

# SANTA FE COUNTY

## *Resolution No. 2000 - 165*

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**A RESOLUTION AMENDING RESOLUTION 1999-137, THE SANTA FE COUNTY GROWTH MANAGEMENT PLAN, AS AMENDED, TO ADOPT AND INCORPORATE THE RIO TESUQUE COMMUNITY COMPREHENSIVE LAND USE PLAN.**

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**WHEREAS, in February 1995 both the Extraterritorial Zoning Authority and the Board of County Commissioners authorized preparation of a community plan for the Tesuque traditional community; and**

**WHEREAS, the Village of Tesuque was designated a Traditional Historic Community by County Ordinance 1998 - 6 approved by the Board of County Commissioners on May 26, 1998 and is therefore no longer under the jurisdiction of the Extraterritorial Zoning Authority; and**

**WHEREAS, the planning effort was begun by the Tesuque Land Trust and assumed by the Rio Tesuque Land Alliance when the Land Trust withdrew from its role as the planning committee; and**

**WHEREAS, with County support the Rio Tesuque Land Alliance has completed a Sewer Feasibility Study and a Traffic impact study for the village and submitted the Rio Tesuque Comprehensive Land Use Plan to the County for approval as a community plan; and**

**WHEREAS, on October 26, 2000 the Tesuque Development Review Committee reviewed the community plan and after considering all public testimony and proposed amendments made a recommendation to the Board of County commissioners to approve the plan with amendments; and**

**WHEREAS, public hearings were held before the Board of Commissioners on November 14, 2000 and December 12, 2000 to consider approval of the Santa Fe Northwest Community Plan; and**

**WHEREAS, the requirements of County Ordinance 1998-5, the Community Planning Process, for plan process, notice and review have been complied with; and**

**WHEREAS, the policies of the Rio Tesuque Comprehensive Community Plan conform to the overall goals and policies of the Santa Fe County Growth Management Plan; and**

**WHEREAS, the status of community, neighborhood, and sector plans is advisory only and is to be used as a guideline for the review and approval of zoning changes or ordinance amendments, acceptance of public dedications, or capital improvements programming.**

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that:

1. The Rio Tesuque Community Comprehensive Land Use Plan, with all amendments, attached as Exhibit A to this Resolution, is hereby adopted; and
2. Resolution 1999-137, the Santa Fe County Growth Management Plan, is hereby amended to incorporate The Rio Tesuque Community Comprehensive Land Use Plan.

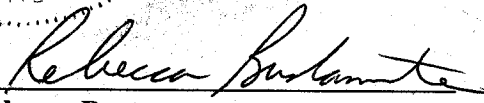
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PASSED, APPROVED AND ADOPTED this 12<sup>th</sup> day of Dec., 2000.

BOARD OF COUNTY COMMISSIONERS

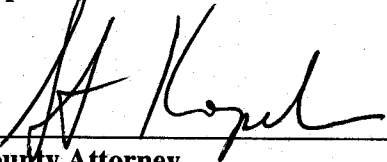


Paul Duran, Chairman

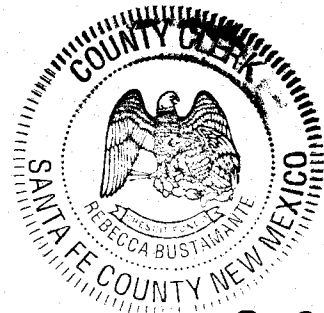



Rebecca Bustamante  
County Clerk

Approved As To Form:



County Attorney

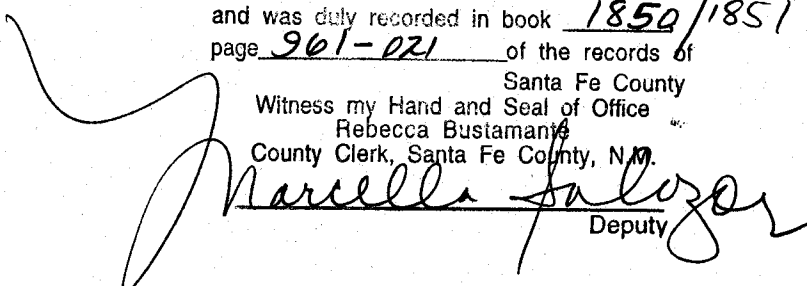


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COUNTY OF SANTA FE } SS  
STATE OF NEW MEXICO }

I hereby certify that this instrument was filed for record on the 26 day of Jan A.D. 20 01 at 12:05 o'clock P.m and was duly recorded in book 1850/1851 page 901-021 of the records of

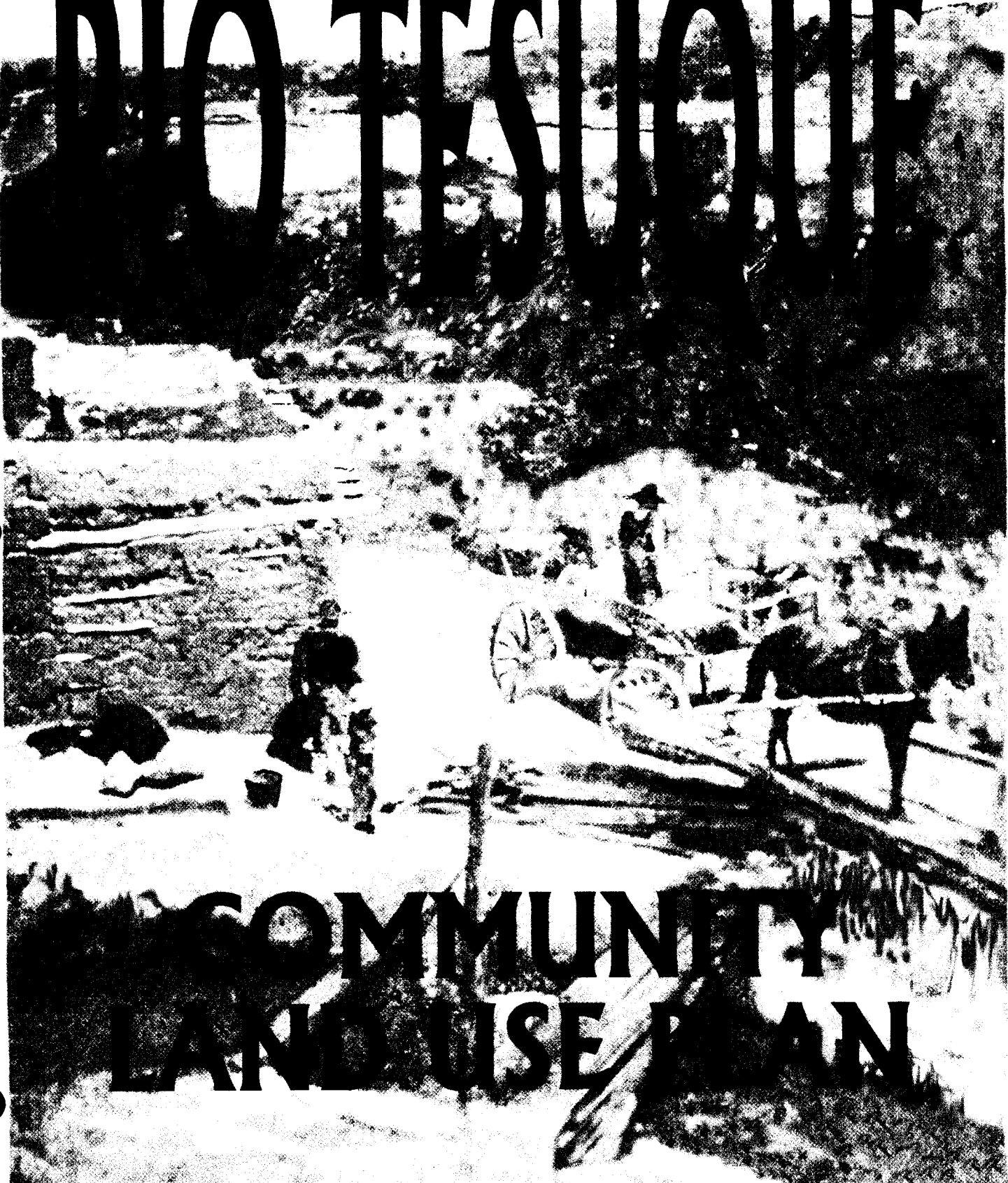
Santa Fe County  
Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.



Deputy

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# NOTES



# COMMUNITY LAND USE PLAN

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# RIO TESUQUE

## COMMUNITY LAND USE PLAN

Drafted by

Board Members of the  
Rio Tesuque Land Alliance

&

David DiCicco, Architect

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# Rio Tesuque Community Land Use Plan

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Adopting Resolution

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## **Tesuque Land Use Plan Reading Guide**

This plan is organized to lead the reader logically through the process of developing the plan.

### **Background Information:**

Article 1 explains the purpose, authority and jurisdiction of the plan.

Article 2 outlines the community description and history.

Article 3 reports planning issues and the results of the Tesuque community survey.

Article 4 discusses current and planned land use descriptions.

### **The Plan**

Article 5 contains the plan overview or executive summary.

Article 6 outlines proposed strategies to implement the planned land uses.

### **How the Plan can be Amended**

Article 7 explains how to amend the plan, and;

### **Appendix**

Article 8 definitions, table of native plants, maps.

Articles 1 and 2 contain general information. Articles 3 and 4 contain background information used to formulate the overview and the implementation strategies.

Article 5 provides a brief overview or summary and Article 6 is the crux of the plan as to how Tesuque proposes to meet its planning expectations in the coming years.

# **ARTICLE 1. GENERAL PROVISIONS**

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## **Section 1.1 Title**

This Plan shall be known and may be cited as the "Rio Tesuque Land Use Plan" and shall be referred to elsewhere herein as "the Plan."

## **Section 1.2 Purpose and Intent**

This Plan is intended to preserve, protect and sustain the environmental integrity of the Rio Tesuque watershed through land use planning, community education and collaborative partnerships with other groups concerned with managing the ecological relationship shared by the watershed and the communities and land therein.

This Plan is predicated on the understanding that protecting the rural and environmental integrity of the Village requires managing the human impact of growth. Growth must be environmentally sensitive and balanced with individual rights, collective community well being and the ecological system that surrounds us.

This Plan is directed toward assuring that the natural history, open space, archeological record, historical agricultural elements and rural character the Traditional Historic Community of Tesuque are protected, reclaimed, preserved and enhanced for present and future generations.

In addition to the issues mentioned above, this Plan is concerned with traffic management on local roads, water quality and quantity, waste water management, development and historic trail preservation and maintenance.

It is most importantly the intent of this Plan to establish and promote a formal process through which the residents of Tesuque may fully participate in the planning and development review processes.

Upon adoption, the Rio Tesuque Community Land Use Plan will become part of the Santa Fe County Growth Management Plan (the General Plan). The Plan will be the basis for zoning the community and it will guide the Local Development Review Committee and the Board of County Commissioners when making land use decisions.

## **Section 1.3 Authority**

This land use plan is created pursuant to the authority set forth in Sections 3-21-1 et. seq. NMSA 1978; Section 3-21-5 NMSA 1978; Section 4-57-1 to 4-57-3 NMSA 1978; and Section 4-37-1 NMSA 1978 et. seq. of New Mexico State Law regarding land use planning and zoning.

Santa Fe County has also initiated a County-wide planning effort through two major Ordinances: 1998-5 outlining the Community Planning Process; and 1998-6, adopted 26 May 1998, granting the ~~1998-6~~ <sup>1998-6</sup> of 71 Tesuque Traditional Historic Community status.

## **Section 1.4 Jurisdiction / Plan Area**

These provisions are applicable in the area designated as the Traditional Historic Community of Tesuque and the Traditional Community of Tesuque as shown on the map in appendix 9.1 of this Plan. The boundary is as follows: On the west, the right-of-way of Highway 84/285; on the south the City limits of the City of Santa Fe as of May 26, 1998; On the east, the boundary follows the existing Traditional Community District boundary and then the USFS boundary of the Juan de Gabaldon Grant incorporating the entirety of privately held parcels within Section 30 (SW 1/4, W 1/2 of SE 1/4, S 1/2 of NW 1/4, and SW 1/4 of NE 1/4) as depicted on the parcel map and thence along the existing Traditional Community District boundary; On the north and northwest, the boundary follows the existing Traditional Community District (parcel boundaries of private in holdings within the Pueblo of Tesuque) and then the boundary of the Pueblo back to the Highway 84/285 right-of-way.

## **Section 1.5 Severability**

The Provisions of this Plan are severable. If any sentence, clause, section or part of the Plan is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any remaining provisions, sentences, clauses, sections or parts of this Plan or its application to persons or circumstances.

## **Section 1.6 Interpretation**

The provisions of this Plan are held to reflect the desires of the Traditional Historic Community of Tesuque. Whenever any sentence, clause, section or part of this Plan conflicts with any other Regional, County, City or State Plan the provisions of this Plan shall govern. This Plan shall be construed broadly to promote the purpose and intent for which it was adopted.

## **ARTICLE 2. COMMUNITY DESCRIPTION, HISTORICAL OVERVIEW & PLANNING PROCESS**

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### **Section 2.1 Description**

The Rio Tesuque community in Northern New Mexico consists of approximately 1,600 persons situated adjacent to the Pueblo of Tesuque, a Native American community of roughly 450 residents. The Tesuque Community is set in a clearly defined five square mile area along the Rio Tesuque. This river valley, at the base of the foothills of the Sangre de Cristo Mountains, gives Tesuque its unique bioregional characteristics. It lies between the City of Santa Fe to the south, the Santa Fe National Forest to the east, the Pueblo of Tesuque to the north and US Highway 285 to the west.

*(See Traditional Historic Village Boundary Map)*

### **Section 2.2 History**

The name "Tesuque" is a Spanish version of the Tewa Indian "tat' unge' orwi" which means, "cotton wood place."

The Pueblo of Tesuque lies immediately to the Northwest of the community of Tesuque and its occupation extends back to at least 900 AD. Noted for the artistry of its pottery and equally for its adherence to Pueblo tradition, the tribe has had a relatively low historical profile. A noted exception to this is the fact that they launched the initial offensive against the Spanish Colonists in 1689, which temporarily expelled the conquerors from the region.

Tesuque Village was originally a portion of the land utilized by the Indians of Tesuque Pueblo. The first evidence of Hispanic settlement in the Rio Tesuque area occurred in 1732 after the de Vargas 'Reconquest' of 1692. In 1732, Antonia Montoya sold Juan de Benavides a piece of land containing much of what is now Tesuque. El Rancho Benavides extended from what is now the southern boundary of Tesuque Pueblo to the junction of the Big and Little Tesuque rivers between the mountain ridges on the East and West of the river. El Rancho Benavides became known as San Isidro (the patron saint of farmers and the name still used for the local church) and later Tesuque Village. In 1752, Juan de Gabaldon obtained much of the Rio Tesuque region in a land grant from the Spanish Territorial Governor. Much of this land grant is still intact today. In 1776, Fray Francisco Dominguez visited Rio de Tesuque village and documented that it contained 17 families with 94 people.

Much of the community is defined by its relationship to the traditional acequias, or irrigation ditches, that date back to the 18th century. The acequias were, and are, much more than merely a means of fairly distributing crop irrigation water. In fact, the acequias are similar to an arterial system linking the whole community. In addition to providing irrigation water, acequias also supplied the community's drinking water, served as routes connecting individual habitations and through the "mayordomos" control of water

rights, provided an effective political system that structured the entire village society. Land transaction and acequia records through the Spanish and Mexican periods show continued use of the valley and its water for agricultural purposes. Those same acequias irrigate the valley today, with over 150 registered water users belonging to the four acequia associations of the valley. The patterns and configurations of land division and land use in Tesuque today reflect this historic acequia network and the associated agricultural uses of the past.

