EA  
TOWNHOUSE - (LOTS 381-419) = 39 EA  
TOTAL = (LOTS 351-419) = 89 LOTS

UTILITIES  
SANTA FE CITY SEWER  
SANTA FE CITY WATER  
CABLE TV  
CONCRETE CABLE TV

OTHER  
HOMEOWNERS ASSOCIATION  
CONVENIENT CONDITIONS AND RESTRICTIONS



VISIBILITY @ INTERSECTION - REQUIREMENTS TOP



VISIBILITY @ DRIVEWAYS



NBA-0

DEVELOPMENT PLAN  
ALDEA - PHASE 2C

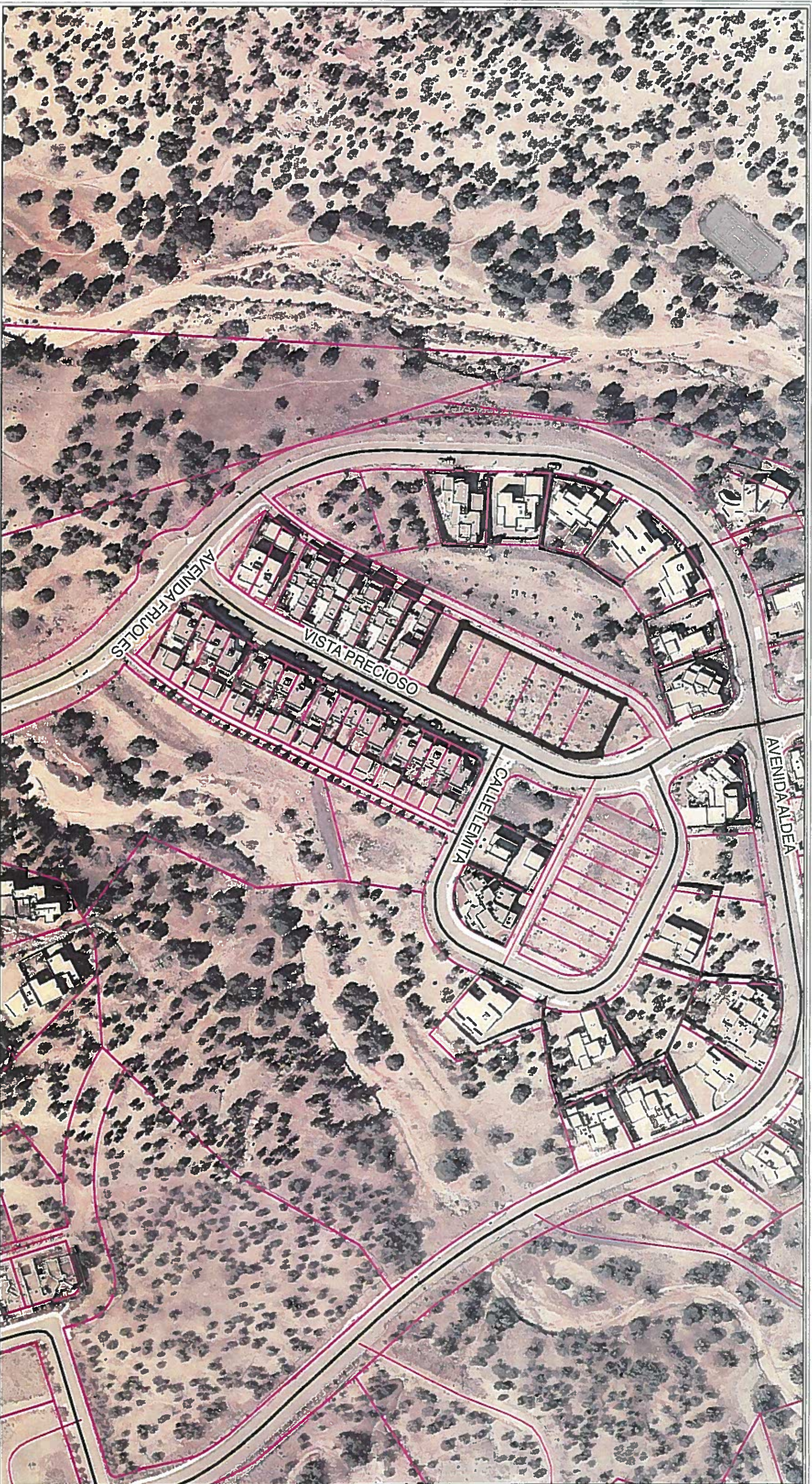
SCALE: 1" = 60'  
DATE: JULY 11, 2008  
DRAWN BY: J  
C.R. WALBRIDGE & ASSOCIATES, LLC  
1421 LUNA STREET SUITE 2  
SANTA FE  
NEW MEXICO  
(505) 982-8711  
P2C-1A



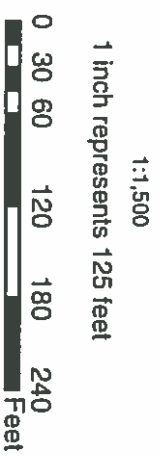








- Legend**
-  Roads
  -  DRIVEWAYS
  -  PARCELS



2015 Imagery  
2 FOOT CONTOURS

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



April 11, 2016



2. **Fugitive Water.** Fugitive water is prohibited. No person, firm, corporation, county, state, federal, municipal or other governmental facility or operation shall cause or permit the occurrence of fugitive water.

a. Fugitive water means the pumping, flow, release, escape or leakage of any water from any pipe, valve, faucet, irrigation system or facility onto any hard surface such that water accumulates as to either create individual puddles in excess of ten (10) square feet in size or cause flow along or off of the hard surface or onto adjacent property or the public right-of-way, arroyo, or other water course, natural or manmade. Fugitive water also means, during the irrigation of landscaping, the escape or flow of water away from the landscaping plants being irrigated even if such flow is not onto a hard surface.

b. Fugitive water shall not include:

i. Incidental run-off caused by vehicle washing provided that a shut-off nozzle is in use;

ii. Periodic draining of swimming pools and spas;

iii. Storm run-off, including snowmelt run-off;

iv. Flowing resulting from temporary water system failures or malfunctions;

v. Water applied, such as in the cleaning of hard surfaces, to prevent or abate public health, safety or accident hazards when alternate methods are not available. The washing of outdoor eating areas and sidewalks is not included in this exemption,

vi. Flow resulting from vandalism, high winds, emergencies and acts of God; or

vii. The occurrence of an unforeseeable or unpreventable failure or malfunction of plumbing or irrigation system hardware, prior to the issuance of a formal warning notice. Once a formal warning notice has been issued, the water user is instructed not to operate the faulty system until it is appropriately repaired, unless operating the system is integral to the operation of the facility. Once a warning notice has been issued, subsequent fugitive water events at the same location will be subject to issuance of citations.

### 7.13.11.7. Water Harvesting.

#### 1. Rainwater Catchment Systems.

a. Rainwater catchment systems are required for all new construction whose roof area is 2,500 square feet or greater. Rainwater catchment systems are required for all remodeling of an existing structure whose roof area, after the remodeling, is 2,500 square feet or greater. Rainwater catchment systems are required of any accessory structure whose roof surface is 500 square feet or greater.



b. Systems shall be designed to capture rainwater from a minimum of 85% of the roofed area.

c. Structures whose roof surface is 2,500 sq. ft. or greater shall install a cistern that is buried or partially buried and insulated. The cistern shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey water to the point of use.

d. A structure whose roof surface is 2,500 sq. ft. or less, and any accessory structure shall install as its rainwater catchment system: (i) rain barrels, (ii) cisterns, or (iii) passive water harvesting systems using berms, swales, or tree wells. The system shall capture water from at least 85% of the roofed surface.

e. Cisterns shall be sized to hold 1.15 gallons per square foot of roof area.

## **2. Catchment Requirements, Residential Structures.**

a. Systems shall be designed to capture rainwater from a minimum of 85% of the roofed area.

b. Structures whose roof surface is 2,500 sq. ft. or greater shall install a cistern that is buried or partially buried and insulated. The cistern shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.

c. A structure whose roof surface is 2,500 sq. ft. or less, and any accessory structure whose roof surface is 500 sq. ft. or greater shall install rain barrels, cisterns or other water catchment system including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater from a minimum of 85% of the roofed area.

d. Cisterns shall be sized to hold 1.15 gallons per square foot of roof area that is captured.