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Traversed by the Rio Tesuque, the watershed has long been utilized by both the Native American and Spanish settlers as a route into the nearby Sangre de Cristo Mountains, for purposes of moving herds of sheep, hunting and the gathering of firewood, pinones and other food sources and raw materials. Portions of the historic trail system remain intact today, and are used by both residents and nonresidents, primarily for recreational uses.

Though numerous houses and buildings used for business purposes undoubtedly date back much further, Archdiocese records date the current San Isidro de Tesuque sanctuary at 1886. The Tesuque Elementary School began serving this community and neighboring Traditional Communities in 1930, and is one of the oldest school buildings in the Santa Fe Public School system. Bishop's Lodge, a hotel-resort lying within the community, was purchased and developed as a personal retreat by Archbishop Lamy in the mid 1800s.

The lives of the current area residents, whether Indian, Spanish or the more recent Northern Europeans are still intermeshed through many of these environmental, economic, cultural and historical commonalities.

## **Section 2.3 Planning Process**

Like many rural communities throughout the American West, Tesuque is experiencing the impact of recent and pronounced growth; in our case, primarily from Santa Fe. Because Tesuque is a ten-minute drive from Santa Fe, that community's outlying area development, particularly to the north, is beginning to encroach on our community. We are seriously concerned about the maintenance and preservation of Tesuque's intrinsic rural character. That character derives its uniqueness from the larger geographic context of the high desert, its historical and cultural diversity and its community spirit.

Residents formed strong community alliances to address concerns regarding the impact of continued uncontrolled development and to express their strong desire to maintain Tesuque's rural and cultural heritage. These alliances include Las Tres Villas (a neighborhood association established in 1974, which included Tesuque, Chupadero and Rio en Medio), the Tesuque Land Trust, the Rio Tesuque Land Alliance and several ad hoc grassroots organizations. While organized to address the concerns of the greater community, these organizations have remained severely limited by the lack of a community-based land use plan.

Up to now, Tesuque has struggled to maintain its distinctive landscape and rural quality, even though Santa Fe, a city of over 60,000 within a metropolitan area of 120,000, continues to grow around it. Because Tesuque is a small community separated from the City of Santa Fe by hills and ridges, and because its population density and demographic characteristics are so distinctive, Tesuque does not desire to be annexed by Santa Fe or otherwise lose its identity. As a means of avoiding annexation, Tesuque sought and achieved Traditional Historic Community designation. The designation, a legal status under state law, was granted through a petition process and hearing before the Santa Fe County Commission. The Traditional Historic Community designation provides that community members must vote to approve annexation by Santa Fe. Given the overwhelming community opposition to annexation, the designation effectively prevents Tesuque's absorption by Santa Fe.

There are, however, virtually no land use plans in place for Tesuque that respond to local concerns. In 1981, the Santa Fe Board of County Commissioners adopted a countywide land use plan and land development code. Neither that plan nor the development code addressed many of the land use and planning issues now facing Tesuque. In 1978, Las Tres Villas developed a local land use plan for the Tesuque area. The Four Corners Commission funded the Plan, which was based on public input from community meetings. The 1978 Plan addressed specific local concerns regarding land use and infrastructure issues the community had determined to be crucial to the community's continued well being. The community presented the Las Tres Villas plan to the Board of County Commissioners. While that planning effort did not succeed, due to a variety of obstacles, it provided the foundation upon which the Rio Tesuque Land Alliance drafted and now presents this plan. Remarkably this Plan is consistent with the concerns and intentions of the 1978 Las Tres Villas plan.

Tesuque is located in an area of overlapping, and often conflicting, planning, zoning and subdivision jurisdictions. Numerous planning activities in the greater Santa Fe area have been ongoing: the County and City have both adopted new general plans, road planning has been progressing and City-County planning for the extraterritorial area has been initiated. Tesuque, however, lacks land use/environmental/recreational planning to help protect the community's special qualities and resources from being engulfed and destroyed by uncontrolled growth. In response, the Rio Tesuque Land Alliance developed this community-based plan founded on sound planning analysis, intimate use of citizen direction and standards tailored to the scale and nuances of the local landscape and human needs and aspirations.

The problems described above are hardly unique to Tesuque. In fact, our community represents a microcosm of many the endemic problems found throughout the rural American West. It is, therefore, the intent of the Rio Tesuque Land Alliance to document its visions, goals, methodology and results toward the creation of an environmentally and culturally sustainable land use planning model for use and adaptation in other area communities as well as throughout the American West. Our intention is to integrate watershed management principles into our land use planning model to further enhance the model's value throughout the West.

**ARTICLE 3. PLANNING ISSUES FOR CREATING A SUSTAINABLE  
COMMUNITY/COMMUNITY SURVEY SUMMARY**

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**Section 3.1 Introduction**

Respondent profile: Two hundred thirty nine (239) individuals owning property (identified through Santa Fe County Property Tax lists) within the boundaries of the Traditional Community of Tesuque were mailed surveys. One hundred fifty nine (159) returned them. This represents an approximately 65% survey return rate. Seventy-two percent (72%) of the respondents were Anglo and 19% were Hispanic. One each American Indian and Asian responded. Eleven respondents chose not to identify their ethnicity. Fifty-one percent (51%) had lived in Tesuque 10 or more years. Eighty-five percent (85%) of the respondents were 41 + years old. Fifty percent (50%) were 51 + years old. Twenty-one percent (21%) indicated that their families had lived in Tesuque for more than 75 years.

**Section 3.2 Community Concerns**

Several factors, both internal and external, conspire to damage or destroy the sustainability of Tesuque's historic, cultural and environmental characteristics. Most of these factors are endemic to rural northern New Mexico communities and throughout the American West. Through careful design and farsighted planning we can address these problems before they destroy the rural character of the village.

The following are the major community-expressed concerns that identify problems addressed in this Plan:

1. The impact of extensive growth in non-residential uses within the traditional community.
2. The impact of potential growth in large-scale non-residential land uses in the US 285 highway corridor.
3. The need for management and control of residential development.
4. The environmental and visual impact of river edge, ridge top and side slope development in the Rio Tesuque Valley.
5. The need for community water and liquid waste disposal systems to prevent further ground water contamination.
6. Establishment of a comprehensive trail network including preserving historic trails, some of which are over 1000 years old.
7. Protection of riparian areas, flood plains, wildlife habitats, open space, and arable and irrigated farmlands.
8. Protection of historically and archeologically significant areas including the ancient acequia irrigation system.
9. Protection of the roadscapes and scenic corridors of Bishop's Lodge Road, County Road 73, other village thoroughfares and US 84/285.

While these community design and land use planning problems are isolated here for manageability, most are overlapping. Actions taken in one context will impact the remaining concerns. Due to the interlocking nature of the problems facing the community an integrated comprehensive design and planning approach is most effective in creating a sustainable community.

### **Section 3.3      Non-Residential Land Uses in the Traditional Community**

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#### **Current Condition:**

There are very few non-residential or commercial uses in Tesuque. The attached existing land use map shows the location of the major commercial uses which include the Post Office, Tesuque Village Market, Shidoni Foundry, El Nido, Bishop's Lodge and Santa Fe Mountain Center. The mobile home park at the northern entrance to County Road 73 is on Tesuque Pueblo property. There is really only one clustered commercial area in the community, the area at and around the intersection of County Road 73 and Bishop's Lodge Road (County Road 73A.) That "commercial node" contains only a small mobile home park, the Tesuque Village Market and El Nido. The US Post Office is just North of that node on County Road 73.

#### **Community Survey Results:**

The survey contains 13 questions relating to commercial development in the Tesuque area. It is obvious from the survey results that those who responded clearly do not want additional commercial development in the community.

In the survey respondents indicated that:

1. Tesuque should NOT encourage more business development in the village. (88.5%)
2. They did not want businesses that attract tourists. (94.25%)
3. Rio Tesuque has enough businesses. (78.5%)
4. A summer time farmer's market for locally grown items would be welcome. (81%)
5. Tesuque artists should be able to make and sell their arts and crafts out of their homes. (81%)
6. Tesuque is primarily residential and agricultural and that retail businesses should not be allowed. (75.6%)
7. Home-based businesses should be allowed. (39% agreed with this statement, Almost 52% disagreed.)
8. The area around the triangle (the intersection of County Road 73 and Bishop's Lodge Road) should be developed into a town center with lots of different retail stores. (91% disagreed)



## **Section 3.4 Large-Scale Non-Residential Uses on the Highway Corridor**

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Of the 13 survey questions dealing with commercial development mentioned in Section 4.2 above, 3 specifically address the North and South US 84/285 entrances as well as the highway corridor itself. Survey respondents overwhelmingly agree that commercial development should be strictly regulated at the two highway entrances and along the corridor. It is interesting to note that the responses to the following three questions indicated that Tesuque residents consider even large-scale residential or mixed use developments as contrary to the community's rural character.

### **Specific Survey Responses Are:**

1. A shopping center should NOT be built at either of the Tesuque entrances on US 84/284. (85% agreed)
2. Tesuque residents object to any development along the US 84/285 corridor that would interfere with the rural character of the community. (89% agreed)
3. Tesuque residents support changing zoning codes to prevent large-scale mixed use developments at either highway entrance into the community. (85% agreed)

## **Section 3.5 Environmental & Visual Impact of Ridge-Top and Side-Slope Development**

The questions in this section relate to the visual impact of increasingly dense development in Tesuque. The more dense development becomes, the less rural the community will be. Here we will discuss the results of the rural character and open space questions as well as those directed specifically at ridge-top and side slope development or what can be seen. We do not in any way suggest that as long as dense development cannot be seen that it is acceptable. Any development density increase carries negative impacts on quality of life, natural resources, natural environmental quality, traffic and wildlife.

### **Specific Survey Responses Are:**

General-

1. Almost 99% of respondents want to maintain Tesuque's rural character.
2. 97.5% felt preserving open space was necessary to maintaining the rural character. According to an informal survey, residents back up this attitude with action. It seems that often when property is put up for sale neighbors buy it to keep it undeveloped.
3. 76.5% feel that maintaining views from roads is an important component of Tesuque's rural character.
4. Around 50% of respondents think that fence types and heights should be regulated to preserve views of the rural countryside. (22.5% had no opinion on fence types and 12% had no opinion on regulating fences).

#### Land Use and Development:-

5. Almost 86% disagreed that people should be able to do anything they want on their own land. (Furthermore, almost the same percentage does NOT think a property owner should be able to profit from his/her land however they want.)
6. 92% want Tesuque to control its own growth and development.
7. Almost 96% would NOT welcome a housing development near their land.
8. 92% think subdivision restrictions are important.
9. Almost 90% want a local community-based land use authority to review subdivisions to insure compliance with community environmental and land use standards.
10. Over 96% want future development to provide its own adequate public services including; community water and waste water and traffic management.
11. 94% feel that new construction should NOT cause any increased erosion.
12. Over 60% want any subdivision regulations to encourage family land transfers.
13. Just fewer than 88% know that strict zoning ordinances are important in controlling future growth.
14. 87% agree that regulating a person's use of her/his own lands is necessary.
15. 87+% do NOT think landowners should be able to subdivide whenever they want. (State law supports this attitude.)
16. Respondents were almost equally divided on making family land transfers 'easy.' Almost 20% of respondents had no opinion.
17. Over 71% opposed new residential development near their land.
18. And, over 84% want strict steep slope restrictions written, adopted and enforced.

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### **Section 3.6 Community Water & Waste Water Systems**

The range of Survey responses to water issues is interesting. It is one of the few survey areas (along with wastewater management) where rather large percentages of respondents expressed 'no opinion.' This probably indicates that residents need more information before they can either agree or disagree with survey statements.

#### **On specific water related statements the Survey results are:**

1. Over 62% responded that water is in short supply in Tesuque. Just over 30% had no opinion and most likely do not have enough information to make a statement.
2. Regarding the Aarnodt water adjudication, 63% of respondents knew something of the case while almost 30% had no opinion.
3. 77% felt the water from their wells was good enough for drinking and cooking.
4. Over 86% agreed that continued subdivisions were a threat to water quality.
5. 57% don't think septic tanks protect ground water. Here again, almost 30% had no opinion.
6. Almost 48% of respondents don't know if Tesuque needs a new safe drinking water source. However, 35% think they do.
7. 52% agree that Tesuque needs a wastewater management system, but as we've seen before, almost 38% don't know.

8. Almost 50% of respondents think septic systems are a potential ground water contaminator, but the other 50% don't know.
9. However, over 86% agree that regulations are necessary to protect ground water in the future.

It is clear from the survey results that residents require much more information in order to make informed decisions about water and waste water policies for the community.

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### **Section 3.7 Comprehensive Trail Plan**

Trails are an important component of the community fabric. Historically, the acequias were trails between farms providing a socially structured geographically based communication system in rural areas. Today, trails can provide recreation as well as alternative transportation methods for residents to travel through the community. While this section of the survey did not directly address the historic nature of trails in Tesuque, it did delve into contemporary ideas for the development, use and maintenance of a trail system.

#### **Survey results on trails:**

1. Over 94% agreed that outdoor activities, many of which include trail use, add the Tesuque's overall quality of life with 78% stating that hiking and/or horseback riding are important recreational activities for family and friends.
2. Almost 52% do NOT want mountain biking allowed on local trails.
3. 84% agree that public access to all historic trails should be protected by some sort of ordinance. Fully 67% of respondents want "public access" to mean only Tesuque residents.
4. Almost 60% do NOT think individual landowners have the right to block access to historic trails. This is a problem throughout the Western United States. Private property owners are trying to block public access to public lands where the access crosses private land holdings.
5. Just over 67% of respondents agree that public access to National Forest trails should be protected even if that access crosses private land.
6. 67% want private landowners to grant easements allowing community access to National Forest trails.

### **Section 3.8 Protection of Watershed, Flood Plains, Wildlife Habitats, and Arable Farmland**

#### **Watershed**

As you can see from the watershed map below, a large portion of the watershed is situated on Federal and Indian lands. Any effort to develop succinct water and waste water policies must involve the US Forest Service and Tesuque Pueblo in a discussion that includes, but is not limited to, vegetation management (logging), wildlife management, grazing and other special use permits, recreation policies, etc. All have significant impacts on the downstream watershed.

The survey results outlined in section 3.6 above relate to this discussion of the Tesuque watershed.

**Specific responses are:**

1. 55% think the Rio Tesuque's is not adequately protected by current policies but over 42% have no opinion.

Watersheds are interconnected geo-hydrolic structures that include streams, drainages and ground water flows that share a common drainage area. In a watershed, surface and ground water flow generally in the same directions unless significant sub-surface geologic structures (such as earthquake faults) interrupt that flow.

(See Watershed Map)

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**Acequias**

One of the most important considerations in water shed management is the acequia system. This ancient socio-political-agricultural system is the cornerstone of virtually every Northern New Mexico community. Active acequias are the single most significant indicator of the cultural health of the rural community. Tesuque's community survey demonstrates that almost all respondents have at least some understanding of the importance of the acequia system.

**Survey Responses:**

1. 95% of respondents agree that acequias are an important part of Tesuque's history.
2. Almost 93% understand that the acequias are an important source of irrigation water for gardens and orchards.
3. Over 75% think the acequias will continue to be important in the future.
4. 84% don NOT support the sale of acequia water rights to developers; and,
5. 96% agree that acequia water rights should be preserved even if the water is used only to keep the valley green.