## **3. Catchment Requirements, Non-residential structures:**

a. Systems shall be designed to capture rainwater from the roofed area.

b. Cisterns shall be buried, partially buried or insulated and shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.

c. Cisterns shall be sized to hold 1.5 gallons per square foot of roofed area or the equivalent of a one month supply of water.

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# SANTA FE COUNTY

Ordinance No. 2003-6

2683661

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An Ordinance Amending Ordinance 1996-10, the Santa Fe County Land Development Code, Article III, Section 4.4.1 and Article III, Section 2.4.1 to require rainwater catchment systems for all commercial and residential development.

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**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT THE SANTA FE COUNTY LAND DEVELOPMENT CODE IS HEREBY AMENDED AS FOLLOWS:**

**ARTICLE III, SECTION 2.4.1 Construction of One to Four Dwellings**

2.4.1a. The following submittals and review shall apply to an application for a development permit involving the construction, alteration or repair of one to four dwellings or the construction, alteration or repair of an accessory structure:

1. Submittals

(a) The applicant shall fill out a development permit application on a form provided by the Code Administrator. The application shall be accompanied by the following:

- (vii) A water harvesting plan to capture drainage from a minimum of 85% of the roofed area for use as landscape irrigation shall be submitted.
  - a. Homes of 2,500 sq. ft. of heated area or greater shall install a cistern that is buried, partially buried or within an insulated structure and is connected to a pump and a drip irrigation system to serve all landscaped areas. Cisterns shall be sized to hold 1.15 gallons per square foot of heated area but this figure may be adjusted based on proposed landscaping. The capacity of the cistern shall be approved by the Land Use Administrator.
  - b. Homes smaller than 2,500 sq.ft. of heated area shall install rain barrels, cisterns or other water catchment basins to capture drainage from noted areas.
  - c. The water harvesting plan shall be in accordance with general guidelines prepared by the Land Use Administrator.



NBA-13

1 ARTICLE III, SECTION 4.4.1 Submittals

2  
3 b. A development plan shall be submitted for individual uses to be  
4 permitted within the district, as follows:

5  
6 6) A water harvesting plan to collect all roof drainage for use as  
7 landscape irrigation shall be submitted.

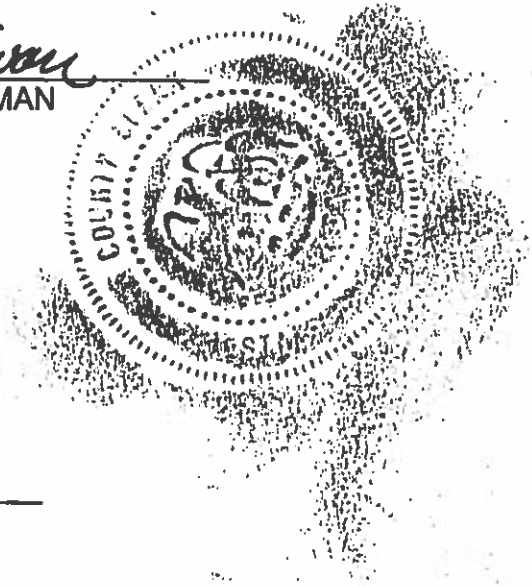
8 a. Cisterns shall be buried, partially buried or within an insulated  
9 structure and shall be connected to a pump and a drip irrigation system  
10 to serve all landscaped areas. Cisterns shall be sized to hold 1.5 gallons  
11 per square foot of roofed area. The size of the cistern may be adjusted  
12 to provide a month's worth of landscaping water. The size of the  
13 cistern shall be approved by the Land Use Administrator.

14 b. The water harvesting plan shall be in accordance with the general  
15 guidelines prepared by the Land Use Administrator.


16  
17  
18 **PASSED, APPROVED, and ADOPTED** this 14 day of October, 2003, by  
19 the Santa Fe County Board of County Commissioners.