Flood plains and arable farmlands are both integral considerations with the watershed/acequia discussion. Northern New Mexico's rural communities are carefully woven socio-political fabrics of water, flooding and farming.

(See Acequia Map)

**Flood plains**

There are two main flood plains along the Little Tesuque Creek and Tesuque Creek which flow through Tesuque from south to north. There are also several arroyos that provide temporary flood plains. Notable arroyos include the arroyo along Griego Hill Road, Arroyo Pequeno and Arroyo Griego. There is also a large arroyo draining the west side of the community that starts west of highway 84/285 and intersects Tesuque Creek approximately directly opposite the Griego Hill Road arroyo. These areas are controlled for development under current Santa Fe County Flood plain Management regulations. However, there are a large number of buildings already in the flood plains. Additionally, there are most likely, on-site wastewater disposal systems (septic systems) in the flood plains. Septic systems in flood plains pose significant dangers to polluting the ground water particularly during flooding. Typically the

soils in these areas are extremely permeable to water, further exacerbating the problem. Every effort must be made to eliminate on-site wastewater disposal systems from the flood plains.

(See FIRM Flood Plain Map)

### **Arable Farmlands**

In the community survey, only one question was directed toward protecting arable irrigable farmlands. Almost 87% of respondents want to protect farmlands. In addition, most of the remaining questions in the survey are predicated on an assumed desire to maintain a rural character in Tesuque. The survey also queries respondents about land use and development density, open space and rural character, acequias, trails and recreation and water quality. In all these subject areas the questions frame rural character as the base line for the discussion.

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### **Wildlife Habitats**

In this section, as in the arable farmland section, there is only one specific survey question regarding wildlife habitat. However, due to its 'rural-character' philosophical basis, the survey addresses wildlife indirectly in other questions. One need only understand that one of the most important characteristics of a rural environment is the frequent occurrence of wildlife in that rural environment. The one direct survey question asks if residents are concerned about protecting wildlife habitat. Just fewer than 90% responded that they are in fact concerned about wildlife habitat protection.

## **Section 3.9      Protection of significant Historical and Archeological Areas**

Santa Fe County has a map of archeological sites in the Tesuque area. Due to the possibility of vandalism and/or theft, Santa Fe County will not publish this information. However, the Tesuque Community Survey indicated that over 91% of respondents desire to protect historical and archeological areas and sites. (Note: Acequias are the most recent postcolonial historic system in the community..)

We must develop a mechanism for protecting our cultural heritage.

## **Section 3.10      Bishops Lodge Road and US 84/285 Corridor Roadscape/Scenic Corridor**

The community survey contains several references to Bishops Lodge Road, the US 84/285 corridor and entrances from the highway onto County Road 73 in the Business Development and Traffic Sections.

### **In the Traffic section responses were:**

1. Over 90% favored increased enforcement of speed governing traffic laws.
2. Almost 66% did NOT agree that the speed limit should be raised to 35 mph.

3. 86% did not favor large truck and tourist bus traffic on Bishop's Lodge Road.
4. Over 94% did NOT want traffic solutions for US 84/285 to increase local traffic on Bishop's Lodge Road.
5. Respondents were almost evenly divided over the idea of speed bumps as a traffic control device. The speed bump advocates hold a slight advantage over opponents.

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It is clear from observation and the survey results that County Road 73 and Bishop's Lodge Road, both of which provide access to and from Santa Fe, contribute to the community's rural character. However, part of CR 73 from south of the Village Market to US 285 has been widened and has a different less rural feel from the remainder of the intimate tree-canopied CR 73 and Bishop's Lodge Road.

## **ARTICLE 4. CURRENT & PLANNED LAND USE DESCRIPTION**

### **Section 4.1 Rural Character / Open Space**

#### **Current:**

Rural character can be defined as open space, of or relating to the country, country life or agriculture. Typically land is either used for farming or left unused or "open." If there are residential land uses, the lots are described in terms of the number of acres per dwelling unit rather than the number of dwelling units per acre. In other words, land uses housed in built structures are far less dense than those in suburban or urban areas.

One of Tesuque's greatest open space dividends is the large area of federally controlled or National Forest Service lands directly to the east of the community. Another open space source in ready supply is agricultural land including pastures, croplands and orchards. Hillside slopes that are too steep for building also provide open space within the Tesuque Valley setting. To a lesser degree, roads and residential yards also provide open space, but not of the same open vista-filled quality as forest and farmlands.

*(See Current Land Use Map)*

#### **Planned:**

Communities grow at variable rates and in different ways as society evolves. Tesuque should be allowed to flourish and evolve functionally, socially, culturally and aesthetically as the community sees fit. Planned land uses must be responsive to the variable rate and result of the community's evolution while maintaining the community's unique rural character. The Plan should, therefore, not fix or predetermine the exact physical results of continued development. Instead, it should provide a conceptual fabric of performance guidelines that address the functional, social, cultural and aesthetic properties of Tesuque.

In 1969 Kevin Lynch wrote in The Image of the City about the elements that contribute to the image of place of a city. Today those elements are indeed applicable to Tesuque as a village - a place where people enjoy their lives and hold fast to their individual and social identities. Lynch's elements are:

Identity: The individuality, uniqueness or oneness of a place.

Structure: The area's spatial or pattern relationship to observers or other objects.

Meaning: Based on practical or emotional perception of and response to an area.

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The challenge is how to develop implementation strategies that maintain the identity, structure and meaning of Tesuque while allowing for individual creativity and socio-cultural evolution. Those strategies should be:

Identity: A green river valley oasis in the high desert.

Structure: Intimate, organically developed rural village.

Meaning: Northern New Mexico Traditional Historic, Tri-Cultural, Agricultural Community.

We believe that Tesuque should remain rural in character with about the same building density that it now has. Tesuque's building density varies from within the older village area where uses and buildings are closely clustered to the outer areas where land uses and buildings are much more widely scattered. There should be about the same amount of open space, even more if possible, the same amount of agriculture and the same number of businesses. Tesuque residents are certain that a significant amount of development of any kind will change the rural identity, structure and meaning of their community.

We also know that the community will grow. The challenge is to develop a managed method of growth that maintains Tesuque's identity, structure and meaning. Any proposed growth management method must include community involvement in the development proposal review process.

## **Section 4.2 Natural Resources**

### **Water Quantity:**

Tesuque residents view water as a limited resource that can be used as a justification for developing growth management restrictions. However, there are several regional hydro/geology studies in which scientists have not supported the idea of using water quantity as the sole growth management criteria. According to those studies there is enough water to sustain relatively strong development growth far into the future. Tesuque residents, in turn, have direct personal experience with wells and irrigation flows that water is not a constant, abundant and unchanging resource in the village.

In 1964, the New Mexico Office of the State Engineer completed the "Upper Rio Grande Hydrographic Survey" for the Pojoaque, Nambe, and Tesuque watershed. That hydrographic survey delineates each irrigated parcel in the village by parcel identification, location and size. It is unclear whether the indicated acreages are land area or surface water right. It is important to note that hydrographic, or hydrologic, surveys record surface water rights only. They do not indicate how much water is actually

available. Tesuque residents know that 'owning' a certain quantity of surface water rights does not guarantee that quantity of water will be available in a given year.

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Geohydrological studies investigate geologic structures that affect ground water availability (and quality) in a given area. It is important that once the geohydrologic study is complete that its information be regularly correlated with climatological data to ultimately determine annual water availability in the area and what most likely affects that availability. Then, Tesuque will know the true extent to which they can use water quantity as a growth limiting resource. Since water availability is the primary "quality of life" component, it must be directly linked to other "quality of life" issues when developing managed growth initiatives.

In 1980 the County designated zoning based on an analysis of land area in relation to the amount of ground water in storage to support population for 100 years and calculated threshold sizes for villages after which "development of surface supplies, or the importation of water, or the conversion of existing found water supplies would be required." Therefore current Santa Fe County Zoning for Tesuque (3/4 acre lots) presumes that development of community water systems will be needed to serve the growing village. Twenty years later the use of better conservation technologies such as recycling, reuse, recharge and water harvesting could be added to the list of methods to provide long term supply. If the community decides to not develop community water systems, lot sizes could be correlated with the Hydrologic Zone that requires lots larger than 2.5 acres.

**Water Quality:**

Water quality is the major natural resource consideration. In Tesuque, much of the existing development is along streams and arroyos. Streams are the surface manifestations of flowing hydrologic systems that include subsurface water-carrying geologic structures. This hydrologic system both delivers and receives water to and from the surrounding soils along its entire length. They contain soils that are quite pervious to water. Sometimes these hydrologic systems are much more extensive than the stream itself. On-site liquid waste disposal systems (septic systems), animal waste, fertilizers and other agricultural chemicals present real environmental hazards to these hydrologic systems. The combination of liquid waste, animal waste, fertilizers and chemicals, seasonal high water tables and porous soils speed ground and surface water pollution along hydraulic structures. The cumulative downstream flow compounds the impact to water users below.

**Soil:**

According to records at the US Natural Resource Conservation Service office in Santa Fe, the Tesuque Valley and surrounding foothills contain more than 24 soil types that are subject to development; most particularly individual on-site sewage disposal systems. The soils range in type from highly porous, those that allow water to pass quickly through, to occluded, those soils that block or severely slow the passage of water. The more porous soils are those that can act as aquifer recharging areas. Granular porous soils also erode more easily although some of the silt and clay soils also produce large amounts of fine



particles easily transported by flood waters or blown by wind. Both of the two general soil types are scattered throughout the valley, so it is difficult to characterize general areas as either porous or occluded. General mapping is available at the USNRCS office. More specific soil type parcel mapping would be most useful in evaluating development proposals.

**Air:**

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Air quality is of primary concern to the health of any community. Witness today's alarming increase in the incidence of asthma in children. Most scientists attribute this increase to increased atmospheric pollution. Particulate pollution has increased steadily since the beginning of the industrial revolution.

There are several sources of particulate pollution in Tesuque:

1. Vehicular traffic within and around the community, especially on dirt roads.
2. Heating appliances in homes - particularly those fueled with wood.
3. Shidoni Foundry.
4. The Tesuque Glass Works.

Current New Mexico Environment Department Air Quality Regulations allow a polluting industry to more easily locate in an area with clean air than into an area with already polluted air. For example, if a gravel crushing operator wanted to locate in the state that company would find the State application and approval process much easier in a more pristine environment than in Albuquerque. The village of Tesuque wants to work with the New Mexico Environment Department Air Quality Division to enforce existing regulations of existing businesses. The community also wants to help the NMEDAQD develop more community specific regulations and to be kept apprised of pending and completed enforcement actions within the village.

**Night Skies:**

Light pollution is an increasing problem even in rural areas, such as Tesuque, due to its proximity to large urban areas and the influx of new homes with suburban-style outdoor decorative and security lighting. Much of the light pollution problem can be attributed to ignorance of the effects of outdoor lighting on our view of the night skies.

**Native Plants ( See appendix 8.2)**

General: Tesuque lies between 6650 and 7530 feet above sea level in the foothills of the Sangre de Cristo Mountains. The high desert area is generally known as a pinon/juniper belt that moves toward a pinon/juniper ponderosa pine forest.

In addition to native plant species, immigrants introduced many new plant types over the years. The most prevalent non-native plants are Siberian Elms, Russian Olive and the many varieties of fruit trees that are common to the valley.

Planned Plant Resources:

Rural areas are often identifiable by the proliferation of native plants in a natural uncontrolled setting. Manicured lawns are not representative of rural areas. Any unnatural, non-native landscaping is obvious and usually requires intensive water consumption to maintain. Every effort must be made to minimize the impact of introduced non-native landscaping plants and materials. Lawn size, area and types should be carefully managed. Residents should make every effort to replace all non-native species of trees, in particular Siberian Elms, with the native Mountain Cottonwood and Fremont Cottonwood for which the Valley was named.

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### Animals:

Wild animals common to the Tesuque Valley include deer, raccoon, bobcat, porcupine, black bear, fox, coyote, cottontail and jackrabbit, skunk, weasel, squirrel and chipmunk. Many types of birds are common. Some of the not so common native birds include wild turkeys, quail and grouse. Many species of reptiles such as lizards and snakes are common inhabitants of the Tesuque area. The river, though seasonally intermittent, hosts at least one variety of trout and several other species of fish, as well. In addition to the wild animal population, the village is home to many types of farm animals such as pigs, cows, horses, sheep, goats, chickens, ducks and geese. Household pets abound as well.

### Planned Animal Resources:

One of the most attractive aspects of rural life is seeing wild animals. Some animals eventually adapt in some ways to the presence of people. However, as more people move to rural areas the resultant increased development eliminates the natural habitats for many of these animals and birds. The Plan must implement measures to protect or even rebuild natural wildlife habitat areas. It must also protect wildlife from domestic animals, especially dogs that are allowed to run free. However, it is not the intention of the plan to encourage wildlife to come into or inhabit developed areas of the valley where interaction with, or dependence on, people would be detrimental to wildlife.

## **Section 4.3 Cultural Resources**

A major component of comprehending the meaning of the Traditional Historic Community is to know and understand its history. History is learned, passed on and interpreted by written information, verbal information and by studying the remains of the earlier parts of our culture. Virtually every piece of property in Tesuque has a history that could be uncovered, studied and understood in the context of the region, the community and the specific site itself. One of the most interesting aspects of the cultural resources of a traditional historic community is that some of the resources that give Tesuque its rich culture and cultural history are still in use today. Those resources include, but are not limited to, the acequia system and the roads and trails in and through the village.

Cultural resources include historic resources such as:

1. archeological sites and areas from prehistoric times;
2. archeological sites and areas from native American-Pre-Spanish Colonial times;

3. significant archeological and historic sites from Spanish Colonial times;
  4. significant archeological and historic sites from American Colonial times; and, 1850987
- Cultural resources including historic resources that are still in use today such as:
5. Native American, Spanish Colonial and American Colonial trails, acequias and meeting places.

The State Office of Cultural Affairs has documented archeological and historic sites in Tesuque that would fall into items 1-4 listed above. Santa Fe County has those sites plotted on its Geographic Information System maps. However, due to a fear of damage to those sites, neither the State nor County will publish the locations of archeological sites.

The most significant cultural resource may be the tri-cultural population in the village. Each culture has its own history, customs, beliefs, dreams and aspirations. The more accepting, tolerant and understanding we are of each other's cultural foundations, the stronger and more vital our community will become.

## **Section 4.4 Traffic**

Cars are the most significant transportation mode within, to and from Tesuque. A 1998 traffic study by Wilson Company summarized the traffic conditions as follows:

"The existing traffic conditions operate at an acceptable level of performance for the existing condition. The segment also has an accident rate below the statewide average with no unusual accident characteristics. The OD Study reveals that there are less commuter users than local users. Recommendations for the village of Tesuque will be made as part of a separate study for the Rio Tesuque Land Alliance."

Although the engineer's study indicates, from a traffic-engineering standpoint, that the traffic system is adequate for current traffic volumes, the survey results show that respondents perceive a traffic congestion and noise problem. This is significant because it may mean that residents are reacting to a noticeable change in the amount and speed of traffic in their community. The traffic study used an average annual growth rate of 2.5% which would double Tesuque's population by 2008. The traffic study claims that even if the 2.5% annual growth rate were extended to 2019, the current infrastructure could easily handle the resulting traffic volumes. However, this assessment of the roads' ability to handle traffic load does not address their ability to simultaneously accommodate use by equestrians, bicyclists and pedestrians safely.

The traffic study did not consider the rural character of the community from a human perception viewpoint. Increased traffic volume is another indicator of the sometimes not-so-gradual loss of a community's self image or regional fit.

While the traffic on US 84/285 is beyond Tesuque's jurisdiction, village access from the North and South is of great concern. The ability to enter the highway from either entry is a problem that needs to be addressed.

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Speed remains a significant problem on County Roads 73 and 73A and NM State Road 591, three arterial roads in the Village. A recent Wilson & Company study indicates that on some stretches of paved roads in the village 96% of drivers exceed the posted speed limits. The percentage of drivers exceeding the posted speed limit ranges from a low of 7% on one section of Bishop's Lodge Road to over 96% southbound on County Road 73 by the Post Office. Speed presents two obvious problems: safety and noise. There are many small dirt roads and driveways, often with poor visibility, entering and exiting directly into traffic. Accident rates are higher than for the greater region. Many of the accident types revealed in the study involve rollovers, which are another indication of excessive speed.

Noise (unwanted sound) is a serious problem with higher speed traffic. A moving vehicle is a linear sound source. Noise diminution over distance from linear noise sources is minor. Noise diminishes only 1.5-3 decibels (dB) for each distance doubling from the source. If one measures a vehicle noise at 60 dB 25 feet from the roadway, the noise level at 50 feet will be 57 dB and at 100 feet still 54 dB. A noise must drop by at least 10 dB in order to sound half as loud. To get the vehicle noise down to 50 dB, the listener would have to move over 200 feet away from the roadway. Along many parts of Bishops Lodge Road, CR 73 & 73A and NM State Road 591, many houses are within 50 feet of the roadway. Any sound that is louder than the background noise level in a home is going to be noticed. At night when TV's, radios and appliances are not generally in use a home's background noise level may be as low as 20 dB. A 50-60 dB noise will be quite intrusive.

## **Section 4.5 Residential Development**

Results from the community survey indicate that respondents do not want large-scale residential developments in Tesuque. They prefer a more organic growth in residential properties and also want to respect traditional property transfers within families. Subdivisions are infrequent and when adjacent lands come up for sale neighbors often buy them to keep them out of developers' hands. Therefore, a more organic growth and self-regulating system is currently in place. This is contrasted with the developments to the South and West of Santa Fe that are much more artificially stimulated housing developments. Artificial developments are those that try to create a market for their suburban-type development products. Typically, new subdivisions create small lots in an effort to maximize project profit without pricing the home sites out of reach for most people. In Santa Fe's expensive land market this translates into how many units per acre the development has rather than the number of acres per unit.

In Tesuque, there are several factors contributing to the more organic growth approach and the absence of large developments: family transfers, the rough terrain and narrow valley, the high cost of land and

market preference for large lots (2.5 to 10 acres) and village estates despite the fact that most of Tesuque is zoned for ¼ acre density. Vacant lands at the periphery of the Traditional Historic Village are zoned for 50 acre density which can be split down to 12.5 acre lots.

## **Section 4.6 Commercial Development**

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### **Current Commercial Activity**

#### **Within the Village:**

The community survey indicates an overwhelming desire for no further commercial development in the Village. However, a review of current major commercial activities reveals that there are five large businesses that collectively employ between 270 and 300 people. Those businesses are:

1. Shidoni Foundry has 43 employees. A very high number of tourists (including bus tours) visit on a daily basis throughout the year.
2. El Nido Restaurant has approximately 50 employees. It has 175 tables and serves a yearlong (high and low season) average of 122 dinners per day.
3. Tesuque Village Market employs 35-45 people. There is no information available on numbers served in the restaurant-deli-market-liquor store complex.
4. Tesuque Glass Studio employs approximately a dozen people.
5. Bishop's Lodge currently employs 100-150 people depending on the season. After the current expansion plan is completed it will employ 125-175 people. Gross receipts are currently \$8 million and are expected to go to \$12 million after expansion. Occupancy rate is 72% annualized and is expected to remain at about that same level when the room count is increased to 144 rooms.

The businesses listed above are only the large employers. This data does not include small or home businesses that may also employ people, schoolteachers and staff or service people, such as maids and gardeners. The 5 major businesses provide 270-300 jobs in a village of approximately 1600 residents.

#### **US 84/285 Highway Corridor:**

The area of Tesuque that abuts US 84/285 is largely undeveloped. Factors limiting development on the Tesuque side of the highway corridor are:

1. Terrain: The topography of the land along most of the highway boundary is generally steep and hilly and does not readily lend itself to large-scale commercial development. Any large-scale development along those areas would require extensive site regrading to produce the required large, relatively flat usable areas. There is a relatively flat area adjacent to the northeast edge of the southern highway entrance into the Village. However, the flat area is a drainage area and would be unsuitable for development.
2. The area is held in a few large parcels and most recently highway access has become much more difficult.

The highway corridor along Tesuque's western boundary provides north and southbound travelers with wonderful views of the Sangre de Cristo Mountains to the East. Additionally, the visual and functional

conditions along the highway establish the aesthetic tone for the entry into Tesuque from both Santa Fe and communities to the North, telling travelers they are arriving in a rural foothill community. The importance of this visual perception of arrival for Tesuque residents and visitors cannot be over emphasized. The same can be said for this particular corridor's importance as the visual northern entry into Santa Fe. Tesuque is essentially guarding Santa Fe's northern entry from over development. The rural openness is a contrast to Santa Fe's northern development boundary and helps reinforce a sense of arrival in Santa Fe. Conversely, as travelers leave Santa Fe heading north, the corridor's rural open setting provides immediate reinforcement of their "leaving the city" and "entry" into the rural northern New Mexico environment.

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#### **The North and South US 84/285 Entries:**

Currently, land at both entries is largely undeveloped with the south entry the least developed. There is a trailer park at the northern entry on Tesuque Pueblo property to the northeast of what becomes County Road 73. South and west of that road is the flood plain for Tesuque Creek and beyond the Pueblo lands the private property is held in rather large acreages. The south boundary is virtually undeveloped with the exception of some ridge-top homes being built within view of the entry on the surrounding hills to the southeast. The open area to the north of the entry is the outflow of a large arroyo that drains an area of land west of Highway 84/285. While developing the flood plains of either Tesuque Creek or the arroyo at the south entry is technically possible, it would be environmentally and financially unwise. Large arroyos are not only drains; they are also typically large aquifer -recharging areas. Altering flow patterns and/or concentrating drainage flows can also have dramatic adverse impacts on downstream and adjacent properties. In addition, by allowing flood plain development, local governments can negatively affect other property owners' ability to get or afford flood insurance.

#### **Planned Commercial Uses:**

There are some "approved" master plans for commercial development and commercial residential developments. Bishop's Lodge has such an "approved" resort and residential development master plan. While it is important to acknowledge those types of plans, it is imperative that developers understand that a master plan does not necessarily vest development rights in the property. The New Mexico Court of Appeals and Supreme Court have upheld that development rights do not vest until after preliminary plat approval by the local governing body. Master plans will still have to comply with any "rural character" performance criteria in place at the time the development applies for preliminary plat approval.

## **Section 4.7      Neighboring Lands**

Most planning efforts attempt to identify how a community 'fits' into its context, how it relates to its neighbors and how it sees itself. The 'fit' of a village is important, but a village is more than just a collection of 'fit' descriptions that share physical proximity. A village is a complex set of functional, social, cultural and aesthetic relationships that define its individuality. The village must be related to its entire contextual region in those terms: how does Tesuque function in relation to other communities and

the region? what are its social and cultural positions in those relationships? and, how does Tesuque contribute to, or detract from, the region's aesthetic qualities? Tesuque residents cannot decide these issues in isolation. We must join with our regional neighbors to develop an understanding of the relationship each community, neighborhood or village has with other regional entities and with the region in general.

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## **Section 4.8 Sustainability**

Sustainability is a current planning and development buzzword. Sustainable development is the dream of many planning coalitions designed to appeal to anti-growth advocates and developers alike. Simply put, a sustainable community is one that gives support, relief, sustenance and/or nourishment to its residents, the community itself and the region. In order for a community to become truly sustainable, it must be in balance with its political, social, cultural, geological and biological place.

The Tesuque/Tres Villas area must initiate a regional planning effort designed to address the issues outlined within this Plan. It is the intent of the Rio Tesuque Land Alliance to present this Plan as a model for community planning in the region and possibly the Western United States. It is our hope that this model will be adopted by the other communities in the Tres Villas area, and that a cooperative planning effort will commence. The Tres Villas communities should formalize their planning relationship through memoranda of agreements. Those agreements would form the foundation of a cooperative planning authority ultimately endorsed and empowered by Santa Fe County to draft, develop and help administer the Tres Villas plan and its resultant regulations and policies.

## **ARTICLE 5. OVERVIEW**

Rural character is the single most important feature that defines Tesuque. The community sees itself as rural when compared to Santa Fe. They like their community the way it is and do not want to see the type of growth that would adversely change Tesuque's rural character or harm the local environment or that of the region. Tesuque residents are interested in organic community growth or growth that is a more natural result of the growth of families and the sale of individual parcels. They do not want artificial growth stimulators such as subdivisions or commercial development. Tesuque residents understand they are an integral part of a larger more complex regional community and understand their place in and responsibilities to that community. They understand that Tesuque is the northern entrance to Santa Fe and to communities in north central New Mexico. This plan strives to establish strategies and tactics that will enhance Tesuque's rural character and strengthen its place in the regional community.

## **ARTICLE 6. IMPLEMENTATION STRATEGIES**

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### **Section 6.1 Rural Character/Open Space**

There are many indicators of a rural character: interconnected open spaces with undeveloped backdrops, indefinite, usually extended expanses, of land, agriculture, low density development, animals, wild natural plants, clean air, etc. There are also certain social and cultural qualities ranging from neighborliness to self sufficiency that add to the rural feeling or "fit" of a place. However, one environmental quality tops the list as singularly important to the rural character of an area - open space. Without quality open spaces that run together to form vast networks of vistas and distant undeveloped backdrops, an area quickly loses its rural charm. It is constitutionally impossible for Santa Fe County to 'zone' the remaining lands as "open space." That would constitute a government 'takings' of an individual's right to enjoy and profit from his/her property. In that case, Santa Fe County would have to buy the remaining open land at fair market value to avoid legal reprisals resulting from the 'takings.' Additionally, any lands purchased by Santa Fe County would become "public lands" available for public use, not Tesuque Village property. There are incentive programs that local governments can adopt that can have the same effect, but in the market place and not in the courtroom. The following incentive programs linked with performance-based land use regulations can keep a community rural and still allow landowners some creativity in how they use their lands for profit.

#### ***Specific Open Space Preservation Strategies:***

##### **Rural Character**

A thorough description of rural character can be codified into performance criteria for evaluating a development's community 'fit.' Rural Character performance criteria should include, but not be limited to:

- a. interconnected open spaces with undeveloped backdrops
- b. indefinite usually extended expanses of land
- c. agriculture
- d. low density development or cluster developments that fit into the natural terrain and environment to keep fields and slopes undeveloped and streams open and visible
- e. narrow roads that follow the natural terrain without creating large cut and fill areas
- f. wild animals
- g. wild natural plants
- h. clean air
- i. safe, clean water
- j. quiet
- k. neighborliness
- l. individual and family self-sufficiency
- m. percentage of lot covered by buildings and/or parking minimized so development does not overwhelm the natural setting



- n. standards for parking location and surface material
- o. limiting access roads onto main roads
- p. keeping the night sky unpolluted by artificial lighting
- q. retaining proximity of similar uses or public facilities/infrastructure
- r. preserving natural surfaces and soft natural edges to paths, roads, driveways and parking areas

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#### **Transferable Development Rights:**

A development right is a land use right bestowed usually by zoning on a piece of property. An example is per-dwelling lot size, lot coverage percentage and building height and/or bulk zoning. So, a zoning regulation might require a 3,000 square foot residence to be built on a 2.5-acre lot with no more than 15% of the lot covered by buildings and/or pavement. If a property owner wanted to build more house or cover a higher percentage of the lot, he or she would have to apply for a special use permit or a direct change to the zoning ordinance.

Another possibility for increasing an individual property development potential is to buy some other property's development right and add it to the original property. This concept involves selling development rights from a piece of property to keep it open and buying development rights to increase density on another property.

#### **Density Bonus Ratios:**

In this development incentive program, land is 'zoned' with fairly low density: between 5-10 acres per dwelling unit. Using regulatory incentives and requirements and understanding the economics of sprawl, land developers are allowed to increase the number of total units as they decrease the total amount of developed land. For example, if a developer chose to develop a 40-acre tract under standard 10-acre minimum lot size 'zoning', the ordinance would allow only 4 units on the 40 acres. Under a density bonus ratio incentive program, if the developer put 20 acres into a conservation easement she/he could build 8 houses on 20 acres. The program could even be designed to allow 12 or 15 dwelling units on 10 acres leaving the remaining 30 acres permanently undeveloped. The program could also be designed to reward developments that protect view sheds or provide their own on-site wastewater treatment facilities. Tesuque could also develop areas that are eligible for the density bonus ratio program based on the property's proximity to highway access or other services. The idea would be to not provide the program in areas where, for example, increased traffic volume would drive all the way into the heart of the community. A primary consideration is to reduce or eliminate infrastructure stress.

#### **Land Purchases:**

This is a rather simple, although expensive, open space development strategy. Here, a local government or non-profit actually buys open land to preserve it as open. If the government buys the property it usually requires a referendum or vote of the taxpayers to approve the purchase and ensuing

taxation. If a non-profit buys the land, they need a funding source. Pre-planning and targeting prime land choices facilitates this direct strategy.

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**Conservation Easements:**

There are several conservation or land trust programs available to private property owners. These programs are designed to provide landowners with tax relief for agreeing to never develop all or part of their land. Conservation easements generally allow lands to continue to be used for agricultural purposes.

**Scenic Highway Corridor Plan:**

Santa Fe County has worked in alliance with the City of Santa Fe to create the 'Santa Fe Metro Area Highway Corridor Plan'. Tesuque will become a working partner in this regional scenic highway corridor planning effort. The Highway Corridor Plan contains open space/rural character goals for the Scenic Corridor that are applicable to the Tesuque US 84/285 Highway Corridor. Tesuque's open space implementation strategies listed below include some of those goals in an effort to align this Plan with regional open space planning goals.

**Regulatory Strategies (Condemnation):**

The Santa Fe County Commission has taken a strong position opposing condemnation as a viable process for preserving open space. Condemnation is the most direct and expensive process of preserving open space. In this strategy the local government, Santa Fe County, may use its power of eminent domain to declare certain lands open for the purpose of protecting the general health, safety and welfare of the community. The State and Federal courts have recently upheld the notion that open space is necessary to a community's health, safety and welfare. Zoning certain lands as open or undevelopable requires that, since the Government has 'taken' virtually all the uses of the property from the owner, the landowner is entitled to just compensation.