20  
21  
22   
23 JACK SULLIVAN, CHAIRMAN

24  
25  
26 ATTEST:   
27 REBECCA BUSTAMANTE  
28 SANTA FE COUNTY CLERK



29  
30  
31 APPROVED AS TO FORM:

32  
33   
34 10-14-03  
35 COUNTY ATTORNEY

36  
37  
38 **CERTIFICATE OF FILING**

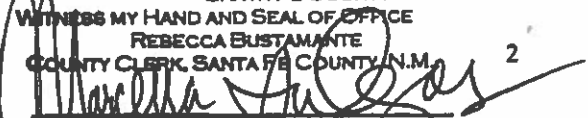
39  
40 I, Rebecca Bustamante, County Clerk, do hereby certify that the foregoing  
41 ordinance, designated as Ordinance No. 2003 - 6, was filed in my office on the  
42 15 day of OCT., 2003, in book Number 2683 at Page 661-663

43 COUNTY OF SANTA FE 12957 832  
44 STATE OF NEW MEXICO SANTA FE COUNTY CLERK

45 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED  
46 FOR RECORD ON THE 15 DAY OF OCT A.D.  
20 03 AT 12:12 O'CLOCK P M  
AND WAS DULY RECORDED IN BOOK 2683  
PAGE 661-663 OF THE RECORDS OF  
SANTA FE COUNTY





47  
48  
49 WITNESS MY HAND AND SEAL OF OFFICE  
50 REBECCA BUSTAMANTE  
51 COUNTY CLERK, SANTA FE COUNTY, N.M.  
  
52 DEPUTY

NBA 14



Account Number

1184

Ad Order Number

0000163905

DESIGN ENGINUITY, LLC

LEGAL # 80879

**CASE# V 16-5030 Santa Fe Community Housing Trust NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held to consider a request by Santa Fe Community Housing Trust, Applicant, Design Enginuity, Agent, request a variance of Chapter 7, Section 7.13.11.7, Water Harvesting of Ordinance 2015-11, the Sustainable Land Development Code (SLDC). The Applicant proposes that the existing six (6) lots within the Aldea Subdivision be allowed to adhere to prior County water harvesting requirements which were set forth in Ordinance 2003-6 (An Ordinance Amending Ordinance 1996-10, the Santa Fe County Land Development Code, Article III, Section 4.4.1 and Article III, Section 2.4.1 to require rainwater catchment systems for all commercial and residential development). The Aldea Subdivision is within the Tres Arroyos Del Poniente Community District (TAPCD) Overlay and is zoned as a Planned Development District (PD-3). The lots are located on Vista Precioso, within Section 20 Township 17 North, Range 9 East (Commission District 2.)

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 28th day of April 2016, at 3:00 p.m. on a petition to the Santa Fe County Hearing Officer and on the 16th day of June 2016, at 4:00 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Hearing Officer/Planning Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Published in the Santa Fe New Mexican on Wednesday, April 13, 2016.