***Specific Open Space Implementation/Preservation Strategies:***

1. The Plan proposes that Santa Fe County develop a zoning ordinance for Tesuque that employs a variety of the programs outlined above in an effort to reduce the impact development has on the community's open space and rural character.
2. Although the County could, on its own, implement a transferable development right program-enabling legislation would be very helpful. A concerted regional effort should be made in the state legislature to enact transferable development rights enabling legislation.
3. The plan proposes establishment of a Scenic Highway Corridor Ordinance for the US 84/285 Corridor that:
  - a. Recognizes the importance of Tesuque's western highway border as the 'entry' from Northern New Mexico into Santa Fe and from Santa Fe into Northern New Mexico;
  - b. Maintains a rural landscape with large vistas of interconnected open spaces with undeveloped backgrounds;

- c. Minimizes the visual impact of new development in the Scenic Corridor;
- d. Allows only small-scale developments in the Scenic Corridor that comply with the performance criteria for other Tesuque Land Use Regulations;

## **Section 6.2 Natural Resources**

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### ***Specific Water Implementation Strategies:***

#### **1. Well Testing Program:**

Develop a well testing schedule designed to test a constant and significant number of representative wells throughout the valley. Wells tested will be on a voluntary basis and selected based on monitoring criteria and location. The test information must include: well location, well depth, depth to water, water quality, number of users (each residence or business being considered one use), distance to inhabited structures, distance to on-site liquid waste disposal systems (septic), distance to streams or acequias. Variable data should be collected on a regular basis so it may be correlated with concurrent climatological data. This information should be compared with a similar 1973 study that was completed on wells in the community. Tesuque should also support the meter requirement for new private wells. It would be helpful to have existing private wells metered, but that would have to be done on a strictly volunteer basis.

#### **2. Community Water System:**

All new developments should be required to develop community water systems that can someday be connected into one community-wide system.

#### **3. Community Liquid Waste Management System:**

The community should proceed with the liquid waste management plan and pursue funding sources for design, right-of-way acquisition, system and infrastructure construction and operation. All new developments should be required to develop community liquid waste disposal systems that can someday be connected into one community-wide system.

#### **4. Acequia System:**

The associations governing acequias within the Valley of Tesuque and using water from the Rio Tesuque are recognized as having sole authority and responsibility in this role under New Mexico State law. The community will support the associations in their efforts to protect, preserve and maintain this system of acequias. Particular encouragement and support will be given to the associations' efforts to prevent transfer of water rights out of the valley.

#### **5. Water Shed Management:**

Tesuque must work with other watershed entities including, but not limited to, the US Forest Service, neighboring communities and the Pueblo to establish a watershed management

strategy designed to protect the quantity and quality of water for all users in the watershed. This plan highly recommends the formation of a local water/wastewater management board that would develop local watershed planning and management strategies and be Tesuque's unified voice in regional water planning and watershed management.

Tesuque will strive to work with the County, Pueblo and neighboring communities to create a sensible way to allow water conserving measures including, but not limited to, gray water reclamation systems, cistem collection systems and constructed wetlands.

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### ***Specific Soil Implementation Strategies:***

1. **Detailed Soil Survey:**

Develop a detailed soil type mapping data base to assist landowners in planning development projects and to assist the County Development Review staff in evaluating development proposals.

2. **On-Site Individual Liquid Waste Disposal Guidelines:**

Work with the New Mexico Environment Department and Santa Fe County to develop on-site liquid waste disposal system design criteria that more accurately addresses the soil type(s) on each development site.

3. **Identify Aquifer Recharging Areas:**

Use the detailed soil survey information to identify soil areas that recharge the aquifer. Develop strategies to protect those areas from development that would impact the return of clean water to the aquifer.

### ***Specific Terrain Management Implementation Strategies:***

One of the most compelling problems in foothill and mountain communities like Tesuque is development on hillsides and ridge or mountain tops. Slope and ridge top development impacts the surrounding area both visually and physically. Visual impacts directly defy the rural character criteria of "undeveloped backgrounds." Physically, slope development creates terrain management problems that impact down-slope and downstream properties by increasing adverse erosion and run off.

River environments are also subject to negative development impacts. Building structures too close to waterways causes increased erosion, flood plain management problems and pollution from land uses and on-site liquid waste disposal systems.

The goal of this Plan is to protect, through the use of performance standards, Tesuque's unique natural landscaping while balancing landowners' rights. Any terrain management performance standards developed as a result of this Plan should allow creativity in design and siting to allow each development

proposal to take advantage of specific site conditions. Individual development proposals can then be evaluated on a site by site basis.

The intent of the terrain management section of this plan is twofold:

Environmental: to protect fragile landforms by encouraging new development to adapt to existing natural environments, topography, soils, vegetation, geology, and hydrology.

Aesthetic: to minimize visual impacts of development, so that all citizens may enjoy beautiful native landforms and vegetation.

The terrain management ordinance will:

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1. Limit slope development to slopes less than 30%.
2. Apply slope development mitigation procedures to slope developments above 15%.
3. Approve siting of structures only in strict compliance with siting ordinance unless a proposed deviation results in a decrease of the visual impact of that structure beyond that visual impact which would exist if the structure were to be sited strictly as required by this section. Such deviation will be allowed only if public interest and environmental concerns are protected.
4. Establish realistic river, stream and arroyo setback requirements that protect those bodies from erosion, flood plain damage and pollution.
5. Establish land use and liquid waste disposal requirements designed to minimize potential waterway pollution from those uses.

### ***Specific Air Quality Protection Implementation Strategies:***

The current air quality is still good. However, increased development and automobile use will only increase air pollution in the future. In order to prevent a future diminution of air quality certain steps must be taken now. With Santa Fe County and the State of New Mexico, Tesuque must develop official policies that:

1. adopt and/or develop performance criteria for heating appliances (even for commercial activities such as the glass factory) so that all new construction must use appliances that meet or exceed EPA standards
2. develop performance standards for air quality that meet the current and future expectations of the Village
3. establish a legislative effort designed to revise State air quality standards that currently allow heavy air polluters to place their uses into clean air regions.

### ***Specific Native Plant Resource Protection Implementation Strategies:***

One of the most common attributes of modern human migration is the transportation of non-native plant materials to new locations. Some of these habits have resulted in almost disastrous alterations of bioregional flora. A favorite flowering plant in one area may become a noxious weed in another. To protect the fragile bio-system, every effort must be made to promote the use of native plants for landscaping and revegetation projects.

Therefore Tesuque must:

1. develop, with Santa Fe County, a landscaping and revegetation regulation that promotes the use of native plant materials
2. develop educational materials for residents promoting and explaining the use of native plant materials. The US SWCD and Extension services may be most helpful in this endeavor.

***Specific Wildlife Protection Implementation Strategies:***

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Wildlife is one of the main indicators of a rural life environment. If wildlife habitat is altered too much, wild animals will either disappear or become a threat to themselves in its interface with humans.

Therefore Tesuque must:

1. develop a wildlife protection plan that provides for wildlife access to and from the national forest and to travel within the community
2. may have to develop more strict enforcement policies for existing pet leashing regulations to control incidents of pets hunting, chasing and killing of wildlife

## **Section 6.3 Cultural Resources**

Tesuque is rich in cultural and historic resources and must develop a cultural/historic properties protection policy and ordinance to preserve or at least record those significant resources. Although it seems difficult to protect something that a property owner may not even know exists, it is possible, even imperative, to do so.

***Specific Cultural Resource Protection Implementation Strategies:***

1. develop a review procedure that requires a cultural properties compliance certification for all development applications. The State Office of Cultural Affairs should be consulted to develop the best procedure possible.
2. develop a cultural property protection ordinance
3. develop a process for collecting, archiving, recording and disseminating Tesuque's history. Use family genealogical research, written histories, oral traditions, archeological studies and surveys and any other means to complete this work
4. develop, with the governing body or acequia commission, a review process for any construction or earth moving that will affect an acequia.

## **Section 6.4 Traffic**

**Roads:**

The traffic engineer's study found that the current traffic infrastructure within the community can adequately handle current traffic volumes. The studied road system is expected to be adequate up to 2019 when Tesuque's projected population could be over 2700. However, traffic management is a critical issue throughout the Village. It is a common perception that, in the immediate future, conditions

will worsen with the planned construction on Highway 84/285. Associated inconvenience and delays will dramatically increase both the amount and speed of traffic in Tesuque as motorists use the Village as a by-pass. The Village should work with Santa Fe County and the State Highway and Transportation Department to develop a plan to minimize the impact of the US 84/285 construction

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### **Traffic Speed:**

Traffic speed is a serious problem along Bishop's Lodge Road, County Roads 73 and 73A and NM State Road 591. Most drivers are exceeding the speed limit on virtually every stretch of paved road in the village. The excess speed produces noise and danger to pedestrians and other vehicles.

### ***Specific Traffic/Speed Management Implementation Strategies:***

1. develop traffic management strategies designed to reduce speed that will in turn reduce traffic noise and increase overall safety. Such strategies should include, but not be limited to:
  - a. speed humps
  - b. increased enforcement including the "photo-cop" option
  - c. developing a fence/wall regulation that addresses both the noise and property safety issues along with ingress/egress visibility and "rural character."
2. Develop restrictions limiting large truck and bus traffic on Bishop's Lodge Road due to its narrowness and limited sight distances.

### **Mass Transit:**

Preparing for the future is always prudent. Tesuque should take a position that the future of travel within the region will be greatly eased with a regional comprehensive mass transit system based heavily on bus service. This could include a much more thorough bus system and maybe eventually a high-speed mass transit system that links northern communities with Santa Fe and Albuquerque along the US 84/285 corridor.

### ***Specific Mass Transit Implementation Strategies:***

1. Initiate and/or participate in a regional mass transit planning process.
2. Participate in and further develop the Park and Ride system already in Santa Fe County.

### **Trails:**

The community survey results indicate a community-wide desire for more hiking/recreation trails. Some of these foot and horse trails are traditional historic access ways to the national forest and to different areas within the community. A problem throughout the Western US is private property owners closing public access to public lands. Since Tesuque is bordered on the east by National Forest, there are bound to be places where traditional community access has already been blocked by private landowners. The US Forest Service has a program the currently welcomes community input into forest use on lands

bordering communities. Tesuque has a tremendous opportunity to develop a joint planning effort with the US Forest Service. They have extensive mapping resources that can be used to the Village's advantage.

***Specific Trail Implementation Strategies:***

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1. through community surveys, interviews and research, identify and map all existing and previous trails within the community as well as those that access the National Forest.
2. work with private property owners to develop limited permitted access to previous and existing trails as part of a possible contemporary trail system.
3. establish a working relationship with the US Forest Service under their community planning program to jointly develop a land use plan for adjoining USFS lands and access thereto.
4. establish solutions to parking problems arising from non-residents who park their cars at trail access points, particularly at the trailhead to the popular Windsor Trail on Big Tesuque Canyon Road.
5. it is not the intention of this plan to encourage the establishment of public access to trails across private property against the owner's wishes where clear and unquestionable public access rights have not been established.

**Section 6.5 Residential Development**

Tesuque has a self-image of being a rural community. That image is in danger of vanishing if development increases aggressively in the village. The question is how to maintain organic growth at a sustainable pace without infringing on an owner's constitutional right to use her/his property. The New Mexico State Subdivision Act currently exempts lot transfers to immediate family members from subdivision regulation. The same enabling legislation also provides for smaller subdivisions of up to 5 lots to be completed with a much less stringent review process than that imposed on larger developments. At the State level, these two mechanisms provide for a more organic growth rate and are designed for landowners with limited resources. Those legislative programs in conjunction with the high cost of land coupled with the relatively large lot zoning (2.5 to 10 acres) in place for most of the open or available lands may actually be the best instruments for slowing Tesuque's growth rate. There are other strategies for slowing growth that are more direct, but will require more careful development:

***Specific Residential Development Control Implementation Strategies:***

1. Water is probably the most obviously limited resource that can be used to develop growth management criteria. Although water is the basis for the current County Land Use Code and Zoning Ordinances, Tesuque must also develop other reasoning for managing growth. The "Rural Character" factor is a primary consideration for developing growth controls. Tesuque and Santa Fe County should develop a growth management policy based on the preservation of the "Rural Character" of the village. This policy should include a projected maximum development



density for the community that still allows the free market place to have a role in designing the exact 'look' of the village.

2. Work with Santa Fe County to develop a zoning/development ordinance for Tesuque that employs a variety of the programs outlined in Section 6.1 in an effort to get residential development to blend into the community and reduce residential development impact.
3. Although the County already has a density transfer option, state enabling legislation would be very helpful. A concerted effort should be made to the state legislature to enact transferable development rights enabling legislation. 1851002
4. Tesuque should develop and promote a voluntary program designed to encourage private property owners to permanently bank their lands as open space by using the conservation easements and/or land trust programs available throughout the region.
5. Tesuque endorses Santa Fe County's commitment to affordable housing. Work with the County to develop an infrastructure improvement plan for Tesuque that encourages affordable housing development while maintaining the community's Rural Village structure and Northern New Mexico Traditional Historic, Tri-Cultural, Agricultural Community.
6. Family transfers are an important mechanism for encouraging continuity of ownership of land in the Village within families. This Plan endorses the present Santa Fe County Ordinance regarding rights of family transfers.

## **Section 6.6 Commercial Development**

The residents of Tesuque clearly do not want commercial development in their community. This desire can have ramifications on traffic congestion, air quality and noise pollution since the majority of workers must commute out of the area for employment. Nationally, planning philosophy is moving toward more self sufficient neighborhoods that provide all basic services within walking or short driving distances from people's homes. Santa Fe County's Growth Management Plan encourages each village to provide at least some basic services within their community to help ease traffic congestion. Tesuque is unique in that it was historically an agricultural village rather than a new neighborhood specifically designed for suburban living. Tesuque has some services and quite a few jobs already. The community developed this plan in such a way that other commercial establishments can start here as long as they conform to the "rural character" that is so important to the community's self image.

Even though Tesuque residents do not want any additional commercial development in their community, they must understand that some property owners will still want to develop commercial uses on their land. To avoid possible legal problems stemming from potential 'takings,' the community must address alternatives to commercial development as follows:

### ***Specific Commercial Development Control Strategies:***

1. draft specific "rural character" descriptions for land use regulations (See Section 6.1 above). If a property owner gets a special use permit or zoning change for a commercial use, the following

additional set of performance criteria shall apply to help preserve the "rural character." Note, some of the criteria listed here are also in Section 6.1. They are added here to emphasize the importance of their consideration:

- a. commercial lot size should be at least 3/4 acre but not more than 1-1/2 acres in size. This criteria is designed to both keep lots from being completely consumed by development and still restrict or eliminate large commercial developments
  - b. new commercial development will be strongly encouraged to restrict location siting to within the existing neighborhood center district at the intersection of CR 73 and 73A to enhance the village character concept of centralized rather than dispersed commercial activity and services
  - c. maximum percentage of lot coverage will be 20% for all commercial developments. Percentage of lot coverage criteria must include all structures, patios, porches, portales and parking areas.
  - d. parking must be located behind the structure and not visible from the road or adjacent residential properties
  - e. signage must be strictly limited in size particularly for home occupations (no internally lit signs)
  - f. exterior lighting, including landscape lighting, must be controlled to prevent the light source (bulb) or high glare from being visible off the commercial use property
  - g. develop native plants only landscaping regulations requiring landscape screening of commercial activities
  - h. coordinate liquid waste disposal requirements with NM ED and if necessary develop more strict requirements for commercial uses. This may include specific use restrictions due to potential hazardous waste generation
  - i. develop infrastructure development criteria that does not use improved infrastructure to allow more dense development
  - j. require traffic impact studies and mitigation measures to insure traffic safety for vehicles, bicycles, pedestrians and equestrians. Levels of use requiring acceleration and deceleration lanes for ingress and egress are to be strongly discouraged
  - k. develop ridge top, side slope and terrain management criteria to insure protection of sloped valley edges and ridge tops as undeveloped backdrops and prevent erosion
  - l. conform to Santa Fe County Growth Management Policies
  - m. legal non-conforming uses may not expand beyond the current facility unless such expansion complies with the rural open space and commercial development performance criteria herein
  - n. each application for commercial development must be presented to the community at a community meeting for community comment. Those comments shall become part of the application to Santa Fe County.
2. commuting - develop an improved local and regional bus system that would reduce the number of vehicles on the existing road system

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3. staying at home - develop meaningful home occupation performance standard-based regulations that are either in compliance with or more restrictive than the current Santa Fe County definition and that would allow very small incidental home-type businesses that generate local jobs yet have minimal or no impact on the community's natural environment or rural character
4. formalize an agreement between Santa Fe County and Tesuque Pueblo to develop, implement and enforce a Scenic Highway Corridor protection plan and regulations that include the lands along County Road 73
5. encourage the use of the County's existing development rights transfer programs for the South entry area. If necessary, develop other development incentive strategies such as *transferable development* rights that encourage "rural character."

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## **Section 6.7 Neighboring Lands**

The questions outlined in Section 4.7 must be answered on a regional level with all neighboring villages, communities and entities involved. We must join with our regional neighbors to develop an understanding of the relationship each community, neighborhood or village has with other regional entities and with the region in general.

### ***Specific Neighboring Lands Strategies:***

1. establish a formal Tres Villas area planning coalition that will:
  - a. determine intra-regional village relationships and the functional, social, cultural and aesthetic positions of communities in those relationships
  - b. determine each village and/or entity's contribution to the region's functional, social, cultural and aesthetic qualities
  - c. define a common voice for dealing with common issues before the City of Santa Fe, Santa Fe County, the State of New Mexico and the Federal Government.

## **Section 6.8 Sustainability**

A sustainable community is one that gives support, relief, sustenance and/or nourishment to its residents, the community itself and the region. In order for a community to become truly sustainable, it must be in balance with its political, social, cultural, geological and biological place. To this end, Tesuque must:

### ***Specific Sustainability Strategies:***

1. Instigate a formalized Tres Villas area planning authority that includes the three villages, the Pueblo and other entities in the area, ultimately endorsed and empowered by Santa Fe County, to draft, develop and help administer the area's plan(s) and its resultant regulations and policies.

## **ARTICLE 7. AMENDMENTS**

Communities change. Community plans must be flexible enough to adapt and change with the community. Pursuant to the Santa Fe County Growth Management Plan, the Board of County Commissioners will authorize a Community Planning Committee, representative of Tesuque, to conduct surveys, hold public meetings and propose amendments to the Rio Tesuque Community Land Use Plan that would then be adopted by the Board pursuant to Article XIII of the Santa Fe County Land Development Code.

## **ARTICLE 8. APPENDICES**

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### ***Appendix 8.1 Definitions***

- Acequia** Physical structures and political subdivisions of the State of New Mexico that have community characteristics. They are trenches or ditches excavated on the surface of the earth whose principal function is to allow distribution and allocation of water for primarily for agricultural purposes. Acequias are owned by more than two individuals as tenants in common who are required to have cooperative construction and maintenance responsibilities.
- Agriculture** All methods of production and management of livestock, crops, vegetation and soil including, but not limited to: raising, harvesting and marketing; feeding, housing and maintaining animals such as cattle, dairy cows, sheep, goats, hogs, horses and poultry and handling their by-products. It also includes bees and their hives and vegetable crops.
- Archeological Site** Non-portable cultural remains including, but not limited to storage pits, fire pits, burial sites, work sites, middens, architectural remains or undisturbed layers of deposited materials; a concentration of cultural remains considered to be a location of specific human activities of the past. This definition excludes sites of human being remains.
- Building** Any structure used or intended for supporting or sheltering any use or occupancy.

**Building Height** The height of a building measured from the lowest point of natural grade adjacent to the building to the highest portion of the building excluding chimneys and antennas.

**Bulk** The size of buildings and structures on a lot and the buildable area within which the building can be located, including lot coverage, setbacks, height, floor area ratio and yard requirements.

**Commercial** An activity or use which involves the manufacture or sale of property, goods or services. This does not include cottage industries/ home occupations as defined herein.

**Community Liquid  
Waste Treatment  
Facility**

A system serving five or more parcels or five or more structures on one undivided parcel for the collection and treatment of liquid waste. A shared liquid waste disposal system serves two to four structures on the same system.

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**Community Water  
Supply System**

a central water supply system that serves all lots within a development or organized area through facilities that are under central common ownership and management. This includes municipal water systems, public utilities and water systems.

**Construction** The act of breaking ground and erecting a building or structure.

**Cottage Industry** See "Home Occupation" below

**County**

**Commission** The elected Board of County Commissioners for Santa Fe County, New Mexico.

**County Planning  
Commission**

The Santa Fe County Planning Commission appointed by the Santa Fe County Commission.

**Development  
Review Board**

The Tesuque Development Review Board appointed by the Santa Fe County Commission

**Dwelling Unit or**

**Residence**

Any building or portion thereof which contains living facilities including provisions for sleeping, eating, cooking and sanitation.

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**Family**

Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises; as distinguished from a group occupying a boarding or rooming house or hotel.

**Flood Plain**

A relatively flat area or low lands adjoining the channel of a watercourse a body of standing water, which has been or may be covered by flood water and the limits of which are shown on the Federal Emergency Management Act maps filed in the Santa Fe County Land Use office.

**Geohydrolic Report**

A report of subsurface (ground) water availability

**Historical**

**Character**

Buildings, structures, appurtenances and places deemed of basic and vital importance because of their association with history; or because of unique architectural style and scale; including color, proportion, form and architectural detail; or because of their being a part of or related to a plaza, park or area in which the design or general arrangement should be preserved and/or developed only according to a fixed plan based on cultural, historical or architectural purposes.

**Home Occupation**

(From Santa Fe County Development Code)

Home occupations are allowed as a conditional use anywhere in the (County) provided the following standards are met:

- 1) Not more than two (2) persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation.
- 2) The use of the residence for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than fifty percent (50%) of the floor area of the residence, including accessory buildings, shall be used for the home occupation.
- 3) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation, except for one (1) non-illuminated nameplate sign not more than one (1) square foot in area; construction of walls, fences, sheds, studios, or other accessory structures to provide for storage of materials and equipment are

allowed, as long as the floor area limitations of fifty percent (50%) of the residence, including the accessory building, are met.

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- 4) The home occupation shall not involve operations or structures not in keeping with the residential character of the neighborhood.
  - 5) The home occupation shall be located on the same lot as the permitted principal use or structure or on a contiguous lot in the same ownership.
  - 6) Primary sale of goods in connection with the home occupation shall be that which is prepared or produced on the premises.
  - 7) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Parking for employees and for customers or clients of the home occupation shall be adequate; the inability to provide for off-street parking shall be grounds for denying a home occupation.
  - 8) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises. In case of electrical interference, no equipment or process shall be used which creates visible or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

**Hotel, Motel or  
Bed and Breakfast**

A building(s) in which a lodging or boarding and lodging are provided and offered to the public for compensation.

**Hydrologic Report**

A report on surface water availability

**Infrastructure**

Construction such as, but not limited to, streets, curbs, gutters, sidewalks, fire hydrants, storm drainage facilities, water, sewer and utility systems and public works and facilities.

**Landmark or  
Historic Site**

A site or structure which;

1. possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
2. is identified with historic personages; or
3. embodies the distinguishing characteristics of an architectural style; or
4. is the work of a designer whose work has significantly influenced an age; or
5. because of a unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood.

<b>Land Use</b>	Any activity subject to the Tesuque Land Use which is conducted on, below and/or in the space above the surface of the earth to a height of 500 feet within the boundaries of the Traditional Historic Village of Tesuque boundaries.
<b>Legal Description</b>	The metes and bounds description of a parcel of land filed in accordance with the requirements of the State of New Mexico, County of Santa Fe.
<b>Multiple Family Dwelling Unit</b>	A building designed for or occupied by two(2) or more families. <span style="float: right;">1851009</span>
<b>Neighborhood Association</b>	An organization of property owners and residents which has incorporated as a non-profit organization under the laws of the State of New Mexico and has registered with the Clerk of Santa Fe County.
<b>Owner</b>	Any person, association, partnership or corporation that has dominion over, control of or title to real property.
<b>Party</b>	Any person who meets at least one of the following: <ol style="list-style-type: none"> <li>1. An applicant or applicant's agent;</li> <li>2. The owners as shown by the records of the County Assessor, of parcels comprising the application site and parcels within the area of notification for the proposed action;</li> <li>3. Any neighborhood association;</li> <li>4. The representatives of any department or agency of the County that may be affected by the application; or</li> <li>5. A person who the Planning Commission, Regional Development Review Board or Board of County Commissioners determines to have an interest in the subject matter of the hearing.</li> </ol>
<b>Parking Space Off-Street</b>	An area not in a street or alley having an area of not less than 180 square feet, exclusive of driveways, permanently reserved for the temporary parking of one vehicle and connected to a street or alley by a driveway which affords ingress and egress for a vehicle.



<b>Person</b>	Any individual, estate trust receiver, cooperative, association, club, corporation, company, firm, partnership, joint venture, syndicate or other entity.
<b>Planning Director</b>	An employee of Santa Fe County who is responsible for administrating this Plan.
<b>Performance Standard</b>	1851010
	Standards including, but not limited to, noise, heat, fumes, odor, glare, radio interference and other types of emissions that can be detected beyond the property line where a particular activity takes place. Also, standards including, but not limited to, aesthetics, landscaping, design, traffic, utilities and acequias.
<b>Public Road</b>	Any road that has been continuously open to public access in a manner consistent with New Mexico statutes addressing rights of public access.
<b>Resort</b>	A facility functioning as a hotel or motel and specifically designed for vacationing and recreation in mountainous and country areas having scenic beauty and/or offering special conditions for sporting activities such as hiking, horseback riding, hunting, fishing, skiing, golfing, swimming, etc.
<b>Single-Family Dwelling Unit</b>	Any housing unit designed for the use of one family that has a private ground-level entrance and a private outdoor space for the use of the residents of such a dwelling unit.
<b>Steep Slope</b>	Any slope with an average inclination of 30% or more from the horizontal.
<b>Structure</b>	All construction, including residences, commercial and industrial buildings, free-standing walls and fences over 6 feet in height, antennas, signs, towers, bridges or similar uses.
<b>Watercourse</b>	Any stream, arroyo, acequia or drainage way having a channel that gives direction to the flow of water.
<b>Wetlands</b>	An area that is inundated or saturated by fresh water, surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands also attract various types of birds.

## **Appendix 8.2 Native Plants**

### Plants:

Native flora typical of high desert includes, but is not limited to the following:

#### Trees:

Pinon

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Rocky Mountain Juniper

One-seed or Cherry Stone Juniper - Grows lower than and with pinon.

Fremont Cottonwood - Rapid growing, short lived, grows around streams and moist areas to a height of 50-100'.

Gambel or Rocky Mountain White Oak - Grows 6-50' high in thickets in pinon belt up to ponderosa pine belt.

Shrub Live Oak grows as chaparral in pinon belt to heights of 13 feet.

Box Elder or Ash-leafed Maple - provides bright red fall foliage.

#### Bushes:

Squaw or Wild Crab Apple - grows up to 8000', is rare, but grows in the dry hills of the pinon/juniper belt.

Pointleaf Manzanita - grows in thickets up to 8000'.

Goldenrod Chamisa - Grows to 8,000 feet above sea level.

Rubber Rabbit Brush Chamisa -

Mountain Mahogany

#### Grasses:

Buffalo Grass - A warm season grass. Needs very little water and thrives in hot sunny locations, grows low and spreads by surface runners and seed.

Blue Grama -

Crested Wheat -

Wild Buckwheat

Right Buckwheat

Pine Buckwheat

#### Flowers:

Scarlet Bugler or Red Penstemon - grows up to 7000'.

Scarlet gilia

Indian Paintbrush - grows up to 7500'.

Yellow Sweet Clover -

Wild or Crane's Bill Geranium - grows between 5000 and 8000 feet.

Small-leaf Globemallow - Grows up to 7000'.

Red Columbine - Grows between 6000 and 10,000 feet.

Spring Beauty or Mayflower - Grows up to 7000'.

Wild Onion or Ullium - A member of the lily family that grows between 4,000 and 7,500 feet above sea level.

1851012

Segolily or Mariposa -

Larkspur -

Lupine -

New Mexico Thistle -

Clematis -

Thistle Poppy -

Rock Spirea - grows between 5,000 and 8,000 feet above sea level.

Service Berry or Shad Bush - Grows between 2,000 and 7,000 feet.

Apache Plume - Grows between 3,700 and 8,000 feet.

Locoweed or Milk Vetch - is common along road cuts and similar ground scars.

Creeping Primrose and Evening Primrose - both grow between 4,500 and 7,500 feet.

Tassel-flowered Brickellia or sunflower - Is common between 5,000 and 9,000 feet above sea level.

Heath-leaved Aster or Baby White Aster -

Spreading Daisy or Branching Fleabone grows between 1,000 and 9,000 feet.

Sprawling Daisy grows between 4,000 and 7,000 feet.

**Cacti & Succulents:**

White Spiral Claret Cup or Heart Twister - grows between the 4000 and 9000 foot levels and is common in the pinon/juniper belt.

Beehive Cactus - grows to 8000'.

Utah Agave - A member of the cactus family that grows up to 7,500 feet above sea level.

Red Flowered Prickly Pear - Grows up to 7,500 feet.

Green Flowered Torch Cactus - Also grows up to 7,500 feet in the pinon/juniper belt.

Cane Cactus or Cholla - Prevalent in the pinon/juniper belt up to 7,500 feet.

Yucca or Spanish Bayonet - Also known as the soap weed yucca.