NBA 15

EMPIRE SOUTHWEST LTD & ETAL  
PO BOX 35640  
ALBUQUERQUE, NM 87176

BARELA, MICHAEL R L  
94 AVENIDA ALDEA  
SANTA FE, NM 87507

KALDENBERG, DENNIS & RUTH  
HARMELINK  
52471 SUNFIELD LOOP  
GRANGER, IN 46530

J2C LLC & ETAL  
PO BOX 35640  
ALBUQUERQUE, NM 87176

BLUE RIVER CATTLE & LAND LLC  
150 ALMADEN BLVD  
SAN JOSE, CA 95113

HOLIFILED-SANDOVAL, JULIE  
89 AVENIDA ALDEA  
SANTA FE, NM 87507

ZAPPE, CHRISTOPHER T & ASHLEY  
149 AVENIDA FRIJOLES  
SANTA FE, NM 87505

DRANSFIELD, SANDRA L (TRUSTEE)  
96 AVENIDA ALDEA  
SANTA FE, NM 87507

ALDEA DE SANTA FE HOMEOWNERS  
ASSOC  
PO BOX 93488  
ALBUQUERQUE, NM 87199

SELIGMAN, ARTHUR  
1523 TAOS ST  
SANTA FE, NM 87507

FORDHAM, KAREN SUE  
9 CALLE LEMITA  
SANTA FE, NM 87507

ORTIZ, ROBERT  
4349 VUELTA DORADO  
SANTA FE, NM 87507

WALLACE, ROBIN P  
106 AVENIDA ALDEA  
SANTA FE, NM 87507

MARKS, THOMAS JR  
102 AVENIDA ALDEA  
SANTA FE, NM 87507

THOMAS, RICKY & MARY SIKORSKI  
1 CAMINO BARRANCA  
SANTA FE, NM 87507

CLARKE, SANFORD & LAURA  
11 CALLE DE MONTANAS  
SANTA FE, NM 87507-7903

JASON, JACK M & LINDA GREGORY  
92 AVENIDA ALDEA  
SANTA FE, NM 87507

WILSON, DON A & MARTHA H  
145 AVENIDA FRIJOLES  
SANTA FE, NM 87507

PIER, ALEXIS F (TRUSTEE)  
104 AVENIDA ALDEA  
SANTA FE, NM 87507

SHAPIRO, ALAN M & DEVRA G  
(TRUSTEES)  
3039 POE DR  
MONTGOMERY, TX 77356

HOWARD, SUSAN K  
21 CALLE LEMITA  
SANTA FE, NM 87507

RASHIDI, HESSAM & VIOLET RAZAVI  
91 AVENIDA ALDEA  
SANTA FE, NM 87507

THE JOHN ALLEN NAPIER & SUSAN LEA  
(REVOCABLE TRUST)  
25 CALLE LEMITA  
SANTA FE, NM 87507

HOMEWISE INC  
1301 SILER RD BLDG D  
SANTA FE, NM 87507

PIKOR, JOSEPH A  
4 CAMINO BARRANCA  
SANTA FE, NM 87507

SOSINSKI, DAVID A & TERESA B  
4 LA VIDA TRL  
SANTA FE, NM 87507-7789

GRAY, MARY W  
105 AVENIDA ALDEA  
SANTA FE, NM 87507

LEMITA INVESTMENTS I, LLC  
PO BOX 9146  
SANTA FE, NM 87504

KIRBY, KEITH R & SHARON L  
28 VISTA PRECIOSO  
SANTA FE, NM 87507

KUSTER, DOROTHY DOLORES  
93 AVENIDA ALDEA  
SANTA FE, NM 87507

LAPSYS, MICHAEL T & MARY KATHLEEN  
TRUSTE  
138 AVENIDA FRIJOLES  
SANTA FE, NM 87507

MERRIMAN, RICHARD R & JILL  
(TRUSTEES)  
140 AVENIDA FRIJOLES  
SANTA FE, NM 87507

DARR, RYAN L & MARGARET J  
144 AVENIDA FRIJOLES  
SANTA FE, NM 87507

BRENNER, RICHARD & RACHEL  
WATSON  
PO BOX 9146  
SANTA FE, NM 87504

MARTINEZ, ELIZABETH MARIE  
20 VISTA PRECIOSO  
SANTA FE, NM 87507

HOWARD, ALONA M  
PO BOX 22515  
SANTA FE, NM 87502

HULTBERG, JOSIELYNDA R & BRETT  
36 VISTA PRECIOSO  
SANTA FE, NM 87507

THRIFT, ELSIE KATHERINE  
30 VISTA PRECIOSO  
SANTA FE, NM 87507