**MAP LIST**

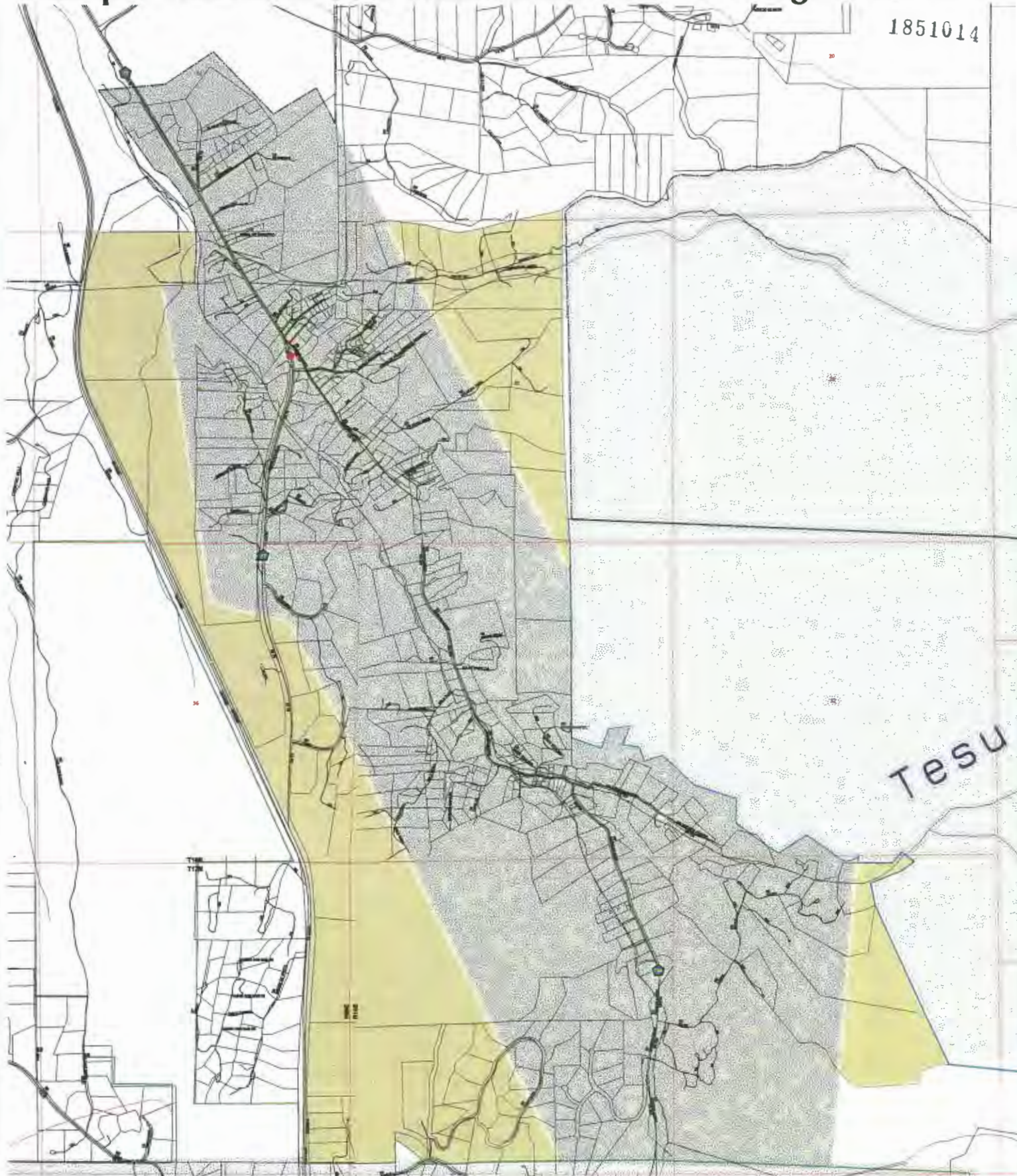
- RT 1 Tesuque Traditional and Traditional Historic Village Boundaries
- RT 2 Tesuque Watershed Area
- RT 3 Preliminary Tesuque Land Use Map
- RT 4 Federal Flood Plain Map of the Tesuque Area
- RT 5 Tesuque Scenic Highway Corridor Area
- RT 6 Tesuque Area 10 Foot Contours with Slope Analysis

1851013



# Tesuque Traditional and Traditional Historic Village Boundaries

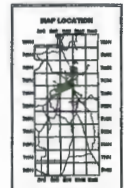
1851014



## LEGEND

- Traditional Villages (County Zoning Designation)
- Traditional Historic Villages (State Statute Designation)
- GPS Roads
- Incorporated Boundaries
- Major Streams and Arroyos
- Minor Streams and Arroyos
- Parcel Boundaries -DRAFT STATUS-
- Extraterritorial Zoning District Boundary (EZ-2)
- Urban Zone Boundaries
- Mountain Special Review District

Proposed location for neighborhood scale commercial activity, 500' radius from point on CR73 midway between intersection CR73/CR73A and CR73/Griego Road. Area of rezoning will be parcel based up to 20 acres.



REDUCED FROM 1:6000  
1 inch represents 500 feet

Scale in Feet

Scale in Meters

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 when necessary.



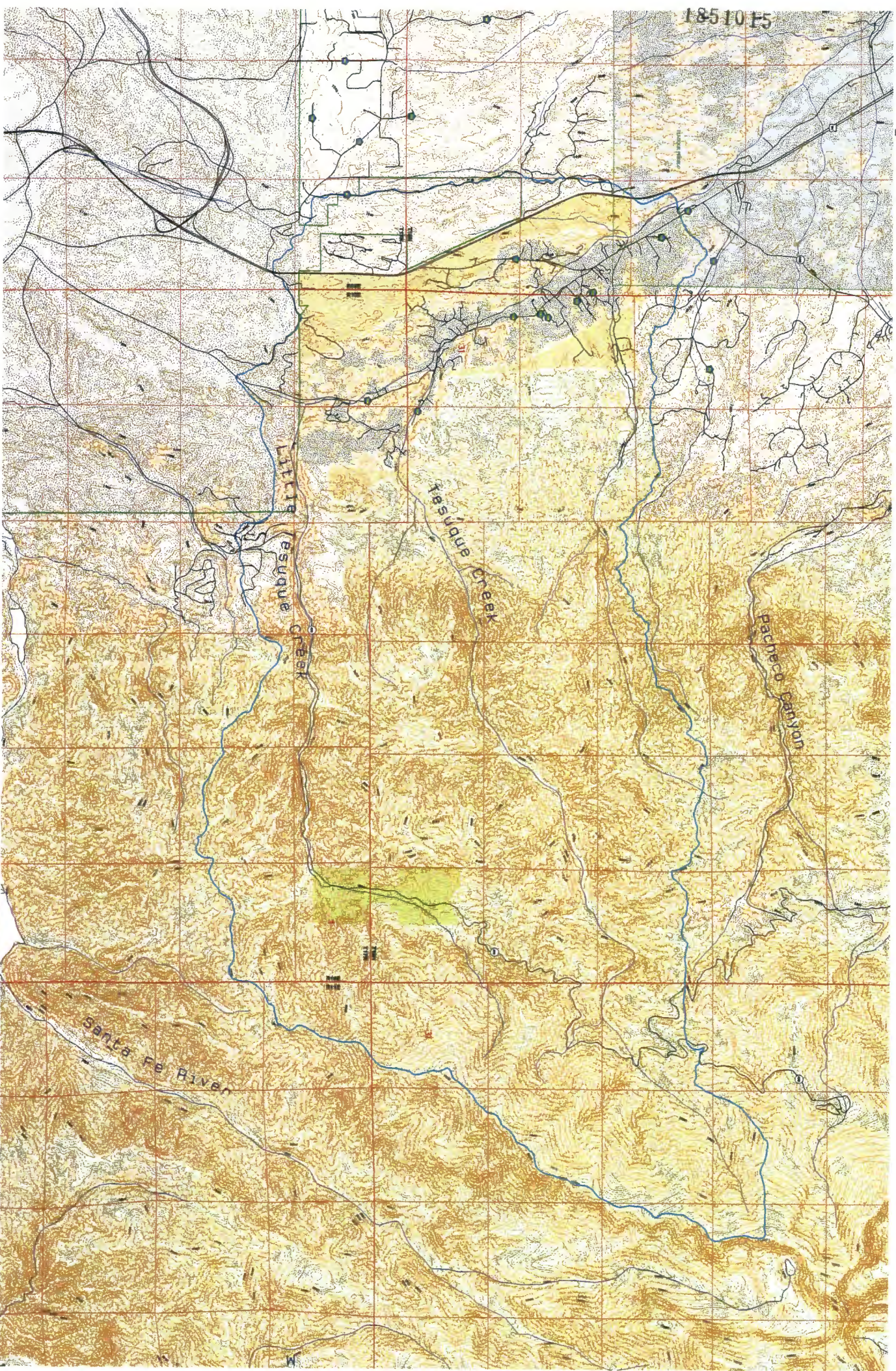
January 19, 2001

Map RT 1





# Tesque Watershed Area



- Range, Municipal, and Agency
- CRIS Study
- Background
- Boundary
- Major Drainage
- Minor Drainage
- Tributary and Range Line (Overlaid and Proposed)
- Property and Range Line (Proposed)
- Traditional TSP (County Zoning/Regulation)
- Traditional TSP - Water (State Statute/Regulation)
- Rural Steep Land
- 24th State Park
- Tribal Land
- Canal Land (Including Tribal Canal)

**REDUCED SCALE AND SCALE**

0 20 40 60 80 100 120 140 160 180 200 220 240 260 280 300 320 340 360 380 400 420 440 460 480 500 520 540 560 580 600 620 640 660 680 700 720 740 760 780 800 820 840 860 880 900 920 940 960 980 1000



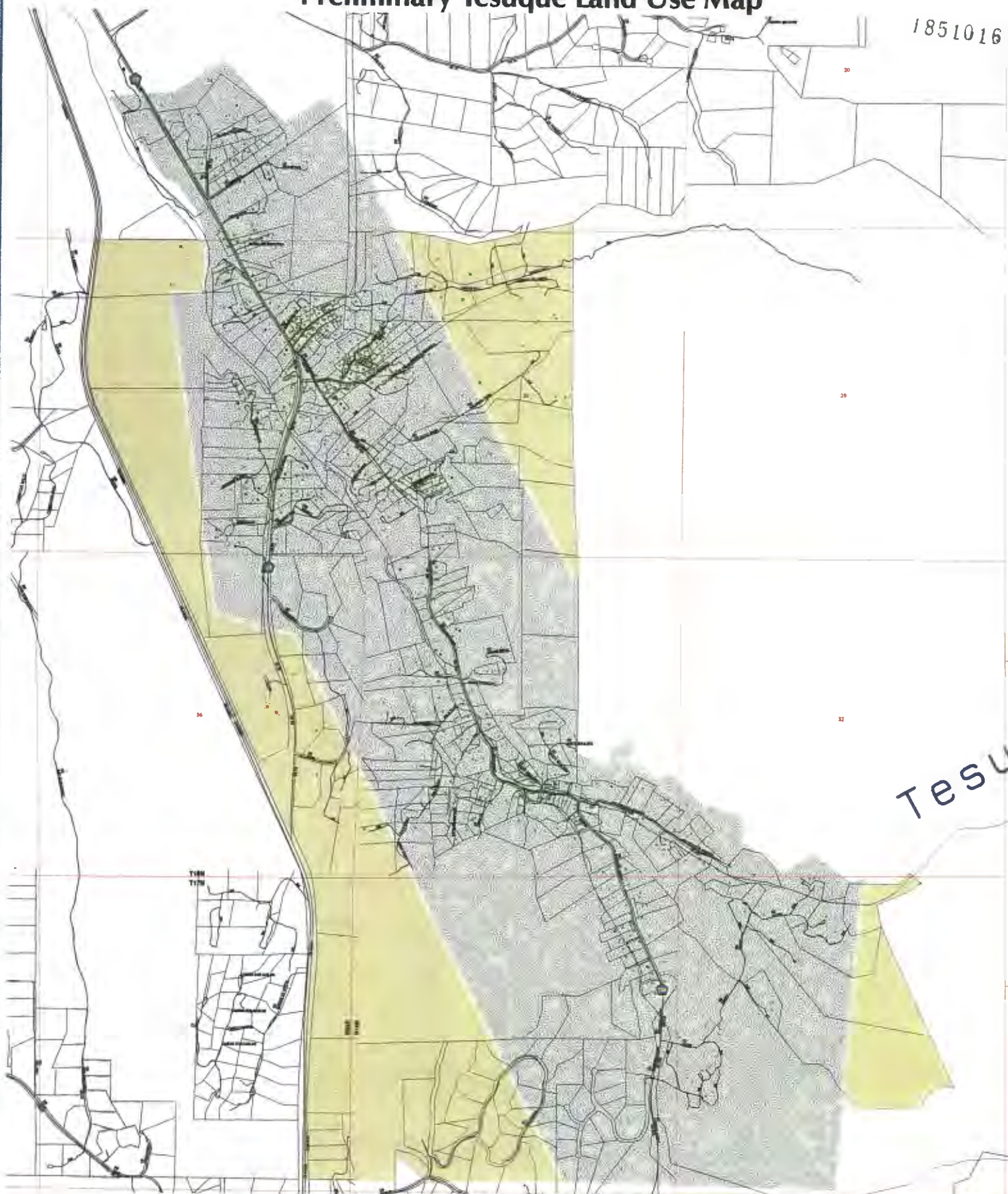
This information is for reference only. State of Colorado is not liable for any errors or omissions. Users are solely responsible for consulting the necessary data necessary. Contour Interval 20 Feet





# Preliminary Tesuque Land Use Map

1851016



Tesu

## LEGEND

- |  |  |  |                                       |  |   |
|--|--|--|---------------------------------------|--|---|
|  | Traditional Villages<br>(County Zoning Designation)          |  | Parcel Boundaries<br>- DRAFT STATUS - |  | Institutional                               |
|  | Traditional Historic Villages<br>(State Statute Designation) |  | Residential                           |  | Residential<br>(Home Occupation)            |
|  | City Roads<br>- DRAFT STATUS -                               |  | Commercial                            |  | Unknown Building Type<br>(Photo Identified) |
|  | Major Streams<br>and Arroyos                                 |  | Accessory Structure                   |  |   |

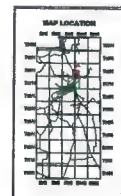
REDUCED COPY - NOT TO SCALE

Scale 1:6000  
1 Inch represents 300 feet

Scale in Feet

Scale in Meters

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 when necessary.



Map RT 3



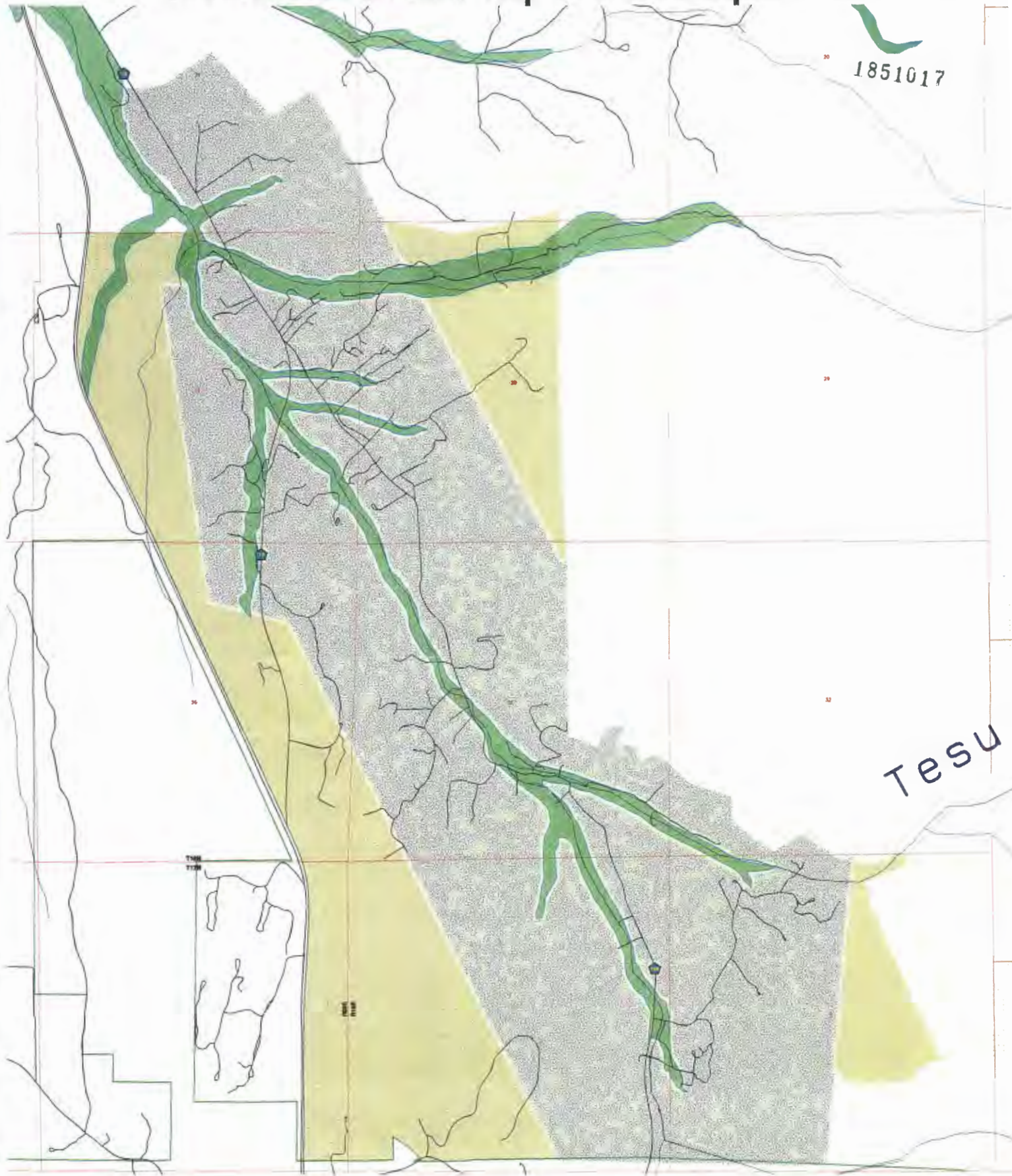
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January 19, 2001










# Federal Flood Plain Map of the Tesuque Area



1851017

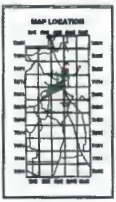
Tesu

## LEGEND

-  Zone A Flood Hazard Areas Inundated by 100-Year Flood (from FIRM Panels dated November 4, 1988)
-  Traditional Villages (County Zoning Designation)
-  Traditional Historic Villages (State Statute Designation)
-  GPS Roads
-  Incorporated Boundaries
-  Major Streams and Arroyos
-  Minor Streams and Arroyos



REDUCED COPY NOT TO SCALE



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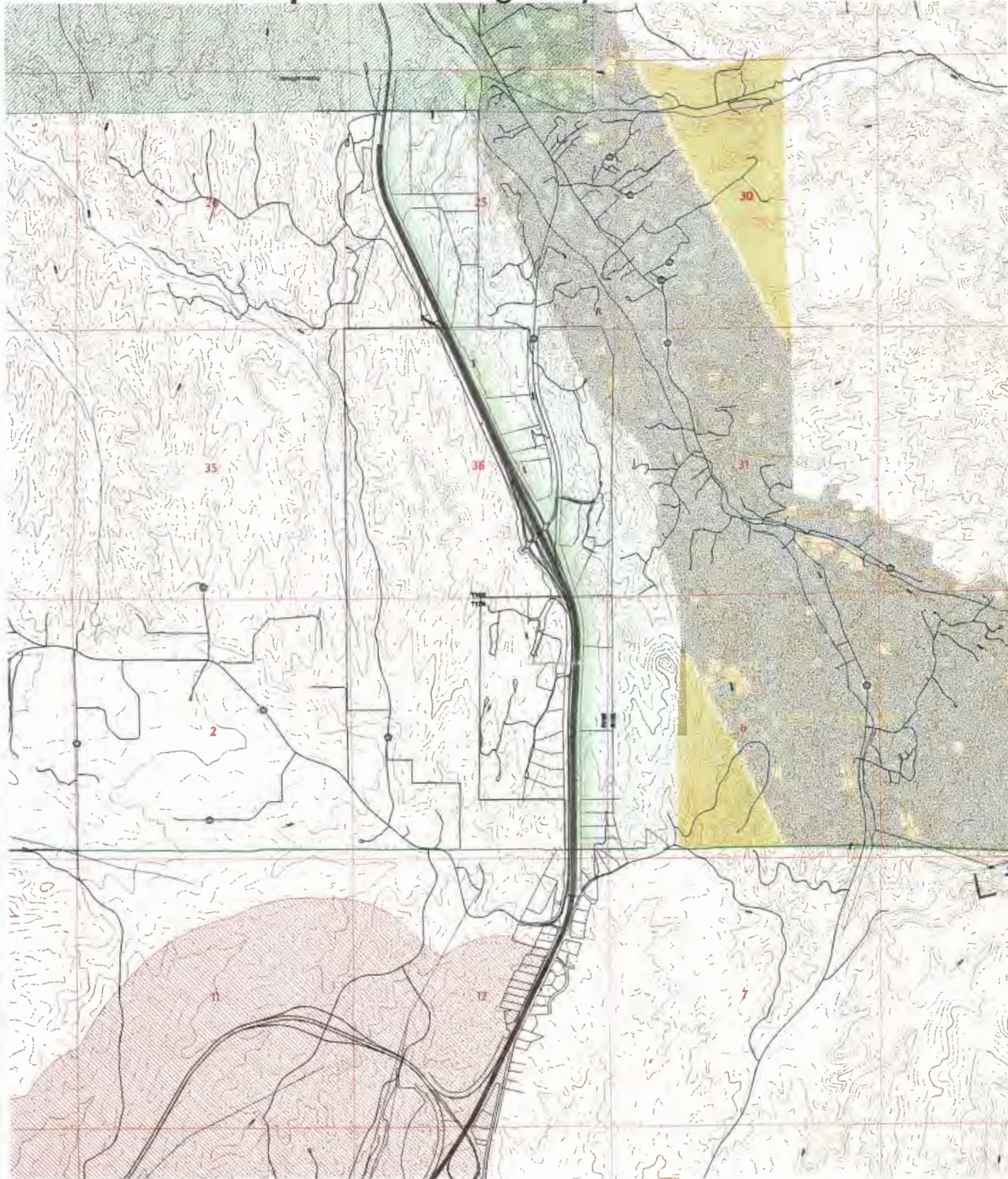
January 19, 2001

Map RT 4













# Tesuque Scenic Highway Corridor Area

185101B



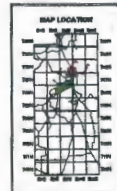
## LEGEND

-  2,000 ft. Tesuque Scenic Highway Corridor Area
-  300 ft. Assumed Scenic Corridor Noise Setback
-  Highway Corridor District Metro Area
-  Traditional Villages (County Zoning Designation)
-  Traditional Historic Villages (State Statute Designation)

-  Pueblo Grant Boundaries
-  US Highway 84/285 Proposed Improvement Design Plan
-  GPS Roads
-  Incorporated Boundaries
-  Major Streams and Arroyos

 Minor Streams and Arroyos

Contour Interval 20 Feet



REDUCED SCALE TO SCALE  
Scale 1/2" = 1000'  
1 inch represents 600 feet



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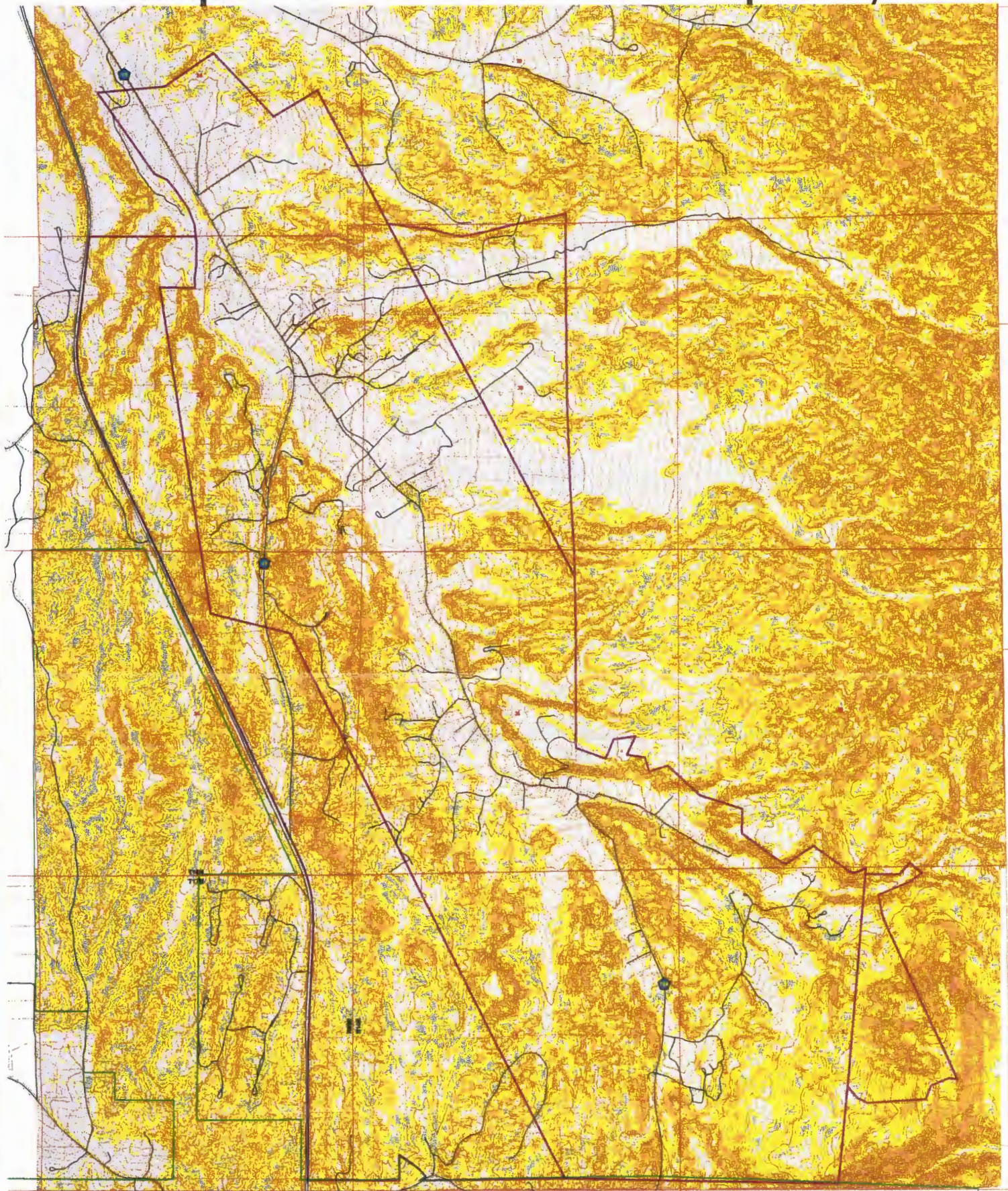
January 19, 2001

Map RT 5














# Tesuque Area 10 Foot Contours with Slope Analysis



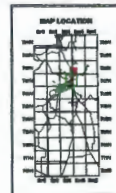
## LEGEND

-  Slope < 15%
-  Slope 15% to 30%
-  Slope > 30%
-  10 Foot Contours
-  100 Foot Contours
-  Tesuque Village Boundaries (State and County Designations)
-  Incorporated City Boundaries
-  GPS Roads
-  Parcel Boundaries



Map RT 6

Scale 1:5,000  
REDUCED COPY NOT TO SCALE



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January 19, 2001



**SANTA FE COUNTY***Resolution No. 1999 - 137*

---

**A RESOLUTION RECOMPILING RESOLUTIONS 1997-114, 1999-60, 1999-72, 1999-80 AND 1999-119 AND INCORPORATING PREVIOUSLY APPROVED AMENDMENTS AS THE SANTA FE COUNTY GROWTH MANAGEMENT PLAN (GENERAL PLAN)**

---

WHEREAS, The Santa Fe County Growth Management Plan was divided into four sections for final review and adoption:

Part I, The Policies;

Part II, The Planning Districts;

Part III, Information and Data Summaries;

Part IV, General Plan Compiled (compiles Parts I through III into one complete document with maps, tables, graphs and graphics) and

WHEREAS, in 1996 and 1997 the Board of County Commissioners held study sessions and public hearings on the Draft Santa Fe County General Plan and adopted the *Santa Fe County Growth Management Plan, Part I, The Policies* on December 17, 1997 (Resolution 1997-114); and

WHEREAS, the Board of County Commissioners held public hearings on May 10 and May 11, 1999, June 8, 1999, July 13, 1999 and adopted *Part II: the Planning Districts* (Resolution 1999-60, Resolution 1999-72 and Resolution 1999-80); and

WHEREAS, a public hearing was held before the Board of County Commissioners on August 10, 1999 and proposed amendments to Part II: the Planning Districts were approved; and

WHEREAS, the Board of County Commissioners held a public hearing on September 14, 1999 and approved *Part III, Appendices: Studies and Research* and some further amendments to Part II: the Planning Districts (Resolution 1999-119); and

WHEREAS, the Board of County Commissioners held a public hearing on September 28, 1999 and approved several further amendments to Part II: the Planning Districts; and

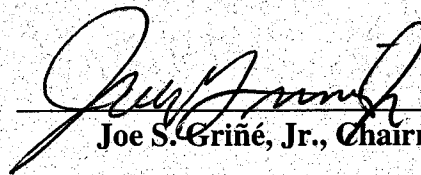
WHEREAS, Parts I, II, and III with all approved amendments have been compiled into one document with illustrative maps, tables, graphs and graphics, including acknowledgments and cover, as directed by Resolution 1997-114;

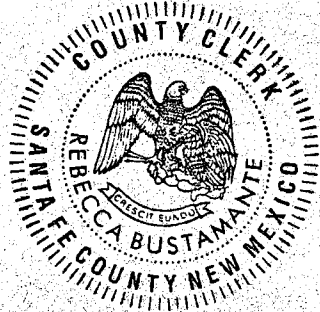
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that:

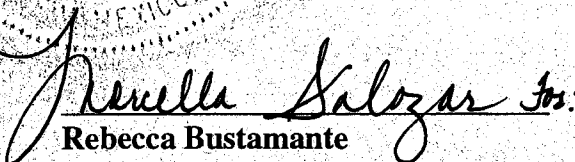
1. The Santa Fe County Growth Management Plan (General Plan), which is attached as Exhibit A to this Resolution, is hereby adopted;
2. All previous Resolutions adopting portions of the Plan (Resolutions 1997-114, 1999-60, 1999-72, 1999-80, and 1999-119) are repealed;
3. Adoption of The Santa Fe County Growth Management Plan will invalidate and render null and void any inconsistent provisions of the Santa Fe County General Plan approved October 28, 1980.

PASSED, APPROVED AND ADOPTED this 26<sup>TH</sup> day of OCTOBER, 1999.


BOARD OF COUNTY COMMISSIONERS

  
 Joe S. Griné, Jr., Chairman

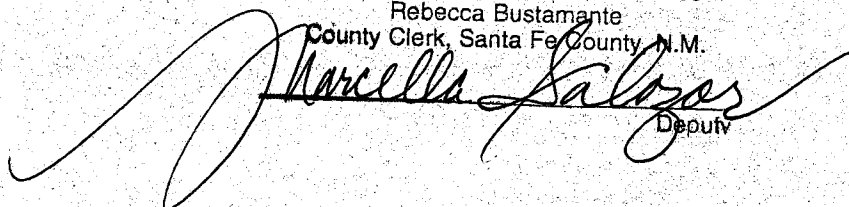


  
 Marcella Salazar  
 Rebecca Bustamante  
 County Clerk

Approved As To Form:

  
 Denice Brown, County Attorney

1100 621  
 COUNTY OF SANTA FE )  
 STATE OF NEW MEXICO ) SS  
 I hereby certify that this instrument was filed for record on the 21 day of DEC. A.D. 19 99, at 8:21 o'clock a. m. and was duly recorded in book 1718/1719 page 993-159 of the records of Santa Fe County.

Witness my Hand and Seal of Office  
 Rebecca Bustamante  
 County Clerk, Santa Fe County, N.M.  
  
 Deputy