SCHUDLICH, WILLIAM A  
14 VISTA PRECIOSA  
SANTA FE, NM 875073450

DUPONT, DENISE  
12 VISTA PRECIOSO  
SANTA FE, NM 87507-3450

PRINT, HAYLEY E  
22 VISTA PRECIOSO LN  
SANTA FE, NM 87507-3450

LANDKAMER, MARK L & FREDDIE M.  
REPPOND  
142 AVENIDA FRIJOLES  
SANTA FE, NM 87507

GREGORY, LINDA  
92 AVENIDA ALDEA  
SANTA FE, NM 87507

RODRIGUEZ, ROSALIA  
148 AVENIDA FRIJOLES  
SANTA FE, NM 87507

AUSTIN, PAMELA S  
5 VISTA PRECIOSO  
SANTA FE, NM 87507

FORDHAM, GERALD F & COLLETTE L  
2 VISTA PRECIOSO  
SANTA FE, NM 87507

HUDSPETH, GEORGE A JR & MELISSA C  
28 CALLE LEMITA  
SANTA FE, NM 87507

GRIECO, ANTHONY J & PAMELA M  
1 CALLE VENTOSO E  
SANTA FE, NM 87506

SANDBERG, THOMAS J & BRENDA S  
7-B W VIA PLAZA NUEVA  
SANTA FE, NM 87507

BELL, JUDITH V (TRUSTEE)  
2175 STANDING ROCK DR  
GRAND JUNCTION, CO 81507

PAZANIN, SANDRA M  
150 AVENIDA FRIJOLES  
SANTA FE, NM 87507

ROMERO, AMELIA TRUSTEE  
PO BOX 4936  
SANTA FE, NM 87502

MARASCIULO, DIANE  
26 VISTA PRECIOSA  
SANTA FE, NM 87507

VAZQUEZ, ANTHONY FRANK & ETAL  
82 AVENIDA FRIJOLES  
SANTA FE, NM 87507-3432

MILLER, WILLIAM C & BENITO G  
ESTRADA  
359 SHOREHAM CIR  
CASTLE PINES, CO 80108

WRIGHT, DARCY L & KIRBY M  
1604 MARBELLA DR  
VISTA, CA 92081

BAUMBACH, JAMES  
4 GENERAL SAGE  
SANTA FE, NM 87505

PACHECO, MARIA T  
124 RIDGECREST DR  
SANTA FE, NM 87505

MARTIN, MICHAEL F & SUSAN L  
10125 JAMES HARBIN AVE  
LAS VEGAS, NV 89129-5014

MURSKI, EUGENE & CAROL S  
15 CALLE VECINOS  
SANTA FE, NM 87507-8607

*NBA-17*

CARRIER, REBECCA  
5 B W VIA PLAZA NUEVA  
SANTA FE, NM 87507

BURKE, ARLENE JO  
21 VISTA PRESLOSA  
SANTA FE, NM 87507

BAUMBACH, JAMES WILLIAM  
4 GENERAL SAGE DR  
SANTA FE, NM 87505

DRISCOLL, RICHARD J & BILLIE J  
PO BOX 2621  
SANTA FE, NM 87504-2621

RESS, DAVID & LUCILLE MITROVICH-  
REO DEPT  
1010 ROSINE ST APT 310  
HOUSTON, TX 77019-3869

ROBELLO, JON & BETSY  
23 VISTA PRECIOSO  
SANTA FE, NM 87507

THOMPSON, T BRADLEY & PATRICIA A  
11 VISTA PRECIOSA  
SANTA FE, NM 87507


MOORE, LINDA  
34 VISTA PRECIOSO  
SANTA FE, NM 87507

SANTA FE COMMUNITY  
HOUSING(TRUST)  
PO BOX 713  
SANTA FE, NM 875040713  
LA TIERRA TOWNHOUSES LLC  
PO BOX 9146  
SANTA FE, NM 87504

SWAGER, MARK H & PATTY A  
17 VISTA PRECIOSO  
SANTA FE, NM 87507-3448

**CERTIFICATION OF POSTING**

I herby certify that the public notice posting regarding a Site Development Plan Case # 16-5050 was posted for 15 days on the property beginning the 13<sup>th</sup>, day of April, 2016. \*\*

  
\_\_\_\_\_  
Signature

\*Photo of posting taken from a public road must be provided with affidavit.

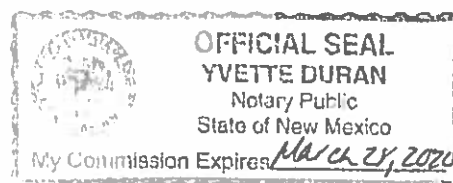
**\*\*PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 15 days. It is the Applicant's responsibility to ensure that the notice is on the property for the full 15 days. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

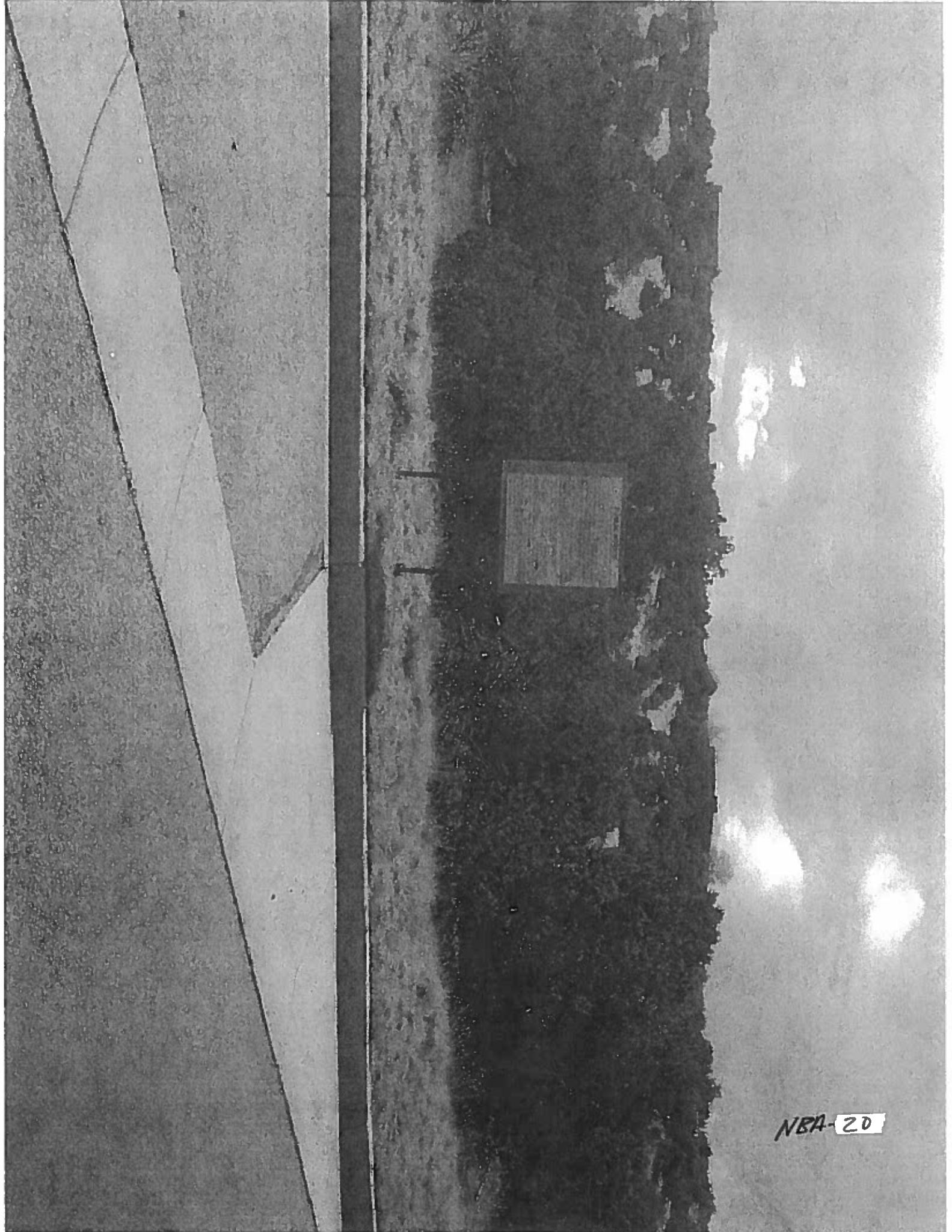
STATE OF NEW MEXICO    }  
  }  
COUNTY OF SANTA FE    }

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of April, 2016, By Charlie Gonzalez.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
March 28, 2020





NBA-20





NBA-21